

## INSTRUCTIONS TO DEFENDANTS ON INITIAL APPEARANCE/RESET DOCKETS

1. You have been accused of committing a Class C criminal offense. Class C offenses are punishable by fine only. Most traffic offenses are punishable by fines up to \$200.00 plus court costs. Most other Class C offenses are punishable by fines up to \$500.00. However, some Class C offenses are punishable by fines up to \$2000.00.
2. You have the right to remain silent and not say anything at all about the facts of your case. You have the right to have an attorney represent you but not to a court-appointed counsel. You have the right to have a jury trial in each of your cases.
3. Options to resolve your case:
  - a. You may plead "guilty" or "no contest" and simply pay the fine or request a payment plan.
  - b. **Driving Safety Course:** At the time of driving safety request, you must pay the court cost of \$144.00, or \$169.00 for school zone violations, and provide proof of financial responsibility. The requirements to qualify for driving safety are:
    - 1) You cannot have completed a DSC course within the 12 months preceding the date of offense.
    - 2) You must have a valid driver's license, be a member of the US Military forces on active duty or the spouse or dependent of an active duty member of the military.
    - 3) You must not be charged with driving 95 mph or more.
    - 4) You must not be charged with driving 25 mph or more over the speed limit.
    - 5) You must provide proof of financial responsibility, such as insurance.
    - 6) You cannot hold a commercial driver's license, either now or at the time of offense.
  - c. **Compliance Dismissals:** Expired registration, Expired Driver's License, No license plate. Can be dismissed by remitting a small dismissal fee.
  - d. You may enter into a plea bargain with the prosecutor to resolve your cases.
  - e. You may plead "not guilty" and request either a jury trial or bench (or "judge") trial.
4. If you do not have sufficient resources to pay all or part of your fine and court costs, the court may allow you to discharge your obligations by community service. In extraordinary circumstances, the court can also waive all or part of your fine and court costs.

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**When the court calls your case, you need to announce one of the following:**

- A) Plead guilty or no contest and pay the fine/request a payment plan.**
- B) Request to take the driving safety course.**
- C) You believe you are entitled to a compliance dismissal.**
- D) Speak with the prosecutor to try and resolve the case.**
- E) Plead not guilty and set the case for jury or bench trial.**

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