

# City of Beaver Dam Municipal Court

123 Park Avenue  
Beaver Dam, Wisconsin 53916  
Phone: (920) 887-4622  
Fax: (920) 887-4603  
Website: [www.cityofbeaverdam.com](http://www.cityofbeaverdam.com)  
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You have been issued a citation from a Beaver Dam, Waupun, Neosho, Ashippun or Rubicon Police Officer. This pamphlet is to give you information about what will happen.

## Violation:

If you receive a citation through Beaver Dam Municipal Court you have been charged with violating a state traffic law or ordinance violation. You have not been charged with a misdemeanor, criminal offense or felony.

## Do I Need an Attorney:

While it is not required, you have the right to be represented by an attorney. If you want an attorney you must retain one at your own expense.

## Conduct:

This is a court of law and the rules for proper decorum, procedure and evidence must be followed. Please remain seated and quiet while the court is in session and give others the courtesy to be heard and present their case. Persons who fail to conduct themselves in an orderly manner may be cited for contempt.

## Payment:

Payment is accepted in cash, check, money order or cashier's check. If you wish to pay by credit or debit card you may contact Government Payment at (888) 604-7888. You will need to inform them you are paying for Location Code 5206. You may also visit their website at

[www.governmentpayment.com](http://www.governmentpayment.com)



## Non-Payment:

If you are found guilty of the offense, payment is expected immediately. If you have extenuating circumstances and wish to request an extension of the due date you may do so at this time. Failure to make payment by the due date will result in the suspension of your driver license for up to two years, commitment in Dodge County Detention Facility for a period of up to ninety days per citation, having the amount due sent to a collection agency, or having the amount due certified with the Department of Revenue's State Debt Collection Program.

## Guilty:

A plea of guilty means you are admitting your guilt to the charges being discussed.

## No Contest:

A plea of no contest is similar to a plea of guilty and will be treated the same. However, you will not be admitting your civil liability for use in other litigation, which should be expected where personal injury or property damage is involved.

## Not Guilty:

A plea of not guilty means you are disputing the charges and wish to have a Pre-Trial Conference with the City Attorney's office to discuss the matter. Pre-Trial Conferences are scheduled for a later date.



If you do not wish contest the citation you may pay the fine amount shown on the citation before the court date. No further action will be necessary and you do not need to appear in court. If you do not wish to appear in court and need a little more time to pay the fine you may contact the court clerk for an extended due date.

### **Initial Appearance:**

If you wish to discuss the citation with the judge you may do so at the date and time shown on your citation. At that initial appearance you will be informed of the charge brought against you as well as possible penalties. At that time you will be asked to submit a plea of guilty, no contest or not guilty. If you plead guilty or no contest, you will have an opportunity to give a brief statement as to the facts of the case. A decision will be made based on your statement and any previous record you have.

If you wish to plead not guilty you may do so in writing before the court date. There are directions for pleading not guilty on the reverse side of your citation. If your plea is received before the court date no appearance is necessary. You will be notified by mail with instructions for your pre-trial conference.

### **Pre-Trial Conference:**

If you plead not guilty your file will be forwarded to the prosecutor's office. At that time a pre-trial conference will be scheduled. You must meet with the prosecutor to discuss the case. If you do not meet with the prosecutor as directed you will be found guilty by default and appropriate penalties will be assessed against you.

During your pre-trial conference you will have the opportunity to explain why you feel you are not guilty of the charges. The prosecutor may request the court dismiss the case, amend the charges to something more fitting of the violation or ask that the matter be set for trial. If you do not feel you want to take the matter to trial you may change your plea to no contest at this time

### **Trial:**

The city has the burden to prove you guilty by clear, satisfactory and convincing evidence. The city will attempt to do this with either physical evidence or sworn testimony. Because the burden of proof is upon the city, they will present their evidence first.

After each witness testifies, you will have the opportunity to cross-examine the city's witnesses. Cross-examine means to ask questions of the witness. There is no requirement that you exercise your opportunity to cross-examine. However, if you choose to do so, please remember that you must ask questions, not make statements. You will have ample opportunity to present your version of the situation when you present your defense at the conclusion of the city's case.

When asked to present your defense, you may do so just as the city presented their case, through the introduction of testimony, witnesses or physical evidence. If you or a witness testifies, you or they will be subject to cross-examination by the city, just as you had the opportunity to cross-examine the city's witnesses.

After all the evidence is presented, both sides will have the opportunity to present a short summation as to why the Judge should rule in their favor. Normally, a ruling will be made on the trial date.

