

PLEA INFORMATION

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

Your decision concerning which plea to enter is very important. You should read the following explanation of all three types of pleas and think carefully before making your decision. If you plead guilty or nolo contendere you should be prepared to pay the fine.

Plea of Guilty

By a plea of guilty, you admit that the act is prohibited by law and that you committed the act charged. Before entering your plea of guilty, however, you should understand the following:

- The State has the burden of proving you violated the law (the law does not require that you prove you did not violate the law).
- You have the right to hear the State's evidence and require the state to prove you violated the law.
- 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 plead guilty to the traffic charge).

Plea of Nolo Contendere (No Contest)

A plea of nolo contendere 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 deferred disposition. Also, a plea of nolo contendere may not be used against you in a subsequent civil suit for damages.

Plea of Not Guilty

A plea of not guilty means that you deny guilt and that the State must prove the charge that is filed against you. If you plead not guilty, you need to decide whether to hire an attorney to represent you. If you plead not guilty, you will be set for a pre-trial conference with the Prosecutor to discuss your case.