

Pleas

Under our American system of justice, all persons are presumed to be innocent until proven guilty. On a plea of not guilty, a formal trial is held. As in all criminal trials, the State is required to prove the guilt of the defendant "beyond a reasonable doubt" of the offense charged in the complaint before a defendant can be found guilty by a judge or jury.

Your decision concerning which plea to enter is very important. Please consider each plea carefully before making a decision. If you plead "Guilty" or "*Nolo Contendere*" in open court, you should be prepared to pay the fine and court costs immediately. You should contact the court clerk's office regarding how to make payment.

Plea of Guilty

By a plea of Guilty, you admit that the act is prohibited by law, that you committed the act charged, and that you have no defense or excuse for your act. Before entering your plea of Guilty you should understand the following:

- (1) The State has the burden of proving that you violated the law (the law does not require that you prove you did not violate the law);
- (2) You have the right to hear the State's evidence and to require the State to prove you violated the law; and
- (3) A plea of Guilty may be used against you later in a civil suit if there was a traffic accident (another party can say you were at fault or responsible for the accident because you pled guilty to the traffic charge).

Plea of Nolo Contendere or No Contest

A plea of No Contest means that you do not contest the State's charge against you. You will almost certainly be found guilty, unless you are eligible and successfully complete a driving safety course and/or court-ordered probation. A plea of No Contest cannot be used against you in a subsequent civil suit.

Plea of Not Guilty

A plea of Not Guilty means that you are informing the court that you deny guilt or that you have a defense in your case and that the State must prove what it has charged against you. If you plead not guilty, you will need to decide whether to hire an attorney to represent you. If you represent yourself, please see the section on **Trial Procedures** to help you better understand the trial process.