



TOWN OF DUNN MUNICIPAL COURT 4156 COUNTY ROAD B MC FARLAND WI 53558 608-838-1081
ARRAIGNMENT JUDGE Lana J. Makes

MUNICIPAL COURT INFORMATION

COURT JURISDICTION:

This court has jurisdiction over traffic and non-traffic ordinances in this municipality. You have a right to be represented by an attorney, or you may go ahead without one. If you want an attorney, you must retain one at your own expense. The court will not provide you with a Public Defender.

INITIAL APPEARANCE:

Please remain quiet while the court is in session and give others the courtesy to be heard and present their case. Persons who fail to conduct themselves in an orderly manner may be cited for contempt. When your name is called, you may enter one of the following pleas: Guilty, Not Guilty or No Contest. You may also request a continuance to have the initial appearance at a later date.

If your ticket relates to a violation of Wisconsin Statutes 346.63 (OWI), you may request a jury trial. If you request a jury trial, the case will be transferred to Circuit Court. To obtain a jury trial, you must make a written request for a jury trial within ten (10) days of the date of your initial appearance. Your payment of the jury fees (\$36.00 for a six person jury) must accompany your written request.

If you are pleading Guilty or No Contest, the Judge will consider your case, and will render judgment immediately. You will receive a written notification of the result via mail.

If you plead GUILTY, it is an admission of the charges against you.

If you plead NO CONTEST, it is similar to a plea of Guilty, as the Municipal Court will treat it the same as a Guilty plea. However, you will not be admitting your civil liability for use in other litigation, which may occur where personal injury or property damage is involved.

Those defendants pleading Guilty or No Contest may make a written or oral statement providing the Court with information about the facts of their case or other personal circumstances. Depending on the facts, including the seriousness of the present charge and any past record, the Court will render judgment. The sentence will likely include a forfeiture plus court costs. Forfeitures are typically payable within 30 days.

If you plead NOT GUILTY, it means that you are contesting the charge. A Pre-trial conference will be scheduled to give you an opportunity to discuss your case with the Town Attorney. If you resolve the case with the Town Attorney, your agreement will be submitted to the Court for review. If you do not reach a resolution, the case will be scheduled for a trial at a later date.

If you are in doubt as to which plea to enter, you may plead Not Guilty or ask for a Continuance so you can review your case and make an intelligent plea at the adjourned date.

CHANGE OF ADDRESS:

You must notify the court in writing within 5 days of any change of your address during the pendency of the case.

TRAFFIC VIOLATIONS:

If you are found Guilty of a traffic offense, in addition to any judgment made by the court, the State Department of Transportation may assess demerit points against your driving record, which may result in the suspension or revocation of your driver's license. The assessment of 12 demerit points in one year will result in the loss of your license. Any person holding a probationary license will be assessed additional demerit points for the second and all subsequent violations. Juveniles cited for traffic ordinance violations are subject to the same forfeitures and court procedures as adults.

JUVENILES:

The Municipal Court has jurisdiction of persons between 12 and 17 years of age charged with non-traffic ordinance violations. Juveniles have the same rights as adults with respect to pleas. They also have a right to a private (closed) hearing, but may waive this right. A money judgment may be entered against a juvenile found guilty of a non-traffic ordinance violation, or have their driver's license suspended.

TRIALS:

It is the prosecution that bears the burden of proving the case against each defendant by clear, convincing and satisfactory evidence. The prosecution will produce its witnesses to testify as to the facts and circumstances surrounding your case. You or your lawyer will be permitted to cross examine each witness. When the prosecution has completed its case, you and your witnesses will be given the opportunity to testify and will be subject to cross examination by the prosecution. After all the evidence has been presented, the prosecution and the defense will be given an opportunity to summarize their respective cases to the Court through brief argument. Thereafter, the Court will determine whether you are guilty or not guilty. If the court finds you Not Guilty, you will be discharged and the complaint against you dismissed. If you are found Guilty, the court will impose a penalty, taking into consideration the totality of the circumstances, including the seriousness of the violation and your past record. If necessary, you may have time to pay.

PAYMENT:

If you are unable to pay the forfeiture, costs, fees, or surcharges due to poverty, you may request an installment payment plan, community service, or a stay of the judgment. Failure to pay the judgment may result in a commitment to jail, suspension of your driver's license, or enrollment into the tax intercept or State Debt Collections programs.

APPEALS:

If you contest your case, you have the right to appeal the results of the case to the Circuit Court under Wisconsin Statute 800.14. All appeals must be filed in writing within 20 days after judgment. If you fail to meet this time limit, you have lost your right to appeal. The appeal fee must be posted upon filing the appeal.

RESTITUTION:

The Municipal Court, in addition to ordering any payment authorized by law, may order a defendant to make full or partial restitution to any victim as stated in State Statute 800.093.