

Your Rights as a Traffic Defendant

Civil Traffic Defendants

You have the following rights:

- The right to have a civil traffic hearing before a justice of the peace or a civil traffic hearing officer.
- The right to be represented by counsel at the hearing. If you choose to be represented by counsel you must notify the court in writing at least 10 calendar days prior to the hearing date, otherwise you waive your right to be represented by an attorney. The court does not appoint attorneys for civil traffic violations.
- The right to question witnesses testifying against you and cross-examine them as to the truthfulness of their testimony.
- The right to present evidence on your behalf and the right to have subpoenas issued by the court at no cost to you to compel the attendance of witnesses.
- The right to appeal the outcome of the civil traffic hearing. There is however, no right to appeal a judgment entered by default as a result of your failure to appear.

Defendants with Misdemeanor or Criminal Traffic violations

You have the following rights:

- The right to a trial before a justice of the peace, and in some cases, before a jury.
- The right to be represented by an attorney at all stages of the case. In some cases, if you are unable to pay for an attorney, the court may appoint an attorney for you. You will have to provide evidence that you are indigent or are unable to afford an attorney. The court may require that you contribute a reasonable amount towards attorney fees.
- The right to confront witnesses and cross-examine them as to the truthfulness of their testimony.
- The right to have subpoenas issued by the court at no cost to you to compel the attendance of witnesses.
- The right to remain silent and to be presumed innocent until proven guilty beyond a reasonable doubt.
- The right to appeal. There is no right to appeal a guilty plea.