



CITY OF MANZANITA

P.O. Box 129, Manzanita, OR 97130-0129
Phone (503) 368-5343 extension 4 | Fax (503) 368-4145 | TTY Dial 711
court@ci.manzanita.or.us

City of Manzanita Municipal Court Honorable Larry J. Blake, Jr., Municipal Court Judge

You have received a citation or complaint alleging a violation of the traffic law or of a City of Manzanita Municipal Ordinances.

The Judge will read the charge against you from the citation or complaint.

If you have any questions about the charge against you or about your rights, please inform the Judge of your questions at that time.

If you understand the charge against you and your rights, you will be asked to enter a plea. Two pleas are acceptable before this court; **Not Guilty**, or **No Contest**.

- A plea of **Not Guilty** indicates that you do not believe you have committed the offense and is a denial of the charge; by this plea you are requesting a trial.
- A plea of **No Contest** is a statement that you do not wish to contest the charge or have a hearing on the matter. The Judge will find you guilty. You can offer an explanation of the circumstances to the Judge. The fine or other penalty, assessed by the Judge may depend on your explanation, circumstances surrounding the incident, driving record, conduct in Court and the seriousness of the offense. A plea of No Contest has the same effect as a plea of Guilty in that you are agreeing to abide by the decision of the court. Further, a plea of “no contest” may result in a conviction on your driving record.

PLEA OF NO CONTEST

Upon the entry of a plea of Guilty or a plea of No Contest, the case will be disposed of at this time. You will be given the opportunity to explain any circumstances that you think should be considered before a sentence is imposed.

A plea of No Contest is a waiver of your right to a trial on the charge.

PLEA OF NOT GUILTY

If you enter a plea of Not Guilty, the case will be set for trial. You **must appear at that time** and you should bring with you any witnesses you may wish to call to testify in your behalf.

At the time of trial you will have the right to hear any witnesses against you and to ask questions of witnesses against you. You will have the right to present evidence on your behalf through your testimony or the testimony of other witnesses. You also have the right to remain silent and you need not testify if you do not wish to do so.

If you are charged with a traffic infraction, only a fine may be imposed. However, the amount of the fine may vary with the class of infraction. The prosecution will only be required to prove your guilt by a preponderance of the evidence, and in as much as no jail sentence may be imposed, you have no right to court appointed counsel or a trial by jury.

The prosecution of the case would be the City's witness alone, usually the citing officer, unless you choose to be represented by a retained attorney. In that event, the prosecution would be represented by the City Attorney. You are required to advise the court at least ten (10) days in advance of the time of trial if you are to be represented by counsel in order that the City may also be represented. If you fail to so advise the Court, you will not be allowed to have counsel represent you or the matter may be reset by the Judge.

If you fail to appear at trial, the Court will assess a one-hundred dollar (\$100.00) local court cost along with fines/fees.

If you have any questions about the procedures, or about your rights, contact the court clerk or ask those questions when your case is called.