

18 - District Traffic & Ordinance

If you are ticketed or arrested for a traffic violation or a State Law, or ordinance violation, your case will be processed in this division. Hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays.

Types of cases handled:

- Civil infraction traffic violations such as going through a red light, speeding, illegal turn, etc., are less serious traffic offenses that are non-criminal in nature;
- Misdemeanor traffic violations, more serious offenses that can result in your arrest. The maximum penalty for crimes under this category is \$1,000 fine and/or one year in jail;
- Ordinance violations, criminal offenses, such as gun law violations, accosting and soliciting, disorderly conduct, and drug violations which violate city, village or State law.
- Environmental cases, including building and safety, hazardous waste, littering, etc.

What happens if I receive a ticket for a civil infraction traffic violation?

The ticket that you received will include a number at the top and will indicate the violation you were ticketed for, how you can respond to the ticket, where you need to appear to settle the matter, what your rights are, and the badge number of the issuing officer. Your options are:

- ! To admit responsibility for the violation and pay the fine in person or by the mail.
- ! To admit responsibility with an explanation attached to the ticket describing any special circumstances. A magistrate will review the ticket and your explanation. You will be notified by mail of the magistrate's decision.
- ! You must contact the court within 10 days by mail, telephone, or in person to deny responsibility and schedule an informal hearing. No attorney for either side is allowed.
- ! Deny responsibility and request a formal hearing before a judge. A representative of the prosecutor's office and the issuing officer will be present. You have the right to be represented by an attorney at this hearing.

How do I pay a ticket by mail?

DO NOT MAIL CASH

1. Identify the County where you received the ticket.
2. Mail the payment to the District Division office in that County

Place citation number on check or money order

Allow 10 days for processing.

Can I appeal a decision from an informal hearing?

Yes. You have seven days after an informal hearing to request an appeal. You must post a bond in the amount of the fine. A formal hearing will be scheduled in front of a judge. You may wish to have an attorney present for this hearing.

What if I fail to show up for the hearing or do not pay the ticket on time?

If you have been issued a ticket for a civil infraction and do not respond in one of the three ways indicated, a default judgment will be issued against you by the court. This could result in your driver's license being suspended by the Secretary of State's office. You have **10 days** from the date of the ticket to either pay it or schedule a hearing. On the **45th day** following the 10th day, your license will go into suspension. If your license is suspended, it will cost you an additional \$45 to have it reinstated. This additional fee can only be paid to the District Division. The court will give you a clearance form which you must carry for two months until the Secretary of State clears your license on the state-wide computer system.

Can I request a hearing on a past due civil infraction?

Yes, by filing a motion to set aside the judgment issued against you. You must state a good reason why you did not respond timely and state a valid defense.

What if my traffic violation was a misdemeanor?

Misdemeanor traffic violations, such as driving under the influence, leaving the scene of an accident, etc., are more serious offenses and can result in you being issued a ticket or placed under arrest. In either case, you must appear in court for **arraignment**, when you will be informed of your legal rights, and asked to plead guilty or not guilty. You have the right to be represented by an attorney at this and all other hearings. If you cannot afford one, the court will appoint a lawyer for you.

If you fail to appear for your scheduled hearing, the court may issue a warrant for your arrest and your driver's license may be suspended.

If you plead **guilty** to a misdemeanor, you will be required to pay a fine and points will be assessed on your driving record. Some violations are punishable by jail for up to one year. If at your arraignment you plead **not guilty**, you have the right to request a trial by a judge (bench trial) or a jury. A date will be set for your **pretrial hearing**, when you will talk to the prosecutor about your case.

What happens if I am arrested on a traffic misdemeanor?

You will be taken to the county jail, processed and allowed to post bond. If you do not post a bond, you will spend the night in jail. For those who post bond, arraignment is usually held within two weeks. For those who do not post bond, an arraignment will be scheduled on the next business day.

What happens if I post a bond for someone and they don't show up for their court date?

When you post a bond for someone it is your responsibility to see that they make all required court appearances. If they miss any of them you will lose your money by forfeiture.

What if I am a minor and receive a traffic ticket?

If you are under the age of 17 and receive a misdemeanor traffic violation, you must appear at the Family Division Offices.

If you are under age 17 and receive a civil infraction citation, you must appear at the District Division Offices.

What if I am ticketed or arrested for a local ordinance violation?

If you are ticketed or arrested for a local ordinance violation, your case will be processed in the same manner as traffic misdemeanors are handled.

What can I do if there is a warrant for my arrest?

You should turn yourself in to law enforcement and be prepared to post bond.

What can I do if my driving privileges have been suspended?

To reinstate driving privileges, you must settle all pending cases and pay all reinstatement fees. If you owe driver responsibility fees to the Department of Treasury, you must pay those in full before your license will be reinstated.

How can I get a copy of my court record?

Contact the Court.

Can I change my court date?

You are allowed, under certain circumstances, one court date change on a civil infraction violation.

You must appear in court in order to change your court date for a misdemeanor violation.

How many points do traffic violations have?

You must contact the Secretary of State's office for point information.

Will a traffic ticket affect my insurance premiums?

It could. You should contact your insurance company for further information.

Does the District Division process parking tickets?

Parking tickets are processed in the District Division. However, some local communities process their own parking tickets. If a ticket is not handled timely in those communities that process their own tickets, the ticket is filed with the Court. Court fees are assessed to all parking tickets processed by the Court.

Glossary of Terms

Arraignment--A court hearing at which the defendant is informed of the specific criminal charges for which he or she is being charged. This is the first step in your case being processed by the court.

Bond, Bail, or Bail Bond--A promise that the defendant in a misdemeanor case will appear in court when required. This promise is normally guaranteed by the defendant or someone else posting money or property with the court. There are four types of bonds: personal recognizance bond, cash bond, ten-percent bond, and a surety bond.

Defendant--The person against whom a lawsuit is started or a crime charged.

Docket--A list of cases set for a hearing by a court on a specific day. The Court prepares court dockets for cases involving traffic and other violations.

Misdemeanor--A crime in which the maximum punishment is no more than one year in jail.

Plea--A defendant's response to a criminal charge, either guilty, not guilty, or no contest (nolo contendere). A no contest plea is treated the same as a guilty plea, except the defendant does not have to admit guilt.

Pretrial--Hearing in a criminal or civil case between the judge and the attorneys to discuss any questions or matters that can be resolved prior to the trial itself to assist in expediting or simplifying the trial.

Warrant of Arrest--An order issued by a judge or magistrate to a police officer requesting the arrest of the person named in the warrant.

