

CITY OF MANITOWOC MUNICIPAL COURT CASE PROCESSING PROCEDURE

INITIAL APPEARANCE

A Defendant or Defendant's attorney may enter of plea of NOT GUILTY in the following manner:

- 1) By Personal Appearance at the assigned Initial Appearance Date;
- 2) By filing a NOT GUILTY PLEA form *at least one business day* prior to the scheduled Initial Appearance with either the Manitowoc Police Department or the Manitowoc Municipal Court Office. NOT GUILTY plea forms are available at either the Manitowoc Police Department or Manitowoc Municipal Court Office during regular business hours.
- 3) By filing a letter entering a NOT GUILTY PLEA *at least one business day* prior to the scheduled Initial Appearance with either the Manitowoc Police Department or Manitowoc Municipal Court Office. Said letter shall contain the following information:
 - a) Scheduled Initial Appearance Date;
 - b) Citation number(s);
 - c) The fact that the defendant wishes to plead NOT GUILTY;
 - d) Defendant's current address and telephone number;
 - e) Signature and printed name of the defendant or defendant's attorney, if represented;
 - f) If represented by an attorney, the attorney's contact information.

PRE-TRIAL PROCEDURE

- 1) All cases where a defendant enters a NOT GUILTY plea will be assigned a **MANDATORY** Pre-Trial with the Manitowoc City Attorney's Office, where the defendant and prosecutor may discuss whether the case can be resolved.
- 2) Pre-trials will be scheduled at least Three (3) weeks after the Initial Appearance date, with notification to the defendant or counsel as follows:
 - a) If the defendant or counsel appears personally at the assigned Initial Appearance, the assigned date will be provided immediately;
 - b) If the defendant or counsel has entered a NOT GUILTY plea by letter or form, they will be notified of the Pre-Trial date and time by U.S. Mail sent to the address on the Plea letter.
- 3) **Prior to the assigned Pre-Trial date**, pre-trials may be handled by telephone with the City Attorney's Office at a mutually agreeable time. If the Defendant

or defense counsel wishes to handle the pre-trial by telephone, they are responsible for contacting the City Attorney's office to schedule a time for the telephone pre-trial.

- 4) Court-assigned Pre-Trial dates will only be adjourned to a later date by mutual agreement of the parties, or for good cause. Agreement to adjourn shall not be unreasonably withheld.
- 5) **IF THE DEFENDANT OR ATTORNEY FAILS TO SCHEDULE A TELEPHONE PRE-TRIAL PRIOR TO THE ASSIGNED DATE, OR FAILS TO APPEAR ON THE ASSIGNED DATE, A DEFAULT JUDGMENT WILL BE ENTERED AGAINST THE DEFENDANT WITH A FORFEITURE AS LISTED ON THE CITATION AND ANY DRIVERS LICENSE SUSPENSION OR REVOCATION IN ACCORD WITH WISCONSIN GUIDELINES.**

TRIAL SCHEDULING

The only cases handled by the Manitowoc Municipal Court are cases filed by various City of Manitowoc Departments. All cases are prosecuted by the City of Manitowoc Attorney's Office. For this reason, the City Attorney's Office has the Municipal Court's trial calendar and is responsible for scheduling trials on that calendar. Trials will generally be held Tuesday afternoons. Trials will be scheduled as follows:

- 1) In the event the parties do not reach an agreement at a pre-trial, the City Attorney's Office will notify the defendant or defense counsel by U.S. Mail of a time to contact the City Attorney's Office by telephone to schedule the trial. This telephone conference shall be scheduled within Two (2) weeks of the assigned pre-trial. At that telephone conference, the trial will be scheduled. Any authorized representative of a defense attorney's office may handle this conference. This scheduling conference time may only be modified by mutual agreement of the parties, which agreement may not be unreasonably withheld.
- 2) If the defendant or counsel fails to call the City Attorney's Office at the scheduled time or contact the City Attorney's Office **in advance** to arrange a mutually agreeable alternative time, the City Attorney will schedule the trial.
- 3) Once scheduled, trials will only be adjourned for good cause.

ADOPTED THIS 1ST DAY OF DECEMBER, 2009.