

## GLENDALE CITY COURT- ARRAIGNMENT INFORMATION

### WHAT IS ARRAIGNMENT ?

Arraignment is when you are being told the charges against you and your rights. All charges in this court are misdemeanors. You will plead: Not Guilty, Guilty, or No Contest. In some cases, the prosecutor will meet with you and you can decide if you want to plead not guilty, guilty, or no contest. You always have the right to plead Not Guilty. The prosecutor is the attorney for the state, not your attorney. In some cases, the Court can appoint an attorney for you. If the prosecutor cannot meet with you today, a plea of not guilty is entered and you must return to court for a pretrial conference in about 30 days. The judge will not hear your side today.

**ENTERING A PLEA** Today you will plead: (1) Guilty OR (2) Not Guilty OR (3) No Contest.

1. **GUILTY** -- You voluntarily admit to the crime. You give up all the legal rights. You will be convicted without further proof of guilt and will have a conviction on your record. You may be sentenced immediately, or you may have to come back for sentencing on another day. This depends on the nature of the crime and whether the court needs to consider other factors.

2. **NOT GUILTY** -- Your case will be set for a pretrial conference (PTC) in about 30 days. You will meet with the prosecutor to discuss your case. At this PTC you can see the police report and change your plea if you want. If you want to talk to an attorney first, you may ask the judge to appoint one. Not all cases are eligible to have an attorney appointed. If you change your plea from not guilty, the judge will conduct a plea proceeding and sentence. If you cannot resolve your case, you can ask to continue your pretrial or you can ask to set your case for trial.

3. **NO CONTEST** -- You are not admitting guilt, but you do not want to fight the charges or take your case to trial. The court enters a judgment of guilt and conviction on your record just as if you plead guilty.

### YOUR LEGAL RIGHTS

You have the rights to: (a) Trial before a judge, or in some cases, a trial by jury, (b) The assistance of an attorney at all stages of the case including an appeal, and, if eligible, to a court-appointed attorney, (c) Confront witnesses against you and cross-examine them as to the truth of their statements, (d) Present evidence on your behalf and subpoena witnesses at no expense to you, (e) Remain silent, not incriminate yourself, and be presumed innocent until proven guilty beyond a reasonable doubt, (f) Appeal.

### PENALTIES

The range of penalties is from a minimum suspended fine to the following possible maximum penalties plus surcharges which are like taxes on fines. Some crimes have mandatory fines or jail.

**Class III:** 30 days jail, \$500 fine, one year probation (Leaving the Scene, Excessive Speed, Trespass, some assaults)

**Class II:** 120 days jail, \$750 fine, two years probation (Criminal Damage Under \$250, Reckless Driving, Fictitious Plates, some assaults)

**Class I:** 180 days jail, \$2,500 fine, three years probation (DUI probation maximum is 5 years) (DUI, Driving on a Suspended License, Theft, Shoplift, Disorderly Conduct, Threatening, Assault with injury, All underage alcohol offenses, Interference with Judicial Orders, Trespass to Residence, Drag Racing, Dog at Large, City Ordinances)

**OTHER CONSEQUENCES:** There can be jail fees for each day of jail. For some offenses, MVD can take action against your license. For any conviction, another conviction can increase the penalties. Convictions may affect your job, professional license, right to possess a weapon, and status or possible deportation as a non-citizen in the U.S. If you are a school teacher, your conviction record may be sent to your school employer.

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