EL MIRAGE MUNICIPAL COURT -- CIVIL TRAFFIC INFORMATION
What about Driving School? ... Points on My License... Fight the Ticket or Pay a Fine?

This form explains what happens your first time in court and how you enter a plea to the charges. Read BOTH sides carefully and PRINT the information on the back. If you have questions, ask the court staff or judge for assistance.

STEP ONE: YOUR FIRST APPEARANCE - THE ARRAIGNMENT

You are appearing for your "Arraignment". The purpose of your Arraignment is to verify your receipt of the citation, inform you of the charges against you, to allow you to enter a plea to the charges, and to give you a court date if you want to have a civil traffic hearing.

REMEMBER -YOUR FIRST APPEARANCE IS NOT THE HEARING. THIS IS NOT THE TIME TO TELL THE JUDGE YOU WANT THE TICKET DISMISSED. THE COURT DOES NOT KNOW THE FACTS OF THE CASE. IF YOU DISAGREE WITH YOUR TICKET, THE PROCEDURE REQUIRES THAT YOUR CASE BE SET FOR A CIVIL TRAFFIC HEARING SO BOTH SIDES CAN PRESENT EVIDENCE.

STEP TWO: ENTERING A PLEA TO YOUR TRAFFIC VIOLATIONS.

You have three (3) choices: You may plead -- "RESPONSIBLE" -- or "RESPONSIBLE WITH AN EXPLANATION" -- or "NOT RESPONSIBLE."

A. If you plead **RESPONSIBLE**, the court enters judgment on your record, you may be given a fine to pay, and MVD is notified to assess points on your license for any moving violations.

B. If you plead **RESPONSIBLE WITH AN EXPLANATION**, this means that you are admitting to your ticket but you want to explain some details why the normal fine should be reduced or suspended. Remember, the court will NOT dismiss your ticket with this plea, but it may help to reduce the penalty you will be ordered to pay. MVD is notified to assess points on your license for moving violations.

C. If you plead **NOT RESPONSIBLE**, a date will be set for a Hearing (trial) in about 30 days. The rules of procedure for traffic cases are available for you to read at the Court Clerk's counter. On civil traffic hearings, the State only has the burden of proving the case by preponderance of the evidence. This means the State "wins" if merely 51% out of a possible 100% of the evidence is in its favor. If you want to tell your side of the story, it is your responsibility to provide your own evidence or bring your own witnesses to establish your defense to the citation. For civil traffic matters.

STEP THREE: POSSIBLE PENALTIES OR SANCTION

For civil traffic matters, you cannot receive jail time as a penalty. But, if you do not pay your fine or if you fail to appear for any future court proceedings, your driver’s license can be suspended. If you are later arrested for the crime of driving on a suspended license, you could be sent to jail.

STEP FOUR: DRIVING SCHOOL - ATTEND CLASS AND THE TICKET IS DISMISSED

If you are eligible to attend, Defensive Driving School is available for most "moving" violations such as speeding, failure to stop, minor accidents, etc. If you go to Defensive Driving School, you can get your ticket dismissed upon completion and there will be no points on your license. A person is eligible to attend once every two years. The driving school class usually is one session for 4 hours. When you call the school by phone to register, you will be given times and statewide locations for your sessions. You are responsible for all fees to attend the driving school. The cost for the school is about $193. If you go to school you do not have to pay the court fine for that violation. You do not have to come back to court, unless you have other violations to take care of.

The School will notify us if you attended on time. **REMEMBER, IF YOU PLEAD "NOT RESPONSIBLE" AND TAKE YOUR CASE TO HEARING, YOU LOSE THE OPTION OF DRIVING SCHOOL TO HAVE YOUR TICKET DISMISSED.**

STEP FIVE: MOTOR VEHICLE POINTS and OTHER MVD ACTION

MVD assesses points for speeding tickets and other moving violations. Normally, speeding tickets are three points and other moving violations are two points. There are no points against your license for expired registration, no insurance, or parking tickets. If you plead Responsible, Responsible With Explanation, or if you are found Responsible by the Court for "moving" violations, points are assessed by MVD. The Court has no legal ability to avoid points being assessed by MVD. Juveniles and adult drivers who plead "responsible," or are found "responsible," may be notified of other penalties or separate requirements thru MVD including traffic survival school, restrictions, or suspensions.

STEP SIX: NO INSURANCE TICKETS

The DRIVER, not just the owner, of a vehicle is required to have insurance when operating a vehicle. The court will not dismiss your ticket because you were not the owner of the vehicle or because you "did not know" there was no insurance at the time. For a first offense ticket, the fine can be about $940. If you obtain new insurance after the date of the ticket, the court can reduce this amount. Second or third "no insurance tickets" can mean higher fines and cancellation of registration for the vehicle.

To avoid a suspension on your driver's license and registration you must provide (1) a copy of your driving record showing no convictions within 2 years or only one conviction within 3years. (2) with proof of a six month policy your fine will be reduced to $240.00.

STEP SEVEN: PAYMENT OF SANCTIONS AND FEES

Traffic fines are payable in full when you are sentenced. You may pay by cash, check, money order, or credit card. If you need to set up payments, a $20 time pay fee is added to give you time to pay installments. Your driver's license can be suspended without further notice if you fail to pay. There are not excuses for nonpayment without court permission. If you are having financial difficulty, your best remedy is to come to court in person to see the Judge before the deadline.

If you understand this information, PRINT your name and address CLEARLY. Also, as a reminder, under applicable public records law, the information about your citation and this form may be entered into the state data bank or public internet.

YOUR NAME_____ SOCIAL SEC. #_____

ADDRESS AND PO BOX_____ Apt._____

CITY, STATE_____ ZIP_____ BIRTH DATE _____/____/____

DR. LIC. #_____ PHONE (___)_____

JUVENILE PARENT INITIALS_____ TODAY'S DATE_____/_____/____