

IN THE SOUTH SALT LAKE MUNICIPAL JUSTICE COURT
SALT LAKE COUNTY, STATE OF UTAH

THE CITY OF SOUTH SALT LAKE Plaintiff, vs. Defendant	AGREEMENT TO PAY AND FORFEIT BAIL IN INSTALLMENTS (Non-Mandatory Appearance Only) CASE NO. _____ DATE _____
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TO BE FILLED OUT BY A COURT CLERK
Read carefully and, if you agree, sign and return the form to the clerk.

1. I am the defendant in this case and I have been charged with the following violation(s) of the Utah Code or South Salt Lake City Municipal Code that does not require me to appear before a judge. (If your charge is not listed, please write it in next to Other. The line next to the charge is for the amount of the fine.)

CHARGE(S):

- | | |
|--|--|
| <input type="checkbox"/> No Driver's License in Possession _____ | <input type="checkbox"/> Failure to Stay in One Lane _____ |
| <input type="checkbox"/> Speeding: _____ mph over the limit _____ | <input type="checkbox"/> Following Too Close _____ |
| <input type="checkbox"/> Speeding in Construction: _____ mph over the limit _____ | <input type="checkbox"/> Improper Registration _____ |
| <input type="checkbox"/> Too Fast for Conditions _____ | <input type="checkbox"/> Expired Registration _____ |
| <input type="checkbox"/> Faulty Equipment _____ | <input type="checkbox"/> Improper Display of Plate _____ |
| <input type="checkbox"/> Seat Belt/Child Restraint Violation _____ | <input type="checkbox"/> Improper Turn _____ |
| <input type="checkbox"/> Failure to Yield _____ | <input type="checkbox"/> HOV Lane Violation _____ |
| <input type="checkbox"/> Failure to Signal _____ | <input type="checkbox"/> Lane Change Violation _____ |
| <input type="checkbox"/> Use handheld device to text/email while operating vehicle | |
| <input type="checkbox"/> Other _____ | |

(If you do not know if there is an accident or delinquent enhancement on your case, please contact the court at 801-483-6072.)

Accident Enhancement: \$ _____ (*Mandatory Appearance for accidents involving personal injury or death.)

Delinquent Enhancement: \$ _____

2. I want to pay and forfeit bail for the violation(s) listed above, but I am not able to pay the entire amount at the present time. I ask the court to allow me to pay in installments. I understand that the court does not have to allow me to make installment payments and that I have the option to appear before the judge and explain my circumstance.

3. **TERMS OF THE AGREEMENT:**

The total bail is \$ _____.

I hereby agree to forfeit bail in the amount of \$ _____, to be:

[] paid in full by _____, **OR**

[] paid in installments of \$ _____ per month beginning _____

and on the same day each month thereafter until paid in full. Fine balance will accrue interest.

I understand that if I fail to make timely payments to the Court, a "Failure to Comply" notice will be sent to the Utah Driver License division and my driver license may be suspended until the bail is paid in full. The Court will mail a summons to appear in court to the address I have

provided. If I do not appear before the Court in a timely manner, the Court will issue a warrant for my arrest. Court costs may also be assessed pursuant to Utah Code Ann. §76-3-201.1. The court also may assign my case to a collection agency or the Office of State Debt Collection for collection.

I further understand that a conviction for each driver license and moving violation for which I forfeit bail will appear on my driving record.

I understand that my case will continue to be open until the date that my last installment is paid. Once all amounts due are paid as required, my bail forfeiture will be complete and no further proceedings will be held in this matter.

By signing below I declare that I have read and understand my rights printed below, which I now choose to give up, and that I have read, understand, and accept the terms and consequences stated above.

Signature of Defendant Date Printed Name

Address City, State, Zip

Accepted (date): _____ By: _____
Clerk

By choosing to pay and forfeit bail in installments and not see the judge, you will be giving up these rights:

- To appear in court without deposit of bail for formal arraignment, plea, and sentencing;
- To request and have a court trial without deposit of bail, unless the court orders bail, and challenge the charges;
- To have a speedy court trial, to subpoena or present witnesses and physical evidence and to testify on your own behalf;
- To be represented by an attorney at your expense;
- To cross-examine all witnesses under oath testifying against you; and
- To remain silent and not testify.

MAILING ADDRESS:
SOUTH SALT LAKE JUSTICE COURT
220 E Morris Ave
South Salt Lake, UT 84115

COURT PHONE:
801-483-6072
801-464-6786 Fax

HOURS OF OPERATION:
The court is open Monday through Friday from 8:00 am to 5:00 pm, except for legal holidays.

PAYMENTS:
All payments are accepted at the Court Clerks' window during normal operating hours. Personal checks, money orders and cashiers checks will be accepted through the mail or in the drop box located outside the main court entrance. The court accepts all types of credit card payments in person and over the telephone or by paying on line at **www.utcourts.gov**. All cash payments must be made in person. If mailing or leaving a payment in the drop box remember to include your court case number, citation number or social security number.

