



Your Rights In Municipal Court

EXCELSIOR SPRINGS, MISSOURI

TRAFFIC VIOLATIONS BUREAU

(located inside the Police Department)
301 S Main Street
Excelsior Springs, MO 64024
816.630.0209

Monday – Friday, 9:00 am – 4:00 pm

COURT ROOM

(located inside the Hall of Waters)
201 E Broadway Avenue
Excelsior Springs, MO 64024

www.cityofesmo.com/municipalcourt

OUR MISSION

THE MISSION OF THE MUNICIPAL DIVISION IS TO TREAT THE CITIZENS WHO APPEAR IN A TIMELY, COURTEOUS AND EFFICIENT MANNER AND ASSURE THEM OF A FAIR AND IMPARTIAL DISPOSITION OF THEIR CASE(S).

EXCELSIOR SPRINGS MUNICIPAL DIVISION,

Seventh Judicial Circuit Court of Missouri, is an extension and qualified division of the Circuit Court of Clay County. The Excelsior Springs Municipal Division adjudicates traffic and other ordinance violations filed by the Excelsior Springs Police Department, Animal Control and Code Enforcement officers. The Excelsior Springs Municipal Division follows local court rules and have established court operating standards in accordance to state statute.

Municipal divisions are open to the public of all ages. The purpose of the municipal division is to provide you with a place to obtain a fair and impartial trial on any alleged violation of a city ordinance. While this is a general overview of your rights in the municipal division, each individual court may have local rules that may apply to your case. Municipal courts are part of the judicial branch of government and are authorized by the Missouri Constitution. They are a court of law established to protect the rights of all citizens.

If there is anything that you do not understand, do not hesitate to ask the judge any questions.

Please review the information and be prepared to enter one of the following pleas:

NOT GUILTY PLEA

A plea of NOT GUILTY means that you deny guilt and the City must prove the charge(s) against you. If you plead not guilty, your case will be scheduled for trial.

GUILTY PLEA

A plea of GUILTY means you admit that you committed the act as charged, that the act is prohibited by law and that you have no defense for your act.

DRESS CODE

Prohibited attire includes, but is not limited to:

Heavily soiled clothing
Spaghetti strap, halter & tank tops
Bare-midriff & see-through shirts
Shorts, cut-offs & mini skirts
Bathing suits
Lingerie
Athletic uniforms
Theatrical costumes & face paint
Clothing emblazoned with obscene words, images or messages contemptuous or disrespectful of the judicial process

COURT ROOM RULES

Stay seated until your name is called
No food or drinks
No chewing, smoking or vaping
No talking while court is in session
No weapons
Remove sunglasses and hats
(religious hats or head coverings are acceptable)
Silence cell phones and other electronic devices
No sleeping or disrupting court proceedings



EXCELSIOR SPRINGS MUNICIPAL DIVISION

To learn more about your rights, please visit our website:
www.cityofesmo.com/municipalcourt

KNOW YOUR RIGHTS IN MUNICIPAL COURT

- *RIGHT TO KNOW WHEN COURT IS OPEN
- *RIGHT TO ATTEND COURT
- *RIGHT TO RELEASE PENDING HEARING
- *RIGHT TO AN ATTORNEY
- *RIGHT TO A COURT APPOINTED ATTORNEY

RIGHT TO KNOW WHEN COURT IS OPEN

Every court has different hours. It is important you check the court's website or call the clerk to determine hours of operation.

A comprehensive listing of contact information for all municipal divisions in the State of Missouri can be found at:

<https://www.courts.mo.gov/mcw/findacourt>

RIGHT TO ATTEND COURT

Courts in Missouri are open to the public of all ages.

RIGHT TO RELEASE PENDING HEARING

If you are in jail for a municipal charge, you have the right to be released unless the court decides you need to be in jail for the protection of the community or because you may not appear for court. If the court orders your release from jail, there may be conditions on your release, including bail.

