

GORDON COUNTY JUVENILE COURT TRAFFIC INFORMATION FORM

Name of child/youth: _____ D.O.B.: _____

Driver's License #: _____

Address of youth: _____

Lives with: _____ Telephone #: _____

Name/Address/ Telephone: _____

For Mother _____

Name/Address/Telephone: _____

For Father _____

You, the above named Youth, have been summoned to Traffic Court in the Juvenile Court of Gordon County because you have been accused by a law enforcement officer of committing a traffic offense in Gordon County. An **arraignment hearing** has been scheduled so the Court can tell you what the charges are, can advise you of your rights, and can hear whether you admit or deny the charges.

CONSTITUTIONAL RIGHTS You are not required to admit anything. You have a constitutional right to a trial on the traffic charges. In every case before the Court, you are presumed to be innocent, you have the right to remain silent, and you have the right to hire an attorney to represent you. At a trial, the State has the burden of proving beyond a reasonable doubt that you committed the offense identified in the traffic citation which you received. At a trial, you have the right to confront and cross examine witnesses who testify against you and the right to subpoena witnesses on your behalf. You also have the right, but not the duty, to testify and present evidence on your behalf, if you desire.

ATTORNEY You have the right to be represented by an attorney in this case. Generally, in traffic cases, you do not have the right to have an attorney appointed to represent you at public expense, because you are not subject to incarceration. However, you do have a right to hire an attorney and have that attorney represent you at all stages of these proceedings.

DENIAL AT ARRAIGNMENT At the arraignment hearing, if you deny the charges against you or if you demand a trial, we will formally advise you of your constitutional rights and schedule the case for a trial, usually within 30 days of the arraignment day. Please be advised that any statement you make to the Court during the arraignment could be used against you at a later time.

ADMISSION AT ARRAIGNMENT At the arraignment hearing, if you decide to give up the right to a hearing and admit to the charges against you, which means that you tell the Court that you actually committed the traffic offenses described in your citation(s), the Court will usually decide the appropriate disposition, punishment, for your case at that time and your case will be concluded.

PUNISHMENT/DISPOSITION You should be aware that if you admit to the charge(s) against you, or if the State proves beyond a reasonable doubt that you committed the charge(s) at a trial, the Court will decide the appropriate sentence in your case. **In almost every case, the Court will impose a fine which must be paid immediately.** The Court may also order you to perform community service, place you on probation, suspend your license, require you to write an essay or impose any other sentence authorized by law, including a warning. Traffic dispositions, other than warnings, are reported to the Georgia Department of Driver Services (DDS). **If reported to DDS, you may be in danger of losing your driver's license and/or paying higher insurance premiums.** Only you know what your driving record is and you are advised that an accumulation of four (4) points or more on your driving record within a 12 month period of time will result in the suspension of your license. Two moving violations will earn you a minimum of 4 points.

ABEYANCE If you have been charged with a routine traffic offense, the Court may, in its sole discretion, hold your case in abeyance for a 3 or 4 month period and then dismiss your case with a warning if you successfully complete the terms of abeyance. If you admit that you committed the traffic offense described in your citation and request in abeyance, you will be required to pay the scheduled fine immediately and to attend a Defensive Driving Course within 3 months. In addition, you could be required to complete community service, write an essay on a topic selected by the Court, or comply with any other condition of abeyance deemed appropriate by the Court, including but not limited to restrictions on your driving privileges during abeyance. **If you successfully complete the terms of abeyance and if you do not receive any other traffic citation(s) or court charge during the abeyance period, the traffic charges against you will be dismissed with a warning and nothing will be reported to DDS.** You will usually not be eligible for the abeyance option if you have prior offenses or if the arresting officer reports there is a reason that this option should not be available to you (such as rudeness of the youth, prior warnings by the officer, or if the officer has already made a charge reduction). In addition, if you were involved in an accident, the other party is usually contacted by Court staff and must approve the granting of an abeyance.

I have read this document and have had the opportunity to ask questions. I understand my rights and options. As a parent or guardian, I further acknowledge that I believe my child understands his or her rights and options.

I, the youth, will **ADMIT**

 List all charges admitted

DENY

 List all charges denied

_____ I will represent myself in this case (Attorney waiver form attached)

_____ I will hire my own attorney

_____ I request that my case be held in abeyance

Child/Youth

Date

Parent/Guardian

Date