



Plymouth Police Department

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COURT APPEARANCES

You have been ordered to appear in the Plymouth District Court on the date and time specified by the Bail Commissioner. Instructions to the Court are on the reverse side of this document. Weapons of any type are not allowed in the Court House and you will be electronically screened (like at the airport) prior to entering the lobby.

The business of the Court is conducted in a formal, courteous and dignified manner. You should dress accordingly and it is expected that all will rise when addressing the court. Jeans, cut-offs, shorts, halter-tops and other recreational clothing are not conducive to the dignity of the court décor. The presiding officer is addressed as Judge or Your Honor. On arrival at the Court, you should immediately check in at the Clerk of Court Office.

It is of critical importance that you full understand that every element of the charged offense(s) must be proved by the prosecution beyond a reasonable doubt. In the absence of such proof, your innocence is assumed. You may wish to confer with an attorney prior to making any decisions. Many attorneys do not charge for initial consultation. Attorneys are listed in the Yellow Pages of the phone book under Lawyer. NH Legal Services (1-800-639-5290) or Internet: <http://www.larchnh.org> is available for legal assistance, information and support.

You may want to give consideration to discussing your case with our prosecutor, Lt. Michael Clark, who will be available prior to the opening of the courtroom or can be reached at 536-1804 ext. 126. Generally, it takes about two weeks or more for the case file to arrive at the prosecutor's office, so allow some time to elapse before you call the prosecutor. You are under no obligation to do so, but you could resolve the matter and avoid a trial. The prosecutor is the only person who can offer you a plea recommendation (plea bargain). It is up to the judge to accept or reject any plea recommendations. No police member of this department, other than the prosecutor, can offer a plea recommendation and/or plea bargain.

When your case is called in the courtroom, you will go forward to the table on your left and stand while the charge(s) are announced. If you do not wish to have the charges read aloud, you may inform the Clerk of Court that you are *waiving the reading of the complaint*. The clerk will ask you how you wish to plea. You have three options:

Guilty: This is an admission that you committed the offense(s) as alleged.

Nolo Contendere: (No Contest). You are neither admitting nor denying the charge(s). Should the judge accept your plea and after a verbal rendition of the facts by the prosecutor, a finding of guilty will be made.

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“Not Guilty” – by pleading Not Guilty, you are asking for a trial and a date will be set by the Court for your return to stand trial. The Judge will review your bail conditions and make appropriate orders. If you are uncertain about your pleas or if you wish to consult with an attorney, you should plea Not Guilty. You may, with the consent of the Court, change your plea at a later date.

The maximum penalties that can be imposed are:

Class A Misdemeanor - \$2,000 fine, imprisonment of 1 year, or both

Class B Misdemeanor - \$1,200 fine

Violation - \$1,000 fine (a violation is not a crime)

If you are charged with a Felony or Class A Misdemeanor, you may apply for a court appointed attorney. You should immediately inform any court officer or the Clerk of Court so as to start the required paperwork. You must complete the application prior to leaving the court. If you plea Guilty after trial and a fine is imposed by the Court, you will be expected to pay the fine in full immediately. The court can order commitment to the County Correctional Facility for the non-payment or inability to pay fines at the rate of \$50 per day.

DIRECTIONS TO PLYMOUTH DISTRICT COURT

