

In the Mantua Justice Court
County of Box Elder, State of Utah
Before the Honorable Kevin L. Nelson Justice Court Judge
409 North Main, Mantua UT 84324
435.723.7054, fax 435.723.8427

The purpose of this court is to provide you a fair and impartial hearing. During your appearance in court you will be informed of your rights, the charge(s) against you then you will be asked to enter a plea to those charge(s). This process is called arraignment.

The Constitution guarantees you certain rights. Among them are these. You have the right to:

- 1) Be presumed innocent of all charges until either pleading guilty or proven guilty beyond a reasonable doubt.
- 2) Be informed of and have an explanation of the charges against you.
- 3) Be represented by an attorney during all proceedings. (If you wish to talk to an attorney notify the judge when you are called to the bench.)
- 4) Request a court appointed attorney. (This will be decided based on the charge and your income and assets.)
I waive my right to be represented at this time by an attorney; it is my desire to proceed today. Initials _____
- 5) A formal information (complaint), replacing the citation you received from the law enforcement officer.
- 6) A speedy trial before an impartial court or jury.
- 7) Voluntarily testify, or not to testify, in your own defense.
- 8) Cross-examine in open court the witnesses the prosecution calls to testify against you.
- 9) Subpoena witnesses to testify in your behalf.
- 10) Appeal within 28 days, the decisions of this court or jury and receive a new trial in the District Court.
- 11) Be sentenced no less than 2 nor more than 45 days after the entry of a guilty plea of finding of guilty unless you waive that time and ask the judge to proceed.

Entry of Plea

Before you enter a plea, if you have questions concerning the charge or your rights, please ask the judge for further explanation. When you indicate that you understand the charge and your rights, you will be asked to enter a plea of "NOT GUILTY" or "GUILTY."

Consequences of your Plea

Plea of "Not Guilty"

- 1) A date will be set for your trial. Your case cannot be discussed with the court until the trial.
- 2) Bail may be required to ensure your attendance at the trial. After the trial, if a judgment of "Not Guilty" is entered, a 11 posted bail will be returned.
- 3) At trial you may represent yourself or be represented by your attorney.
- 4) To obtain a jury trial you must file a written demand with the Court at least 10 days prior to the trial date.
- 5) If you fail to appear for trial, the trial may be held even though you are not present. If you are convicted, you may also be sentenced in your absence. A warrant may also be issued for your arrest.

Plea of "Guilty"

- 1) A plea of guilty means that you admit you committed the offense(s) charged.
- 2) You waive your right to an impartial trial, to confront the witnesses against you, to have the charges against you proven beyond a reasonable doubt and your privilege against self-incrimination.

Consequences of a Conviction

After a conviction is entered as a result of a guilty plea, or a finding of guilty at trial, you will be asked if you wish to make a statement to the court before sentence is imposed. Your statement maybe considered in determining the sentence in conjunction with the Uniform Bail schedule. The penalty that will be imposed is intended to help each individual learn that all of us must obey the laws of our City and State or be penalized accordingly.

The maximum penalty allowed by law for violations in this court's jurisdiction is a fine of \$1,000.00 and or 180 days in jail. In addition to the fine, the State of Utah may also assess a 35% surcharge on Class C misdemeanors and a 90% surcharge on Class B misdemeanor offenses. Other surcharges may also apply. The penalty imposed is in relation to the seriousness of the violation. Convictions are reported to State agencies as required by law.

I understand my rights and responsibilities and am entering a plea of **NOT Guilty**.

Signed _____ Date _____ Phone # _____

I understand my rights and responsibilities and am knowingly and voluntarily entering a plea of **GUILTY**. I waive my right for a delay in sentencing as provided by Rule 22a; I understand that I may make a statement to the Court prior to sentencing and I ask the Court to sentence me today.

Signed _____ Date _____ Phone # _____