

Your Rights

Your Rights in the Courtroom

- Please be advised the fine amount set forth for the Violations Bureau Schedule may not apply in court.
- You have a right to plead guilty, guilty with an explanation or not guilty.
- You are presumed to be innocent unless and until the city's prosecution proves your guilt beyond a reasonable doubt.
- If, after the charge is read and you understand it, you feel you have violated the law, you may enter a plea of guilty. If you wish to explain the circumstances surrounding the charge to the judge, you may ask the Municipal Judge to consider your explanation.
- If you believe you have not violated the law or have a defense to the alleged violation, you should plead not guilty. If in doubt, plead not guilty.

Your Right to an Attorney

- You have the right to be represented by an attorney. You may employ one to represent you before pleading to any charge, to defend you against charges and to protect your rights in any court procedure before or after the trial.
- At the first setting of your case, you have the right to obtain a continuance in order to obtain a lawyer or to prepare your defense. If you desire a continuance, you should request it after your case is called and before entering your plea.
- If you are indigent and unable to hire an attorney, the court will appoint an attorney for you if you can show that you cannot afford one in a case where a conviction would possibly lead to jail time. However, you may waive such right if you choose. You must appear on your scheduled court date to present your request to the Municipal Judge. The Judge will advise if your case and circumstances fit the criteria for appointment of an attorney.

After You Plea

Please be advised: the Violations Bureau Schedule may not apply to your fines in court.

If You Plead Guilty

- On the evening in which you plea you will be sentenced.
- The Court may allow you time to pay your fine. If you are given an extension to pay the fine, you will receive a sheet explaining payment. Read the sheet carefully. You are responsible to meet any and all deadlines, payment amounts and other sentencing guidelines. The court is not responsible for your failure to do so.
- Make sure you appear on the court date noted on the sheet if you have not paid your court fine and/or costs as instructed. Failure to appear in Court on the date required will result in a warrant being issued for your arrest

If You Plead Guilty with an Explanation

- This gives the Judge the opportunity to consider any unusual circumstances which you believe may be in your favor before you are sentenced.

If You Plead Not Guilty

- Due to the number of cases before the Court each month, and because of the need to have the officer and any witnesses present, your case can not be heard on the night you enter your plea of not guilty. You will be given a future court date for trial.
- At trial, you have the right to testify or remain silent.
 - If you remain silent, it is not considered an admission of guilt.
 - If you testify, the judge may consider any statement you make in determining your guilt or innocence.
 - Whether the case is presented by an attorney or the defendant, all parties are held to the same standard of law and legal guidelines for presenting a case at trial.
- You have the right to have subpoenas issued and served for witnesses on your behalf to appear at the trial.
 - You also have the right to question all witnesses who testify against you at the trial.
- Your case is tried in Municipal Court on your court date.
 - If you are found not guilty, the case ends.
 - If you are found guilty, you may accept the Court's decision or appeal your case to the [Circuit Court of St. Louis County](#), where you will have a new trial with a different judge. The request for appeal must be made within ten days of the Court's decision and cannot be extended for any reason. Complete details of the appeal procedure will be explained to you by Court personnel upon request.

Message from the City of Kirkwood Municipal Court

You have been summoned to appear in court on the date shown on your ticket unless otherwise paid. You may plead not guilty by appearing in court and a trial date will be set. If you plead guilty in court and are unable to pay, you will receive a new court date for payment.

You may also plead guilty by paying online or by mail (with payment) or by coming to the Kirkwood Traffic violations Bureau (located in the Kirkwood Police Department), then No court appearance would be necessary. Failure to pay will not result in a warrant being issued-failure to appear may.