

**IN THE MUNICIPAL COURT IN AND FOR THE CITY OF STEAMBOAT SPRINGS
AND THE STATE OF COLORADO
PRO SE TRIAL TO THE COURT PROCEDURES**

This memorandum was prepared for the orderly administration of trials and may be used by a defendant appearing in the City Court for trial without benefit of legal counsel. These instructions are not meant to be legal advice. If you have legal questions you may contact a Colorado licensed attorney. Trial procedure in this Court is as follows:

1. Trials are scheduled through the Municipal Court Clerk and are held on Thursdays in the Citizens' Meeting Room in Centennial Hall at 124 10th Street.
2. The Court Clerk will direct you to your place at the defendant's table. If you are under the age of 18, your mother or father or guardian may sit with you at the table, but you must present your own case.
3. After the Judge is satisfied that the People and the defendant are ready, trial will begin. The order of the trial is set forth here:

1: The City Attorney has the right to make an opening statement. This statement is not evidence but is simply a summary of what the People intend to prove by their evidence. It is given to assist the Judge in following the sequence and progression of the People's case. The City Attorney may waive the opening statement.

2: Next, you, the defendant, may make an opening statement which is designed to serve the same purpose for the defendant, as the City's opening statement does for them. You may reserve your opening statement until just before you begin your case. Some defendants make no opening statement.

3: The rules of evidence apply to all cases and will be followed by the Court. The City Attorney presents the case by calling witnesses (direct examination). If you feel that any question is irrelevant (i.e. doesn't apply to the issue), incompetent (i.e. the person or exhibit is not properly qualified for testimony), or immaterial (i.e. it is not an issue in this case), you may object. The Court will either sustain (grant) the motion or overrule (deny) the motion. Once ruled upon, the parties must abide by the Court's ruling on the objection.

4: After the City Attorney has completed questioning the witness, you may ask questions of that witness (cross-examination). Any question pertaining to the direct examination may be asked subject to the Court's ruling on objections. You are not to argue with the witness or to comment on answers at this time! Argument on the evidence takes place later.

5: The People's case is completed when the City Attorney states: "The People rest."

6: If you feel that the People have failed to establish a prima facie (i.e. adequate as it appears) case, you may move for a dismissal at this time. The Court will rule on the motion.

7: It is now the Defendant's turn to present on this case. An opening statement may be made if one has not occurred at the earlier opportunity.

8: You now call your witnesses. Witnesses, including the defendant, should be asked to state their name and address before testifying. Neither the City Attorney nor the defendant should lead the witnesses in their testimony, but should let the witnesses answer the questions asked.

9: The City Attorney may cross-examine each defense witness.

10: You are not obligated by law to testify. However, if you do, you are subject to cross-examination by the City Attorney. Any statement that you make may be used against you in this trial or in a subsequent civil trial.

11: You conclude your case by saying, "The Defense rests."

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12: Both parties may call rebuttal witnesses to refute any testimony or evidence the defendant has presented. The case is then closed for evidence. No further testimony may be presented by either side.

13. The City Attorney may make a closing argument or statement. This is not evidence. It is commentary on the evidence produced during the trial, the law as it may apply to the evidence and the possible guilt of the defendant.

14. You, the defendant, may make a closing argument or statement. This is not evidence. It is commentary on the evidence produced during the trial, the law as it may apply to the evidence and the possible innocence of the defendant.

15. Since the People have the burden of proving this case beyond a reasonable doubt, the City Attorney may then make a rebuttal argument. This statement is allowed for purposes of refuting comments made by the defendant. NO FURTHER ARGUMENT IS ALLOWED.

**IT IS YOUR RESPONSIBILITY TO NOTIFY THE COURT IF YOUR CONTACT INFORMATION CHANGES
PLEASE CALL THE COURT THE DAY PRIOR TO YOUR TRIAL TO CONFIRM THE TRIAL IS STILL SET**