

Langlade County Circuit Court

A Traffic Citation Your Rights and Responsibilities

General Comments: You have just received a traffic citation. Before you vent your frustration on the arresting officer, pause for a moment and reflect on your driving conduct which led to your arrest. The officer is only doing the job for which he was trained – and for which you as a taxpayer pay his salary – trying to save you and others from unnecessary property damage, injury, or death. People are needlessly killed each year on our highways. His job is to insure that you are not one of them.

The arresting officer has quoted you an amount of deposit or bond which you must post for your alleged violation. This amount is determined from a uniform and minimum deposit schedule adopted by the State Board of Circuit Judges and is designed to be uniform throughout the State of Wisconsin.

Point Reduction School: Wisconsin law provides that drivers may have three points erased from their records upon successful completion of approved point reduction school. Such reduction is available only **before** point total reaches 12, and only once in any three-year period. Completion of point reduction school may be used to reduce points assessed against a driver's license that has already been suspended.

Persons with probationary license will have double points assessed on second and subsequent convictions. Questions regarding points should be directed to the Division of Motor Vehicles.

Forfeiture of Appearance: If it is noted in the upper left box of the citation that this is a mandatory appearance, then you **must** appear or a warrant will be issued for your arrest.

If the "no" box is noted, you may appear if you desire or forfeit your bond and not appear.

Trial by Jury: In all traffic matters, except those designated as crimes, you are entitled to a trial by jury only if a demand is made in writing or in open court and jury fees are paid within 10 days of the initial appearance date. If you desire a trial by jury, it is suggested that you consult your attorney for the proper procedure.

Directions for Forfeiting Bond:

To Forfeit Bond (Pay The Ticket).

Follow These Steps:

Step 1. Observe the upper area of the citation to find the dollars and cents amount.

Step 2. You may use money orders, certified checks or personal checks. Make these payable to "**Langlade County Clerk of Court**".

Step 3. Send copy of citation with payment. If a receipt is requested include a self addressed, stamped envelope.

Step 4. No further contact with the court is necessary.

Appearance in Court: If you decide to appear in Court you will be asked to enter a plea to the charge. If your plea is "Not Guilty", the matter will not be heard on your appearance date and the Court will immediately set the matter for a status conference/trial, and may require you to post a deposit if one has not already been posted. If you fail to appear for your status conference/trial the bond will be forfeited in the same manner as if you had posted a deposit and failed to appear at your initial appearance date. The arresting officer does not appear at the return date.

If you plead "Guilty" the Court will enter a finding and impose sentence. The penalty must be paid immediately, unless other arrangements are made with the Court. Upon failure to ultimately pay the penalty imposed, you will either be remanded to the custody of the Langlade County Sheriff or have your operating privileges suspended for a period of time to determined by the Court.

The fine on a plea of "Guilty" will be no more than the bond amount shown on the citation, unless amended by the Court. The Court has the right to assess a fine up to the maximum provided by statute after a court or jury trial in addition to witness fees.

For Non-Appearance in Court: When no bond is received, the Court has the discretion of entering a default judgment with a finding of “Guilty”, Fines ordered by default must be paid within approximately 60 days .

Plea of Not Guilty by Mail: The law provides that you may enter a plea of “Not Guilty” by mail. If you choose to do so, this plea must be in writing and **must be accompanied by the deposit, plus costs, quoted to you** by the officer if such deposit has not already been made.

The court has the discretion to suspend license for up to a year if certain circumstances apply.

Arrest Warrants and Suspensions: In addition to issuing arrest warrants for failing to appear when the citation reads “yes” under mandatory appearance, the Court also will authorize warrants for contempt of court for failing to pay fines imposed. **The Court also may suspend your license for two years when fines are not paid.**

Mandatory Suspension or Revocation by DMV: The following violations, upon a conviction, will result in a mandatory suspension or revocation by the Division of Motor Vehicles:

1. Homicide by reckless conduct; negligent homicide with a motor vehicle; or homicide by intoxicated operator of a motor vehicle.
2. Conviction of operating under the influence.
3. Convictions of a felony in which motor vehicle is involved.
4. Failure to stop and render aid as required by law in the event of an accident resulting in death, personal injury, or serious property damage.
5. Perjury or false statement submitted to DMV.
6. Operating after revocation.
7. Operating without filing statement of financial responsibility when such filing is required.
8. Violation of restriction on occupational license or serious violation by holder of occupational license.
9. Conviction in another state of a violation which, if committed in Wisconsin, would result in revocation.
10. Conviction of any traffic violation which results from an accident causing death to another.
11. Conviction of altering license, loaning license to another, fraudulently using a license, or permitting another to fraudulently use license.
12. Fleeing or eluding an officer.

Mandatory Suspensions or Revocation by the Court: The following violations, upon conviction, will result in a mandatory suspension or revocation of the operating privilege:

1. Speeding 25 M.P.H. or more in a 55 M.P.H. zone.
2. Refusal to take offered test for intoxication.
3. Operating under the influence.
4. Misrepresenting age to procure intoxicants.
5. Underage drinking violations.

Questions: Any questions you wish to have answered prior to your appearance in court should be addressed to your attorney. **Court personnel are prohibited from giving legal advice.**

**John B. Rhode
Circuit Court Judge**

**Marilyn Baraniak, Clerk of Court
Langlade County Courthouse
800 Clermont Street
Antigo, WI 54409
715-627-6215**