

VAIL MUNICIPAL COURT
75 SOUTH FRONTAGE ROAD
VAIL, CO 81657
ADVISEMENT OF RIGHTS

The Vail Municipal Court is the judicial branch of the town government. If you are charged with a violation of the Town Ordinances, this is the Court in which you may be heard. It is the place and opportunity for you to defend yourself against an accusation that you have violated one of the Ordinances of the Town of Vail.

In every case, there is a presumption of law that you are innocent of the charge until competent evidence proves otherwise or you enter a plea of "guilty," admitting the charge.

If you are charged with a violation, you have the right:

1. To remain silent. You need make no statement and any statement you make can and may be used against you.
2. To be fully informed of the charge against you.
3. To be represented by an attorney of your choice, and if you are an indigent person and qualify to request appointment of a lawyer.
4. To plead "guilty," "not guilty," or "nolo contendere" to the offense with which you are charged.
5. To a reasonable continuance for a good cause.
6. To a trial by jury. However, in order to qualify for a jury trial, you must request a trial by jury in writing within ten (10) days after the arraignment entry of a plea of "not guilty" and within that said time tender to the Court a jury fee of \$50.00, unless the fee be waived by the judge because of indigence of the defendant. The case shall be tried by a jury of three (3), unless at the time of making the demand for the jury trial, the defendant shall request a greater number, but in no event shall more than six (6) jurors be allowed.
7. To call witness in your behalf and to have subpoenas issued by the Court without expense to you to compel attendance of witnesses.
8. To a list of prosecution witnesses prior to the time of the trial.
9. To cross-examine witnesses who testify against you.
10. To testify in your behalf as you desire.
11. To appeal this Court's decision to Court of higher jurisdiction.

When you plead "guilty," it is the same as saying "I did violate the law as charged in the complaint against me," in which case, a hearing will be held by the Court during which you will be given an opportunity to state any factors or extenuating circumstances concerning the offense which you have thereby admitted.

When you plead "not guilty" you are entitled to a formal trial by the Court or jury to establish the facts and you will be given a date and time for trial. When your case comes to trial, the burden of proof rests with the prosecution and the charge to be sustained by the Court must be proven beyond a reasonable doubt.

When you plead "nolo contendere" or "no contest," it means that you neither admit or deny the charge, but you are not contesting it. A person who pleads nolo contendere can be given the same sentence as if that person pleaded guilty.

If you are not a citizen of the United States, you are advised that a conviction may have the consequences of deportation, exclusion from admission to the U.S. or denial of naturalization pursuant to the laws of the United States. Consulting with an attorney is recommended prior to entering a plea of guilty or nolo contendere.

You are advised that pursuant to Colorado Revised Statutes, 24-72-308(1)(a) any person in interest may petition the District Court of the District in which any arrest and criminal records information pertaining to said person in interest is located for the sealing of all of said records, except basic information, if the records are a record of official actions involving a criminal offense for which said person in interest was not charged, in any case which was completely dismissed, or in any case in which said person in interest was acquitted. There are limitations and exceptions to the rule. Please consult the statute or legal counsel with any questions you have regarding this issue. Court staff may not give you legal advice.

No, I am not currently serving in the US Armed Forces and I am not a Veteran.

Yes, I am currently serving or am a Veteran of the US Armed Forces. I understand I may be entitled to receive mental health treatment, substance abuse disorder treatment or other services as a Veteran. If interested, ask the judge for information.

I, _____
Have read the Advisement of Rights and Understand
the same.

Buck Allen
Vail Municipal Court Judge

Defendant _____

Date _____