You can pay your fine on line at www.utcourts.gov

SOUTH SALT LAKE JUSTICE COURT, SALT LAKE COUNTY, UTAH
RIGHTS, INSTRUCTIONS, AND WAIVER FORM

Defendant: _____ Case No.: _____ Email: _____
Address: _____ City/State/Zip _____ Phone: _____

PLEAS: You may plead a) not guilty; b) not guilty by reason of insanity; c) guilty with a mental illness at the time of the offense; d) guilty; or e) with the Court's approval, no contest (this means you do not challenge the charge; it is still a conviction).

RIGHTS:

1. You have the right to be represented by an attorney. The Court will appoint an attorney at no cost to you if: a) you cannot afford an attorney; and b) there is a possibility of a jail sentence for the offense. Later, you may have to pay for the appointed attorney's service if the Court determines you are able to do so. **IF YOU WISH TO HAVE AN ATTORNEY APPOINTED, FILL OUT AN AFFIDAVIT OF INDIGENCY BEFORE ADDRESSING YOUR CASE WITH THE COURT.**
2. You have the right to represent yourself. The Court cannot advise you as to how to handle your case, and you will be required to comply with technical legal rules. There may be disadvantages to proceeding without an attorney. For any future hearing, you must: a) represent yourself; b) hire an attorney; or c) if you cannot afford an attorney, request a court-appointed attorney by filing an affidavit at least 10 days before the proceeding. Failure to exercise option b or c will be treated as an implied waiver of your right to counsel.
3. You have the right to a speedy public trial before an impartial jury. If you want a jury trial, you must make a written demand at least 10 days prior to trial. You are not entitled to a jury trial if you are charged only with an infraction.
4. You have the right to confront and cross examine the prosecution witnesses in open court.
5. You have the right to call witnesses and compel by subpoena their attendance and testimony. If you cannot afford to pay for the attendance of witnesses, the prosecution will pay those costs.
6. You have the right to testify on your own behalf. Any statement you make may be used against you. You may refuse to testify, and no one can make you testify or give evidence against yourself. Your refusal to testify cannot be held against you.
7. You are presumed innocent until: a) you plead guilty or no contest; or b) the prosecution proves you guilty. The prosecution has the burden of proving each of the elements of the crime beyond a reasonable doubt. A jury verdict must be unanimous.
8. You have the right to bail. If you post bail, you will be released on: a) the condition that you appear in court for future proceedings; and b) any other conditions the Court imposes. Bail may be modified on proper motion, notice, and findings.
9. In certain cases, a conviction may be used in the future to increase the severity of future criminal offenses and/or increase the severity of the sentence that you may receive for future criminal convictions. A conviction may also result in immigration consequences such as deportation or loss of citizenship in certain cases. You may ask for more time to consult with an attorney regarding these issues.

If you plead guilty or no contest, these rights are waived and your plea constitutes an admission of all the elements of the crime.

WITHDRAWAL OF PLEA/RIGHT TO APPEAL: A motion to withdraw a guilty or no contest plea must be made before you are sentenced or within 30 days of a plea held in abeyance. To withdraw your plea, you must show it was not knowingly and voluntarily made. Any appeal must be filed in writing within 28 days of the sentence or order from which you are appealing.

SENTENCING: Sentencing recommendations are not binding on the Court. The Court may order the sentence to run consecutively (one after the other) with the charges in case and with any other case.

PENALTIES (MINIMUM/MAXIMUM SENTENCES): Class B Misdemeanor (0-180 days in jail, up to \$1,940 fines and surcharges, plus interest); Class C Misdemeanor (0-90 days in jail, up to \$1052.50 fines and surcharges, plus interest); Infraction (no jail, up to \$1052.50 fines and surcharges, plus interest).

I have read and understand the foregoing rights and instructions. I understand the charges and penalties. Any plea I enter is voluntary and of my own free will and choice. No force, threats, or unlawful influence have been made to get me to plead. I voluntarily, knowingly, and intelligently waive my right to counsel. I do not want an attorney. I want to represent myself.

_____ (Defendant/Acusado) _____ (Date/Fecha)

OR/O

I do not waive my right to an attorney, and wish to consult with an attorney before proceeding.

No renuncio a mi derecho de tener un abogado, y deseo consultar con un abogado antes de proseguir.

_____ (Defendant/Acusado) _____ (Date/Fecha)

TRIBUNAL MUNICIPAL DE SOUTH SALT LAKE, CONDADO DE SALT LAKE, UTAH
DERECHOS, INSTRUCCIONES, Y FORMULARIO DE RENUNCIA

Acusado: _____ No. de Caso: _____ Email: _____
Dirección: _____ Ciudad/Estado/Código Postal: _____ Teléfono: _____

DECLARACIONES: Puede declararse a) no culpable, b) no culpable por demencia, c) culpable con una enfermedad mental al momento de la ofensa, d) culpable, o e) con la aprobación de la corte, sin argumento (ésto significa que no impugna la acusación; aún así es una convicción).

