

NOTICE OF RIGHTS AND OBLIGATIONS REGARDING THE PAYMENT OF PENALTIES

What is a “Penalty?”

Any fine, fee, state assessment, court cost, or restitution imposed on you by the Court.

Do I have to appear in Court if I receive notice I have failed to pay a penalty?

YOUR APPEARANCE IN COURT IS MANDATORY. If you receive notice from the Court that you have failed to timely pay any penalty, or meet the requirements of the Court’s imposed sentence you must appear in Court as directed.

You **MUST** appear in Court if you are unable to pay your penalties when due, or if you fail to complete the community service hours you have been ordered to perform, or you fail to participate in any job skills, education, counseling, mental health, or drug treatment that you have been ordered to attend.

What will happen if I do not appear in Court?

A warrant may be issued for your arrest for failure to appear in court.

Do I have a right to a lawyer?

Anyone may be represented by a lawyer at this Court proceeding. If you are found to be indigent, you have the *RIGHT TO A COURT-APPOINTED ATTORNEY TO REPRESENT YOU AT NO COST* if there is any likelihood of incarceration. The Court will use an *Affidavit of Indigence* to determine whether you are indigent and have the right to be represented by a court-appointed attorney at no cost. The Court will provide you the affidavit at the hearing.

What is the benefit of being represented by a lawyer at my Hearing?

A lawyer can help you assert your rights, prepare and present financial hardship documentation to the Court, and argue against jail and for alternatives to incarceration, if you’re unable to pay upon your penalties.

Do I have to pay for a lawyer to represent me at the Hearing?

Yes, unless you are found to be indigent by the Court. If the Court finds you are indigent, the Court will appoint a lawyer to represent you at no cost to you.

What if I believe the amount of my penalties is incorrect?

You may ask the Court Clerk to provide you with a balance history that shows a breakdown of the penalties imposed and the history of payments you have made. If you believe the information provided to you is incorrect, you may discuss this with your attorney, the Court Clerk or the Judge at your hearing.