RIGHT TO AN ATTORNEY

You have the right to be represented by an attorney and may hire one at any time. When you first appear in court you can ask to postpone the hearing one time so you can hire an attorney. However, you are not required to have an attorney represent you. You may represent yourself.

RIGHT TO A COURT APPOINTED ATTORNEY

If you show you cannot afford an attorney and the city is requesting jail, the court will provide an attorney to represent you.

RIGHT TO REQUEST A DIFFERENT JUDGE

You may request a change of judge for any reason within ten (10) days after your initial plea. If it is past the ten (10) days, then you must show cause why the judge should be changed. In addition, a judge may decide he or she cannot hear the case if they have a conflict of interest in the case or if the judge will appear as the prosecuting attorney in a neighboring county where the prosecuting attorney will serve as judge.

RIGHT TO TRIAL

If you plead NOT GUILTY your case will be scheduled for trial. For more information on the trial process, please visit our website.

RIGHT TO APPEAL

If you are found guilty after a trial, you can accept the decision of appeal to the circuit court. The request for appeal must be made in writing within ten (10) days of the court's decision and cannot be extended for any reason. Complete details of the appeal procedure can be found on our website.

Your presence in municipal court today is perhaps your first experience in any court. This information has been prepared to help you understand the court proceedings and to inform you of your rights and duties.



ADA Accommodations:

If you need help with an ADA disability, please call 573.751.4377 or send an email to access2justice@courts.mo.gov

NON U.S. CITIZENS: If you do not have proper documentation to be in the United States, you should know that a conviction may result in your deportation, denial of admission to the United States or you may be denied naturalization under United States law.

- *RIGHT TO REQUEST A DIFFERENT JUDGE
- *RIGHT TO TRIAL
- *RIGHT TO APPEAL
- *RIGHT TO ACCESS COURT RECORDS
- *RIGHT TO HAVE A JUDGE DECIDE IF YOU CAN AFFORD AN ATTORNEY OR AFFORD TO PAY

RIGHT TO ACCESS COURT RECORDS

If you have a case in a municipal division court, you have the right to see the court records for your case. This includes records that show charges, court rulings, fines and other information.

RIGHT TO HAVE A JUDGE DECIDE IF YOU CAN AFFORD AN ATTORNEY OR PAY FINES

If you wish to have an attorney but cannot afford one, you can ask that the judge decide if you qualify for a court appointed attorney. You may be required to fill out paperwork about your finances and/or provide financial documents as part of the process.

You may also request the judge decide if you are able to pay court fines or be granted an alternative sentence such as community service. You may not be put in jail for failure to pay fines or costs unless the judge finds you have the ability to pay but are unwilling to pay or when alternative sanctions to jail are not sufficient.

PUNISHMENTS

FINES & COURT COSTS

>Minor traffic violations (MTV): up to \$225 total fine & costs

>Housing, zoning or building code violations: up to \$200 total fine & costs for 1st *violation, \$275 for the 2nd *violation, \$350 for the 3rd *violation & \$450 for the 4th & subsequent *violations.

**in a year*

>All other ordinance violations: up to \$500 in fines plus court costs
Court costs: \$33.50 per violation

JAIL TIME

In addition to fines and costs, certain violations may result in jail time. Upon conviction, the punishment can be up to 90 days in jail.

PROBATION

Additionally, you may receive up to two (2) years of unsupervised (Court) or supervised probation with certain conditions.

Certain violations are payable without having to appear in court.

For a list of payable violations, please contact the Court Administrator or visit our website.

PAYMENT OPTIONS

Pay online at www.courts.mo.gov/pbw or over the phone at 816.630.0209

Pay in person at the Traffic Violations Bureau located at 301 S Main Street, Excelsior Springs, MO 64024

Payment hours are Monday – Friday, 9:00 am – 4:00 pm

***THE PAYMENT WINDOW CLOSSES AT 3:00 PM ON ALL COURT DATES**