

What is a Court trial?

A court trial is where you will be able to contest your citation. The Court will listen to the statement of the sworn witnesses against you (in most cases, this is the officer), and may question each witness. You may then present your case to the Court, and the Court will rule on the matter.

In traffic/infracton cases, a judicial officer will hear your case instead of a jury. For your arraignment and court trial, you can hire an attorney to represent you for your case or appear on your own without an attorney.

Frequently asked Questions

Will the officer who wrote the citation be in court?

The officer will be subpoenaed to appear in court.

What if I am found not guilty?

If you are found Not Guilty, your bail deposit, if already paid, will be returned to you by mail within six to eight weeks. Immediately after the trial, check with the clerk or bailiff to verify your current address.

What if I am found guilty?

In most cases, when you are found guilty, the sentence imposed and the fine is due immediately. If you need time to pay the fine, make sure you ask the Commissioner in court. If you were required to post bail ahead of time, the fine should not exceed the amount of bail you have deposited. The fine will be taken from the bail and the remaining amount will be refunded.

What if I do not appear at the trial time?

Your bail will be forfeited, and your driving record will show a conviction.

What if I need to change my trial date?

If it becomes necessary to change your court date, you may do so only once. Your request must be made at least ten court days prior to your trial date to secure a new date. There will be NO EXCEPTIONS to the minimum 10-day requirement.

Can I set a court date for a relative?

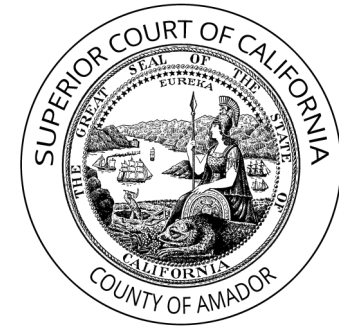
No.

Can I appear in court for a relative?

You can appear for a relative for the limited purpose of informing the court why that relative is not available to appear on the court date set. The court has discretion whether or not to accept the excuse and set a new date

Amador Superior Court

Traffic/Infracton Court Trial Basics



500 Argonaut Lane
Jackson, CA 95642
www.amadorcourt.org

Phone: 209-257-2605
E-mail: traffic@amadorcourt.org



Court Trial Basics

Tips on Presenting Your Case In Court

- Tell the Commissioner what street or highway you were on, what intersection, if any, was involved, and the direction you were traveling.
- Describe what happened in the order it happened. Present your best reasons first for why you think your ticket should be dismissed.

Simple and to the point is best. If the Commissioner asks you any questions, try to answer them directly.

Tips on What Not to Do In Court

- Don't Interrupt or argue with the Commissioner or the police officer.
- Don't Repeat yourself unnecessarily.
- Don't come into court unprepared, without the documents you need for your case.

Be Prepared

Arrive On Time

At the start of every session, the Court provides an advisement video or brochure explaining your rights. It is important to arrive on time. It may take up to three (3) hours to complete your traffic court appearance.

Identification

You may be required to present picture identification in court.

Case Related Documents

Bring all case related material to assist you in presenting your case. If you need the court to order witnesses or the production of documents, ask the clerk for information on Traffic Subpoenas.

Be Prepared To Pay

At the conclusion of your appearance in court, be prepared to pay your fine in full.

Interpreter

Interpreter services are available, but must be ordered at the time of arraignment or request for a court trial.

Cell Phones

Keep cell phones silent and put away while in court.

How long will the trial take?

Most trials take a very short amount of time, but you should plan to be at court for at least 3 hours on that day. REMEMBER TO CHECK YOUR TRIAL DATE, DEPARTMENT, AND TIME.

Should I bring my evidence?

If you have photos, diagrams, reports, or any other exhibits which you plan to present at the time of the trial, bring them with you on your trial date.

Should my witnesses appear?

If you have witnesses that are necessary to your defense, you should have them subpoenaed to appear in court. You can obtain the subpoena form from the Clerk's Office. Do this well in advance of your trial date. Complete the subpoena form, have the subpoena served, and file the subpoena with the proof of service with the Court on or before your trial date. **NOTE: A defendant cannot serve the subpoena.** The person served (witnesses) must be given reasonable advance notice of the date and time to appear for trial.

What happens when I get to court?

The bailiff or clerk will give some preliminary instructions and then check in those people appearing in court. A Judge Or Court Commissioner who, pursuant to Government Code Section 72190, has been empowered to rule on infraction matters, will then call the cases. The Court will listen to the statement of the sworn witnesses against you, and may question each witness. You may then present your case to the Court, and the Court will rule on the matter.