

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 procedures. The Initial Appearance session of the court is primarily for the purpose of taking your plea to the alleged violation of the law.

1. When your name is called, come forward promptly and take a seat at the table directly in front of the bench, facing the judge.
2. The court will inform you of the exact charge against you; the range of possible penalties including points that may be imposed in traffic cases; and will request that you enter a plea of not guilty, guilty, or no contest.
3. If this is your initial, scheduled appearance date, you have a right to request a continuance, which continuance can be used to consult with your attorney.

ENTERING A PLEA

1. If you enter a plea of GUILTY, you are admitting that you committed the offense, and if the arrest report contains the necessary elements, you will be found guilty and a penalty will be imposed.
2. If you enter a plea of NO CONTEST, you are neither pleading guilty or 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 your civil liability for use in other litigation, which could be expected where personal injury or property damage is involved.
3. If you are convicted – you will be given an opportunity, if you wish, to make a statement before the court examines your conviction record and sets the penalties.
4. Should you need time to pay the penalty – if you cannot pay in full today – the court may grant you 60 days to pay. If you fail to pay, the Court may consider an installment payment arrangement or consider a contempt of court citation and possible jail.
5. If you enter a plea of NOT GUILTY, you deny committing the offense, your matter will be set for trial at a future date

PRE – TRIALS

If you plead not guilty, you may request that a Pre-Trial Conference be conducted so that you can discuss a possible settlement with the Court Officer. The Judge does not participate in the Pre-Trial Conference nor does the court have to accept any negotiated or amended charge.

TRIALS

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 and under oath.

The prosecution will produce its' witnesses to testify as to the facts and circumstances surrounding your alleged violation. You or your lawyer will be permitted to cross-examine each witness that testifies.

When the prosecution has completed its' case you and your witnesses will be given the opportunity to testify, and you and your witnesses 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, the citation will be dismissed. If you are found guilty, the extent of the penalty is dependent upon the circumstances surrounding the violation and your past record.

RELIEF FROM JUDGMENT

1. Either party has a right to appeal a Municipal Court decision to the Walworth County Circuit Court or request a new trial in the Circuit Court. A plea of no contest, guilty or a default judgment may not be appealed.

If you decide to appeal you must do so by filing a written Notice of Appeal with the Municipal Court within twenty (20) days of the date of your conviction (judgment).

At the same time, you must remit appellate fees payable to "Clerk of Courts, Walworth County". New trials in the Circuit Court are tried without a jury unless you request a jury trial in your Notice of Appeal. Upon payment of the appellate fee, jury fee and the amount of your penalty, you will then receive a six-person jury trial in the Walworth County Circuit Court.

2. You have a right to file a Motion to Reopen a judgment within six (6) months of the judgment which may be granted only for good cause.

FAILURE TO PAY FORFEITURE

There may be serious consequences if you fail to follow the court's order to pay the forfeiture. The court may cite you for contempt and impose penalties including jail. The court may send you notice requiring your appearance at a Good Cause Indigency Hearing. Inform the court, in writing, if you change your address, or if your address is different than the address on your ticket.

SUSPENSION OR REVOCATION OF BOATER SAFETY

If you are convicted of a violation under 30.68 your boater safety certificate may be suspended, or the court may require you to attend and complete a boater safety course.

GENERAL RULES

We offer this brochure of rules and procedures to help you understand how the court functions. The court has jurisdiction over traffic and non-traffic ordinance violations in the Village of Fontana and on Geneva Lake. 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. Please be quiet and remove loud children or crying babies. Please turn off all cell phones. Notify the court in writing, of any change of address.

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. Each of us desires to make our village and lake as safe as possible, and our community a great place to live and work. Thank you very much.

BY THE COURT:
Thomas E. Sullivan
Municipal Judge

To make a payment to the VOF Municipal Court, you may choose one of the following three options.

- 1) Pay with a credit card at www.acipayonline.com
When prompted, enter JURISDICTION CODE 6752
Payment Type: NON PARKING CITATION
- 2) Call **1-800-272-9829** with a credit card.
When prompted, enter JURISDICTION CODE 6752
Payment Type: NON PARKING CITATION
- 3) Mail a check or money order (no cash) made out to...

VOF Municipal Court

And mail it to...

Court Clerk
POB 114
Fontana, WI. 53125

*Be sure to put your citation number on the check or make a copy of the citation and attach it to the check.

VILLAGE OF FONTANA

On Geneva Lake

Geneva Lake Police

Municipal Court
Procedure



Thomas E. Sullivan
Municipal Judge

Municipal Court Office
Fontana Village Hall
175 Valley View Drive
P.O. Box 114
Fontana, WI 53125
Phone 262-275-5633
Fax 262-275-5368

