

TRAFFIC TICKETS:

The Moreau Town Court handles all traffic tickets which are issued for alleged violations of the New York State Vehicle and Traffic Law, which are charged in the Town of Moreau. It is the responsibility and obligation of the motorist, to respond to ticket the ticket(s) in a timely fashion.

To handle a traffic ticket, in our Court, you need to review your ticket to determine if is a, "Traffic Infraction," or a, "Misdemeanor."

If the Misdemeanor box is checked you must appear in person, on the day and time listed on the ticket. For example, Driving While Intoxicated and Aggravated Unlicensed Operation are both, "Misdemeanors." At first Court appearance, which is call and arraignment, the Judge advises the motorist of the charges pending in the Court and what his/her rights are. If the motorist cannot afford and attorney, he/she can apply, to be represented by the Public Defender's Office free of charge. You would have to file and application, through the Court, and they would have the right to make a determination if you're indigent or can't afford an attorney.

If the, "Traffic Infraction," box is checked, you can handle the ticket, either by appearing in person on the date and time listed on the ticket or you can handle by mail.

1. APPEARING in PERSON:

At the first appearance, which is called the, "Arraignment," the Judge advises the motorist of the charges pending in the court and what his/her rights are. The Issuing Officer **will not** be present at the arraignment and no trial will be held on the first return date. The Motorist/ Defendant must either plead, "**Guilty**," or "**Not Guilty**." If a Guilty plea is entered, the Motorist will have a right to make a statement and the Judge will then impose a sentence. If the Motorist/Defendant Pleads, "Not Guilty," the case will be scheduled for a Pre-Trial Conference, with the Saratoga County District Attorney's Office. They may offer a plea bargain to a reduced or different charge but this is not guaranteed, nor will they speak to you personally. They will speak to your Attorney, should you have one. If the plea bargain is not acceptable to the Defendant/Motorist, the matter will be scheduled for a trial, on the next Vehicle and Traffic Pre-Trial Conference Day. (Usually the 3rd Thursday of each month)

2. PLEA BY MAIL:

If you choose to handle a traffic ticket by mail, you can plead either, "Not Guilty," or "Guilty," by signing the appropriate section on the ticket(s) and mailing to the Court within 24 hours of when the ticket was issued. Please make sure you give the Court a current mailing address, if the address on the ticket is no longer valid.

If you plead, "Not Guilty," you will receive a notice to appear for a, "Pre-Trial Conference." The same instructions for appearing in person will apply. (See above)

If you plead, "Guilty," you will receive a letter advising you of the sentence imposed.

If you do not hear back from the Court within Six(6) weeks from the scheduled date of return, please call the Court to make sure your plea was received.

COMMON QUESTIONS:

Q: Is there a schedule of standard fines for traffic infractions?

A: No. Penalties are set by the Judge within certain maximum/minimum guidelines prescribed by law and are based on the severity of the offense. Repeat offenses are usually assessed more seriously.

Q: If I plead guilty, or am found guilty, after trial, how long will I have to take care of the penalties?

A: Should you be fined, all fines should be paid immediately on the date of trial or guilty plea. If you are unable to pay your fine, at that time, you may ask for extension. Fines may also be paid in person by credit card and also with a credit card online on, Govpaynow.com

Q: What happens if I ignore the ticket(s), miss a Court date or fail to pay the fine/surcharge or fail to fulfill any other part of the sentence, in a timely fashion?

A: The Court will notify the New York State Department of Motor Vehicles which will suspend your license. Driving while your license is suspended can be charged as a misdemeanor, or even, in some cases as a felony. If you miss a Court date, call the Court immediately and ask for a new Court date. You may be required to post bail. The Court can also change the parameters of your sentence.

Q: How long after I move to NY State, can I continue to use my out-of-state license?

A: 30 days. Use of your out-of-state license after that period is an infraction.

Q: I have been Charged with DWI. Will I continue to be able to drive after my first Court appearance?

A: Quite possibly not. Better bring a backup driver to Court. (AND A LAWYER ALSO)

Q: I have been charged with AUO(Aggravated Unlicensed Operation). What does that mean?

A: It means that you have been charged with operating a motor vehicle, while your driving privileges have been suspended. This is a Misdemeanor and can result in serious penalties. It is advisable for you to try to clear up suspension(s) before you come to Court and bring proof that you have done so. Keep in mind that you cannot legally drive while you're suspended, even to Court.

Q: Am I entitled to a Court appointed attorney for a traffic infraction?

A: No, although you may bring an attorney at your own expense.

Q: Am I entitled to a, "Jury Trial," for a traffic infraction?

A: No

Q: How many points do various traffic infractions carry?

A: The point system is controlled by NY State Department of Motor Vehicles. The Court does not assess points, nor can the Court prevent points from being assessed for moving violations.