



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

ADVICE OF RIGHTS - TRAFFIC VIOLATIONS

The following represents a summary of the rights you have as a defendant in this Court.

IF YOU DO NOT UNDERSTAND THESE RIGHTS, BE SURE TO REQUEST A FURTHER EXPLANATION FROM THE COURT.

Each defendant has the following rights:

- (1) To have the complaint or citation read in open court.
- (2) To be represented by legal counsel at all stages of the proceedings and allowed a reasonable time to obtain an attorney. If you are charged with a misdemeanor and are indigent, the Court will appoint an attorney to represent you.
- (3) To plead guilty or not guilty or nolo contendere. A plea of nolo contendere has the same effect as a plea of guilty except that it cannot be used against you in a civil action.
- (4) To confront and cross-examine witnesses who would testify against you.
- (5) To the use of subpoena power of the Court to compel the attendance of witnesses on your behalf.
- (6) A constitutional privilege against self-incrimination; you cannot be compelled to be a witness about this matter.
- (7) To have your case tried within 45 days following your arraignment. If you are not brought to trial within the time stated, your case must be dismissed unless good cause is otherwise shown.
- (8) If you are charged with a misdemeanor, you are entitled to a jury trial.
- (9) If you plead guilty or nolo contendere (no contest), you have the right to delay sentencing for six hours and sentence must be imposed within five days. Since it may be inconvenient to return to court for sentencing, the Court will assume that you prefer to be sentenced immediately unless you request a later date.
- (10) If you wish to admit guilt and to give an explanation to the Court, you may do so **after** entering your plea of guilty. Your plea of guilty, however, is an admission of each element of the offense and your explanation will be considered only in determining the appropriate penalty. A reduced or suspended fine appears as a conviction on your record.

MAXIMUM PENALTIES

If you are convicted of any infraction you may be fined a \$500.00 base fine plus penalty assessments. A fourth conviction within one year may be treated as a misdemeanor. Your license may also be suspended as a consequence of a conviction for certain violations.

If you are convicted of a misdemeanor you may be sentenced to one (1) year in jail and be fined a \$1,000.00 base fine plus penalty assessments. Your license may also be suspended as a consequence of a conviction for certain violations.