

# REMEMBER


- The defendant is presumed innocent until proven guilty.
- The defendant does not have to testify or present witnesses.
- The State has the burden to proof of guilt.
- The State is always represented by a lawyer.
- A defendant may represent himself at Trial, or be represented by an attorney licensed by the State of Texas.
- A defendant representing him/herself will be treated as if he/she is a lawyer and is held to the same strict rules of evidence and procedure that a lawyer and the Judge are bound by.



CITY OF  
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MUNICIPAL COURT

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# COURTROOM ATTIRE AND CONDUCT



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CITY OF KINGSVILLE  
MUNICIPAL COURT

# ARRAIGNMENTS

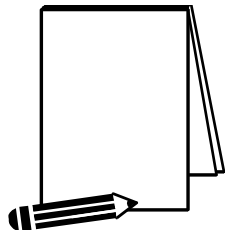
## PRE-TRIAL CONFERENCE TRIALS

### ARRAIGNMENT

The arraignment (initial setting) is for you to learn your options e.g. pay fine, set your case for either a Judge or Jury Trial, request the mandatory Driving Safety Course, ect.

You may appear in person or by an attorney at least two (2) working days before your arraignment date to set your case for trial at the Court's location. No rescheduling will be allowed within 2 working days of the initial date.

If you are eligible, the Judge must grant you an opportunity to take a Driving Safety Course (DSC) and have your case dismissed if you comply with the Court's order. You or



**Ask the clerk if you have any questions.**

your attorney must request this on or before the arraignment or your first appearance. If you do not request DSC at that time the Judge will not be obliged to allow you to take the DSC at a later setting to have your case dismissed.

This arraignment setting cannot be reset.

You may plead guilty at the arraignment and the Judge will assess a fine at that time.

You or your attorney, may appear at the arraignment, plead not guilty, and request a Judge or Jury Trial on one or all of your cases.

If you request a Trial, you or your attorney may request an optional Pre-Trial Conference to discuss your case with the State Prosecutor.

### PRE-TRIAL CONFERENCE (OPTIONAL)

The Pre-trial Conference is an opportunity for you or your attorney to look at the complaint filed by the State.

With proper documentation, your attorney may represent you, without your presence, at this setting.

You or your attorney must make any pre-trial motions at this time.

You will be allowed to discuss any plea negotiations with the prosecutor and reach any agreements in exchange for a plea of guilty or no contest and dispose of your case at this setting.

If you wish to take a discretionary DSC or request a Deferred Disposition you must request it at this time. The Judge is not obligated to grant this request.

If agreements cannot be reached, you will be given a date or time to return for your Judge or Jury Trial.

### Trial

At this setting, the State will present this case and you or your attorney will have an opportunity to defend your case, depending on your initial request before a Judge or a Jury.

Both sides will have an opportunity to call and present witnesses.

A Jury Trial is a formal proceeding that allows the case to be heard by a panel of six (6) people from Kingsville, Texas. They will decide the facts and render a judgment of guilt or innocence and decide the punishment.

### Courtroom Attire & Conduct For Attorneys, Witnesses and all Parties

All PERSONS present in the Courtroom shall be clean, neat and dressed in a manner that shows dignity and respect for the Court.

#### Unacceptable attire includes:

Shorts, cut-offs, baggy pants, flip-flop style shoes, or hats.

Muscle shirts, T-shirts, clothing indicating gang affiliation or other clothing with offensive, vulgar, racist, sexist, obscene, suggestive words, slogans depictions, or pictures. Shirts that are torn, dirty, and ragged will not be allowed.

Provocative clothing designed or styled, or worn to provoke emotion or disrupt or distract.

### COURTROOM CONDUCT

Conduct in the "Courtroom" also includes the reception/foyer area, jury room and/or any office space assigned to the Court.

PRO SE parties (non-attorneys representing themselves) should be prepared to present their cases in a proper manner. It is **not** the Court's duty to represent you or instruct you on evidence, rules, or how to present your case. If you are unprepared, unaware and not knowledgeable as to presenting your case, you may lose your case.

Weapons are prohibited in the Courtroom and the building except for the law enforcement personnel.

Be on time. Allow yourself ample time to allow for traffic, parking, which is located behind the Municipal Building.

Rise when the Judge enters and remain standing until the Judge or bailiff announces "Be seated", or until the Judge is seated. Rise when the Judge exits the Courtroom.

Do not argue with the Court.

Address the court as "Judge" or "Your Honor"

Address opposing parties, counsel, witnesses, and court officers as "Mr.", "Mrs.", "Ms.", "Miss.", or "Dr.". Etc. Do not use first names, except with children 14 years of age and younger.

Do not approach the Judge's bench without permission. Do not rest arms on the bench. Do not bring drink or food items into the Courtroom.

Do not talk at the same time as the Court, opposing counsel, or witnesses. Courtroom visitors should not engage in excessive loud talk or conversations.

Racist, sexist, obscene, or profane language is prohibited unless it is pertinent to a case, and is elicited and quoting from facts in the case.

Do not enter or depart the Courtroom excessively and do not slam the doors.

Do nothing to disturb or distract the court, counsels, witnesses or other court personnel.

It is normally inappropriate to bring small infants or young children into a court proceeding. Please refrain from doing so.

Pagers, and cellular phones are inappropriate in the Courtroom. Please turn them off before entering the Courtroom.

All property in the Courtroom and reception areas must be treated with respect. No writing on any papers posted or on any furniture is allowed.

No recording devices are allowed without judicial approval.