

Steamboat Springs Municipal Court Master Advisement and Rights

This is an arraignment session only. You may enter a plea of “Guilty,” “Not Guilty,” or “No Contest” to the charge or charges against you. Insofar as the particular charges against you and with respect to the particular penalties that this court may impose, there is no difference between a plea of “Guilty” and a plea of “No Contest.” If you enter either of these two pleas, the Judge will dispose of your case in accordance with our municipal laws. If you came today merely to pay your fine and do not wish to appear before this court to enter your guilty plea, you may simply pay your fine now by coming up front and paying the clerk.

If you enter a plea of “Guilty” or “No Contest” to a traffic code violation, you will be fined and receive the number of points indicated on your ticket. The Judge has discretion, in this instance, to waive the court costs of \$10.00 which you will otherwise be assessed for tonight’s arraignment hearing.

If you wish to contest the ticket or to put at issue whether the ordinance was violated as charged, you may plead “Not Guilty,” and you will have the opportunity to meet tonight with the Assistant City Attorney for what we call a pre-trial conference. If, after the pre-trial conference, you still desire to plead “Not Guilty,” then a trial date will be set at which you will be tried as to the charges against you. The trial may be either to the Court or to a jury. At a trial, whether to the Court or to a jury, witnesses against you will appear and testify under oath, and they will be subject to cross-examination by you or your attorney. You may call witnesses if you have any. If there are any witnesses who are unlikely to appear voluntarily on your behalf, a court process may be issued to them requiring their attendance. You may testify or not testify as you see fit at the trial. If you are found guilty at the trial, you have the right to appeal that verdict to a higher court.

Your Legal Rights

- You are before the Court because you have received a Summons and Complaint, issued by an officer for this City, for a violation of the law.
- You need make no statement, and any statement made by you can and may be used against you. This hearing is being recorded, and you may obtain a transcribed copy of the recording upon your request and at your expense.
- If you are not a citizen of the United States, you are advised that a conviction may have the consequences of deportation, exclusion from admission to the U.S., or denial of naturalization pursuant to the laws of the United States. Consulting with an attorney is recommended prior to entering a plea of guilty or no contest.
- You have the right to be represented by counsel.
- If you are in jail, you have the right to bail. If you cannot pay the bail that has been set, you have the right to request a reduction in the amount of the bail required.
- If you are not prepared to enter a plea at this time and would like additional time to consult an attorney or for other good cause, you may request a continuance, and it will be granted if good cause is shown.

- If you enter a plea of guilty or no contest, you give up the right to require the prosecution to prove its case against you, to cross-examine witnesses against you, to present evidence that you are innocent, and your right against self-incrimination, since by pleading guilty you are incriminating yourself. Before entering a plea of guilty, you should fully understand the possible maximum punishments that this court may impose. Any plea you enter must be voluntary and not the result of undue influence or coercion on the part of anyone.
- If you plead not guilty, you may have a trial to the Court, or to a jury of three of your peers unless you request a greater number of jurors with your jury demand, not to exceed six in Municipal Court in Colorado. To obtain a jury trial, you must submit a written request with the Clerk of the Municipal Court and tender a jury deposit in the amount of \$25.00 within 21 days of tonight's hearing, unless this Court waives the fee because of inability to pay.
- If you proceed to trial and are found guilty of the charge or charges against you, you will be assessed an additional \$15.00 if the trial was to the Court and \$25.00 if the trial was to a jury as opposed to the \$10.00 that may be assessed for tonight's arraignment.
- You have the right to testify or not to testify in your own behalf at your trial. If you do not testify, your silence will not be held against you. If you do testify at your trial, you can be cross-examined by the prosecutor and what you say can and may be used against you. Whether you testify or not and whether you call other witnesses or not, you may present any other evidence which you feel is important to your case.
- If you are convicted at your trial, or if you change your plea to guilty, you may present evidence in extenuation and/or mitigation, that is, evidence you want the Court to consider prior to sentencing you.
- You have the right to appeal a conviction in this Court to the District Court for the Judicial District encompassing the City of Steamboat Springs, which is the 14th Judicial District.