Probationary Licenses

If you hold a probationary or graduated driver's license, the demerit points double for 2nd and subsequent driving convictions.

Occupational Licenses

If your Wisconsin driver's license is revoked or suspended, you have a right to apply for an occupational license through the Wisconsin Dept. of Transportation, subject to a waiting period in certain cases. Contact your local DMV for information.

Suspension or Revocation of Driver's Licenses

If your driving privileges are suspended or revoked for any reason, you will be required to pay a fee to the Wisconsin Dept. of Transportation to re-instate your privileges.

General Rules

This Court has jurisdiction over traffic and non-traffic ordinance violations in the Town and Village of Bloomfield. If you desire an attorney, you must retain one at your own expense. This Court will not be able to provide you with an attorney. An attorney can explain your rights and assist you. We urge you to retain your own attorney.

This is a Court of Law. We request that people remove their hats out of respect for the Court and that you refrain from smoking and eating. Please be quiet. Loud children or crying babies should be removed from the Courtroom. Respect the rights and needs of others. Persons who fail to conduct themselves in an orderly manner shall be cited for contempt of court.

In conclusion, whether you are found not guilty or guilty, the court would like to impress upon you the necessity of all of us to voluntarily observe all laws. We all desire to make our roads safer places to drive, and our community a better place to live and work. For further information, please refer to your citation.

David W. Schiltz, Municipal Judge

NOTE: Nothing contained in this pamphlet should be construed to create rights that do not exist under the law or guarantee that the court will take any particular action. Each citation is handled on a case-by-case basis.

Detach and Return With Payment

Name: _____

Citation #: _____

_____

_____

Court Date: _____

Your Rights As A Defendant



Bloomfield Municipal Court

N1100 Town Hall Road
P. O. Box 64
Pell Lake, WI 53157
(262) 279-3556
court@townofbloomfield.com

David W. Schiltz
Municipal Judge

Lisa A. McClure
Court Clerk

Court Clerk Office Hours: Monday-Friday 7:30am-3:30pm

The Municipal Court and the Court Clerk's Office are located at the Bloomfield Town Hall. The Town Hall is just off of Highway H on Town Hall Road approximately halfway between Lake Geneva and Genoa City.

Initial Appearance

This may be your first visit to this Court, and it is our desire that you be fully advised of your rights and the Court's procedure.

When your name is called, come forward promptly to the podium facing the Judge.

The appearance date on your citation is for a plea only. The arresting officer will likely NOT be present. This will NOT be a trial date.

If this is your initial scheduled appearance date, you have the right to request a continuance, which can be used to consult with your attorney. Requests for a continuance can be made by contacting the Clerk at 262-279-3556 or to the Judge on the day of your initial appearance.

Entering A Plea

If you plead Guilty, you are admitting all the circumstances and conditions that appear on the citation are correct. You will be found guilty and a penalty will be imposed.

If you plead No Contest, you are neither pleading guilty nor not guilty, but merely want to have the matter resolved and pay the penalty. The effect of this plea is that you will be found guilty, but you will not be admitting civil liability that may arise if the violation involved a traffic collision or damage to property.

If you plead Guilty or No Contest, the Court will review the officer's report to determine the relative seriousness of the violation and review your past record. The court will then impose a penalty in accordance with the law.

If you plead Not Guilty, you will be scheduled for a conference with the prosecutor to discuss your case. This is known as a Pre-Trial. The judge does not participate in pre-trial conferences. If you and the prosecutor come to an agreement, the municipal judge will likely accept your agreement, however, the judge does not have to accept any negotiated or amended charge. If you do not come to an agreement, your case will be set for trial.

Payment Without Appearance

If your appearance is non-mandatory, and you do not wish to contest the citation, complete the payment coupon on the back page of this pamphlet and return it to the court before the date of your initial appearance, in person or by mail. Payment by mail is accepted by certified check, cashier's check, personal check, or money order. Payment by MasterCard, Visa, or American Express is available by using www.govpaynow.com (see attached). Check or cash is accepted in person during office hours. The Clerk is not always able to make change, so please bring exact change. Payment may also be made after office hours or on weekends via the drop box located outside the Court Clerk's office. If you wish to receive a receipt for mailed or dropped payments, you must include a self-addressed, stamped envelope.

Failure to Appear

If you fail to appear at a mandatory court appearance, your scheduled Pre-Trial, or an assigned Trial, the Court will enter a Default Judgment against you and may issue a warrant for your arrest. Your failure to appear for a non-mandatory appearance will result in a finding of Guilty, forfeiture of the bond amount and a report of the conviction to the Wisconsin Department of Transportation. If you are a non-resident, the conviction will be reported to your home state.

Trial

All trials, except non-traffic juvenile cases, are public trials. You have the right to retain your own attorney, and to subpoena witnesses. You are presumed innocent and will be convicted only if evidence is clear, convincing and satisfactory that you committed the violation with which you have been charged. All witnesses must testify in person under oath.

The prosecution will produce its witnesses to testify as to the facts and circumstances surrounding your alleged violation. You or your attorney will be permitted to cross-examine each witness that testifies. When the prosecutor has completed his case, you and your witnesses will be given the opportunity to testify and will be subject to cross-examination by the prosecutor.

The rules of Civil Procedure and Evidence will be followed.

After all the evidence has been presented, the prosecution and the defense will be given an opportunity to summarize, by brief argument, their respective cases to the Court. Thereafter, the Court will decide, based upon the testimony, the evidence and the law whether to find you guilty or not guilty.

If the Court finds you not guilty, you will be discharged and the complaint against you will be dismissed. If you are found guilty, the extent of the penalty is dependant upon the circumstances surrounding the violation and your past record.

One continuance will be granted to the defendant. The request for a continuance must be made at least 72 hours before the scheduled trial time or to the Judge at the time of trial.

Jury Trials

Only if you have been charged with the offense of Operating a Motor Vehicle While Under the Influence of an Intoxicant, are you entitled to a Jury Trial on a plea of Not Guilty. You must file a written request for a 6-person jury trial within ten (10) days of your initial appearance, post the jury fee; and post your bond. Failure to comply with the above will result in a trial in this Court.

Relief From Judgment

Either party has a right to appeal a municipal court decision to the Walworth County Circuit Court. A plea of no contest or guilty, or a default judgment may not be appealed.

If you decide to appeal, you must do so within twenty (20) days of the date of your conviction. Notice of Appeal forms are available at the Court Clerk's office. Upon filing a Notice of Appeal, all applicable fees must be paid to the Clerk.

You may have a right to file a motion to re-open a judgment within six (6) months of the judgment only for a good cause and upon payment of the re-opening fee. Forms for a motion to re-open are available at the Court Clerk's office.

Failure to Pay Forfeiture

There may be serious consequences if you fail to follow the Court's orders or pay the forfeiture. The Court may commit a person to the Walworth County Jail to serve up to 1 day for every $50 of unpaid forfeiture; **OR** the Court may order a suspension of your driver's license (privileges) for a maximum of one (1) year or until the forfeiture is paid.