

**Superior Court of California,
County of Sacramento**

**Carol Miller Justice Center
Traffic Court**

301 Bicentennial Circle, Room 100
Sacramento, CA 95826

Traffic—Quick Pay & Case Information
Public Numbers: (916) 875-7200
(916) 875-7800

For more information, visit the following web sites:

Sacramento Superior Court: www.saccourt.com

Department of Consumer Affairs: www.dca.ca.gov

Judicial Council's Self-Help Center: www.courtinfo.gov

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Superior Court of California,
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**TRAFFIC COURT:
HOW IT WORKS**

Rev. 03/04/03

INTRODUCTION

Traffic Tickets:

Traffic tickets may be broken up into two categories. Minor traffic tickets are called **infractions**. These are the least serious types of cases, where you can be required to pay a fine, but cannot be sentenced to jail time. More serious traffic tickets are called **misdemeanors** and require that you come to court and appear before a judge.

Misdemeanors:

When you come to court, your legal and constitutional rights, and the procedures, will be explained by a videotape in the courtroom. For misdemeanors, if you cannot afford an attorney, you have the right to a court-appointed attorney. However, you may have to pay back some of the cost. If you are non-English speaking, you also have the right to a court interpreter, free of charge. If you would like an attorney and/or an interpreter, let the Judge know when your case is called.

Parking Citations:

The Parking Violations Bureau of both the City and County of Sacramento handle parking violations. Please check your citation for the phone numbers you should call to handle your parking ticket.

NOTES:

5. Can I appeal the decision?

If you are found guilty after a court trial, you may appeal the decision. The appeal is not a new trial, but is based on the record of your trial (which may have been tape-recorded.) You must file your appeal within **thirty (30) days** of the judgment in your case. Once you file an appeal, instructions will be given by the clerk on guidelines for submitting your written statement of reasons for appeal and for submitting your arguments to the Appellate Court. Failure to follow these rules will result in your appeal being dismissed.



This guide will explain the court procedure involved in minor traffic violations, or infractions.



1. Your ticket requires you to appear on or before the date listed on your citation. This is called a **notice to appear**. Your failure to do so will cause a late fee to be added in the amount of \$250 or a warrant for your arrest to be issued. Also, a Department of Motor Vehicle (DMV) hold will be placed on your driver's license that will suspend your driving privileges and/or interfere with your ability to register your vehicle.
2. A **courtesy notice** will be mailed to you at the address listed on the citation, before the date to appear, as also written on your citation. The notice contains important information about the citation and how you can resolve it.

If you do not receive a courtesy notice, you **must** still contact the court by the court appearance date noted on the citation. Failure to receive a courtesy notice is not a legal excuse for failing to take care of the citation.
3. It is **your responsibility** to resolve the citation before the appearance date listed on your citation, or appear in court on that day.

1. What are my options for handling a traffic citation?

You have several options. You can either:

- **Pay the citation.** You can avoid coming to court by paying the amount of bail listed on your courtesy notice before the date on your citation. If you pay your ticket it will result in a conviction which will appear on your driving record. There are three alternative methods for paying your citation:
 1. By telephone using a VISA, MASTER or DISCOVER CARD, call (916) 875-7800 or (916) 875-7200.
 2. By mail with payments by check or money order. Make the check or money order payable to the "Sacramento Superior Court." Write your citation number on the check or money order.
 3. In person at the Carol Miller Justice Center, 301 Bicentennial Circle, Room 100, by cash, check, money order, or credit card.



NOTE: There is an express drop box located in front of the **Carol Miller Justice Center** where you can pay by dropping off a check or money order.

3. What will happen at the trial?

At the trial, the police officer and other witnesses may be subpoenaed to appear and present their side of what occurred (testify). You will have a chance to ask any questions you might have of the witnesses and may testify on your own behalf. You may also present witnesses or documentary evidence, such as pictures or documents.

After hearing all the evidence, the Judicial Officer will usually let you know right away his/her decision. If you are found guilty, unless you request a delay, you will be sentenced at that time. If you are ordered to pay a fine, you must make arrangements in the clerk's office to pay the fine.