DERECHOS:

1. Tiene el derecho a ser representado por un abogado. El juez nombrará un abogado sin costo alguno si: a) usted no puede pagar un abogado, y b) hay la posibilidad de pena de cárcel por el delito. Posteriormente, puede que tenga que pagar por los servicios del abogado designado si el juez determina que puede hacerlo. **SI DESEA TENER UN ABOGADO DESIGNADO, LLENE LA DECLARACIÓN JURADA DE INDIGENCIA ANTES DE LLAMAR SU CASO ANTE EL TRIBUNAL**
2. Tiene derecho a representarse a sí mismo. El juez no podrá asesorarle en cuanto a cómo manejar su caso, y usted estará obligado a cumplir con las reglas técnicas jurídicas. Podría haber desventajas a proseguir sin un abogado. Para cualquier audiencia futura, usted deberá: a) representarse a sí mismo/a, b) contratar un abogado, o c) si no puede pagar un abogado, solicitar un abogado designado por el tribunal llenando una declaración jurada por lo menos 10 días antes de la audiencia. El no ejercer las opciones b o c se considerará una renuncia implícita a su derecho a tener un abogado.
3. Tiene derecho a un juicio público rápido ante un jurado imparcial. Si quiere un juicio por jurado, deberá hacer una petición por escrito al menos 10 días antes del juicio. No tiene derecho a un juicio por jurado si sólo se le acusa de una infracción.
4. Tiene el derecho de enfrentar e interrogar a los testigos de la fiscalía en audiencia pública.
5. Tiene el derecho de llamar testigos y obligarles a asistir y testificar por orden judicial. Si usted no puede pagar por la asistencia de testigos, la fiscalía pagará los costos.
6. Tiene derecho a testificar a su favor. Cualquier declaración que haga podría ser usada en su contra. Puede rehusarse a testificar, y nadie puede obligarle a testificar o a ofrecer pruebas contra sí mismo. Rehusarse a testificar no puede ser usado en su contra.
7. Se le presume inocente hasta que: a) se declare culpable o sin argumento, o b) la fiscalía compruebe que usted es culpable. La fiscalía tiene la responsabilidad de probar cada uno de los elementos del delito más allá de una duda razonable. El veredicto de un jurado deberá ser unánime.
8. Tiene derecho a pagar fianza. Si paga la fianza, usted será liberado/a: a) con la condición de comparecer en el tribunal para audiencias posteriores, y b) con cualquier otra condición que el juez imponga. La fianza puede ser modificada por medio de una moción adecuada, aviso, o determinaciones.
9. En ciertos casos, una condena puede ser usada en el futuro para aumentar la severidad de delitos futuros o para aumentar la severidad de la sentencia que usted podría recibir por condenas futuras. Una convicción puede también resultar en consecuencias de migración tales como la deportación o la pérdida de ciudadanía en ciertos casos. Puede pedir más tiempo para consultar con un abogado concerniente a éstos asuntos.

Si usted se declara culpable o sin argumento, renuncia a estos derechos y su declaración de culpabilidad constituye una admisión de todos los elementos del delito.

COMO RETIRAR UNA DECLARACIÓN DE CULPABILIDAD/DERECHO DE APELACIÓN: Una moción para retirar una declaración de culpabilidad o de sin argumento debe hacerse antes de la imposición de la pena o antes de 30 días en una declaración en suspenso. Para retirar su declaración deberá demostrar que no se hizo a sabiendas y voluntariamente. Cualquier apelación deberá ser presentada por escrito antes de 28 días de la sentencia u orden que usted está apelando.

IMPOSICIÓN DE LA PENA: El juez no está obligado a seguir las recomendaciones de sentencia. El juez puede ordenar que la sentencia corra consecutivamente (una después de la otra) con los cargos del caso o cualquier otro caso.

SANCIONES (PENAS MINIMAS Y MAXIMAS): Delito menor clase B (0-180 días de cárcel, hasta \$1,940 de multas y recargos, más interés); Delito menor clase C (0-90 días de cárcel, hasta \$1052.50 de multas y recargos, más interés); Infracciones (no tiempo de cárcel, hasta \$1052.50 de multas y recargos, más interés).

He leído y entendido los derechos e instrucciones anteriores. Entiendo los cargos y sanciones. Cualquier declaración que yo haga es voluntaria y de mi propia libre elección. No se han hecho amenazas o usado influencias ilegales para forzarme a presentar la declaración. Yo voluntariamente, a sabiendas, e inteligentemente renuncio a mi derecho de tener un abogado. No quiero un abogado. Quiero representarme a mí mismo.

POR FAVOR FIRMAR EN LA PARTE DE ATRÁS