

Notice of Rights in Municipal Division

The Franklin County Municipal Court is a division of the Franklin County Circuit, 20th Judicial Circuit of the State of Missouri.

Persons who have received a citation for municipal ordinance violation have certain rights and responsibilities.

Each citation issued includes a court date and time to appear in Municipal Court. At your first court date, the Judge will call persons by name to come forward to the bench, and the Judge will read the charge(s) filed. The Judge will then ask how you wish to plead and you must say either “guilty” or “not guilty”.

If you plead not guilty and wish to consult legal counsel, the Judge will give you additional time to discuss your matter with an attorney. A Notice of Continuance will be given to you with your new court date. Each person has a right to be represented by an attorney of his or her choice at his or her own expense.

If you plead not guilty and wish your case set for trial, the Judge will give you a Notice with the trial date. At the trial, the Prosecuting Attorney must prove beyond a reasonable doubt each of the essential elements of the offense the court has charged. At the trial, you have the right to be present when witnesses testify against you, and you have the right to ask questions of those witnesses or have your attorney question the witnesses. You have the right to call witnesses to testify on your behalf. You also have the right to testify if you wish, but you cannot be compelled to testify. If you do not testify, no inference may be drawn from your silence. If, after a hearing before the municipal judge, you are convicted, you have the right to a trial de novo in the Franklin County Circuit Court. A filing fee and application for trial de novo must be filed with the court clerk before the case can be transferred to the circuit court. The application and fee must be filed within ten days of the first trial.

Persons who plead guilty are admitting they violated the county’s ordinance and give up their right to a trial and to an appeal. If you plead guilty, the Judge will generally impose a fine. The Prosecuting Attorney may state a position on behalf of the County and you may make a statement or give an explanation about the circumstances in your case. Persons who plead guilty are giving up the following rights: the right to hire an attorney to represent them; the right to have a trial before a court or jury; the right to call witnesses to testify on their behalf; the right to testify themselves; the right to cross-examine any witnesses the county may call; and the right to appeal the judgment.

Persons who are unable to pay the fine and court costs at the time of their plea can complete a payment agreement that sets forth specific plans for paying any outstanding balance due the Court. Payment plans are enforced by the Court.

Some minor traffic violations do not require a Court appearance, and the fines and court costs can be paid on or before the Court date printed on the citation. The county’s minor traffic violations fine schedule can be found elsewhere on the county’s website. Payments can be made in person at Franklin County Municipal Court or can be mailed to the Court at the Historic Courthouse, 15 S. Church Street, Room 306, Union, Missouri 63084. We are in the process of setting up a means to accept on-line payments.