4. Do I have to appear at the trial?

If you do not want to appear in court for a trial, you may have your case decided by a Judicial Officer by written declaration. You will be required to first post bail and then to fill out a statement of your side of the case. The officer will also have the chance to submit a statement. The Judicial Officer will consider all statements and then make a decision. The outcome of the Trial by Declaration will be mailed to you.

If you are found guilty:

- Your bail will be applied to pay any fine which is imposed.
- You may request a court trial.

days to submit to the court a certificate of attendance. Once this occurs, the court will dismiss your citation. If you have attended Traffic Violator School in the last 18 months, you will not be eligible. In addition, you must have a valid license and no outstanding failures to appear in court.

- **Post bail for trial** - If you want a trial with the citing officer present, you can post bail and a trial date will be set for you. You do not need to go to court for the first appearance. This can be done in person or by mail.



2. What if I am a Juvenile?

When appearing in Traffic Court, juveniles are required to appear with a parent or guardian or have a signed authorization from a parent or guardian. The authorization appears on all juvenile courtesy notices. The parent or guardian may accompany the juvenile to court and be present at all proceedings, but may not necessarily be allowed to speak or advocate for the juvenile.

- **Request a continuance** - The clerk's office may give a 30-day one-time extension to pay bail in eligible citations or to provide proof of correction on correctable citations. To request a continuance, come to the clerk's office at *301 Bicentennial Circle, Room 100*. You must bring picture identification.
- **Show proof of correction** for mechanical, license, registration and insurance violations. All registration and insurance violations and certain mechanical violations are considered "correctable." If you provide valid proof that the violations have been corrected, they will be dismissed with a \$10 fee. To see whether some, or all, of the charges are considered "correctable," check on the front of your citation to see whether the officer has checked the "correctable" section. Corrections for most mechanical violations can be checked by any police officer or at an office of the California Highway Patrol. Proof of correction concerning brakes must be obtained at a certified brake inspection station. Pollution control device violations must be signed off at a certified smog inspection station.

Insurance violations: If you provide valid proof that you had insurance at the time of the citation, that offense will be dismissed with the \$10 correction fee. Valid proof of insurance must contain the following:

1. The name of the insurance company, including the policy number.
2. The effective dates of coverage with an effective date prior to the date the citation was issued.
3. Information which identifies the vehicle which was driven and/or the driver.

If you provide proof that you have obtained insurance after the date of the citation, the clerk has been authorized to reduce the amount of your fine. You must appear at the clerk's office to show this proof.

- **Appear on your arraignment court date.** Your court date is listed on the front of your citation. In addition, the courtesy notice will give you the exact time for which you are scheduled. If you do not receive your courtesy notice, you should call the court to find out your time, or appear in court at the *Carol Miller Justice Center, 301 Bicentennial Circle, Sacramento*, between the hours of 8:30 a.m. to 4:30 p.m. The clerk can direct you to the proper courtroom. If you require language assistance, please let the police officer in the courtroom (the bailiff) know that you need an interpreter.

1. The first court appearance is called the arraignment and you have the opportunity to plead guilty, no contest, guilty with an explanation, or not guilty and set your case for a court trial.
 2. When your name is called, let the Judicial Officer know how you want to plead. If you wish to plead not guilty or guilty with an explanation, you may speak with a representative of the District Attorney's office. This will be your opportunity to explain your side of the case.
 3. After speaking with the district attorney, he/she will make a recommendation to the Judicial Officer on how your case should be handled. If you reject the offer of the district attorney, the case will then be set for a court trial. The clerk will give you a trial court date on which to appear.
- **Sign up for Traffic School** - Traffic Violators' School is a program that allows you to keep a moving violation off your record by attendance at an eight-hour traffic safety class. You are required to pay the amount of the bail, plus an administrative fee to the court. Also, the traffic school will charge you a fee to attend the class. You can have **thirty (30) days** to pay the court. Once you sign up, the court will give you a list of approved schools and you will have **sixty (60)**