

# Court Procedures

Welcome to the Olathe Municipal Court. If you are here in response to a ticket, this is called your first appearance date or arraignment. The purpose of the first appearance date is for the judge to explain your rights, the charge(s) and the possible penalties. This first appearance is not a trial. While you are waiting for court to begin, please read your advisement of rights.

1. When court begins the judge will verbally explain your rights as set forth in your advisement of rights.
2. After the advisement of rights, the judge will begin calling the cases on the court docket. When your case is called, you can proceed to the table at the front. Bring your advisement with you. There are pens at the table for you to use to sign your advisement of rights.
3. The first question the judge will ask you is whether or not you understand your rights and if you have any questions concerning your rights that you would like the judge to explain.
4. After any questions you may have concerning your rights have been answered and you understand your rights, the judge will go over the charge(s) and possible penalties. Again, if you have any questions concerning the charge(s) or possible penalties, ask the judge to explain and answer these questions.
5. After you tell the judge you understand your rights, the charge(s) and possible penalties, the judge will ask if you are ready to enter your plea. You can enter the following pleas:
  1. not guilty - this means you deny that you were involved or that you have committed the offense and that you want the town to prove the charge beyond a reasonable doubt in a trial.
  2. guilty - this means you agree that you were involved or committed the offense and that there are sufficient facts in your case, which if produced at trial, would support a finding of guilt beyond a reasonable doubt. This also means you do not want to come back to trial and the court may proceed to impose a sentence.
  3. no contest - this means you do not necessarily agree with the charge(s) and do not want to enter a plea of guilty, however you do not want to come back for trial. This plea means you are simply not going to contest the charge. The sentence is the same for either a guilty or no contest.
6. You may request a continuance to consult with an attorney or for other good cause.
7. If you want an attorney to represent you, you may make that request before you enter your plea. You may hire any attorney you choose. You are entitled to a court-appointed attorney only if there is the possibility of a jail sentence in your case and you are found to be indigent based on your application for an attorney.
8. If you enter a plea of not guilty, your case will be set for a trial within ninety (90) days from the date of entry of plea.

9. If you enter a plea of guilty or no contest, the court will impose a sentence for your case. If your case is a non-penalty assessment ticket, then the sentence could be anything in the penalty range and generally includes a fine and court costs.
10. If you have a fine, fees, costs or restitution to pay, you may pay by debit/credit card or by check. An additional charge will be assessed if you make an agreement for a payment schedule. Keep in mind, failure to make timely payments will result in a civil judgment against you and may be turned over to a private collection agency which may result in garnishment of wages and/or bank accounts.
11. The court clerk cannot give you legal advice, however the clerk is happy to answer your questions concerning court procedure, payments or scheduling.

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