

Clark County District Court



Criminal Court Information

TO BETTER SERVE YOU

Our staff understands that receiving a citation for a criminal matter may be a confusing and frightening experience. We hope this brochure will be of help in guiding you through the process and taking some of the mystery out of the procedures. We have tried to anticipate and answer the more frequently asked question, please ask any of our staff members to help you. Our office hours are from 8:00 a.m. to 4:30 p.m. Monday through Friday. Please remember, our staff is prohibited by law from giving legal advice.

What do I do first?

The officer who issued the citation has given you an appearance date on the front of your citation, or you've received a date either by posting bail or by summons through the mail. This date is your arraignment. At the arraignment, you will be informed of the charges against you and your legal rights, and asked to enter a plea of guilty or not guilty. When you come to the courthouse, check in at the second floor desk. There you will receive a copy of your rights, which will include the maximum and minimum sentence you may receive, and you will be directed to the proper courtroom. Before you enter your plea, you will be asked if you would like to complete a financial screening to determine if you qualify for a court-appointed attorney. You will also be given the option to discuss your case with the prosecutor. After you enter your plea, the clerk will set your next court appearance if one is necessary.

What if I don't come to court?

If you fail to appear, or fail to have an attorney appear for you, a warrant will be issued for your arrest.

Do I need a lawyer?

Discussing your rights with an attorney will assist you in understanding the charges, your rights and the legal process. If you are financially unable to hire a lawyer, tell the judge, and you will be referred to the Clark County Community Corrections office for financial screening. The financial screening will be used to determine your eligibility to a court appointed attorney.

What happens if I plead not guilty?

A plea of not guilty denies the charge and none of your constitutional rights are waived unless you expressly wish to do so. You are presumed innocent and the prosecution must prove your guilt beyond a reasonable doubt at a trial. Your next hearing will be a pretrial conference, where the prosecutor will be present to discuss all facets of your case and exchanged information with you or your attorney, if you have one. If you are unable to come to an agreement with the prosecutor, your case will proceed to a pretrial hearing, where future dates, including the trial date, will be set. The future readiness hearing, scheduled shortly before the trial, confirms that both parties are ready to proceed to trial.

If I plead guilty, what will happen?

If you plead guilty, it means you admit the charge and the elements to prove the charge, and in most cases, you will be sentenced right then. However, you may speak on your behalf at sentencing. The judge will review the police report, your criminal history record, and then sentence you. The judge may refer you to a probation officer for a pre-sentence investigation. If so, the sentencing will be postponed until the report is ready.

What is a suspended sentence?

The judge may suspend a portion or all of a jail sentence or fine, on the condition you comply with various conditions within a time limit. If the conditions are violated, you will be required to return to court to show good cause why the suspended part of the sentence should not be imposed.

Will I have time to pay the fine?

Generally all fines and costs are payable within 30 days of your sentencing, you may ask for an alternative method of payment, such as work crew. The judge can authorize a time-payment agreement. A payment agreement is a contract with an authorized outside agency for installment payments, and you must make each payment by the due date. Failure to follow the agreement can result in late fees, a suspension of your driving privileges, a bench warrant for your arrest, and assignment to a collection agency. Also, if your check is returned by the bank for any reason, a \$25 returned check fee will be added, and no further personal checks will be accepted from you.

What should I wear to court?

You should try to look your best for court. Business attire is appropriate. No halter tops, tank tops, shorts, or hats are to be worn in the courtroom. It is in your best interest to be properly dressed.

How should I act in court?

When the judge or clerk calls your name, come forward. Be polite, courteous and remain standing until instructed otherwise by the judge. Talking is allowed only by the judge, court staff, and those whose case is being heard. Smoking is not allowed anywhere in the courthouse. Chewing gum, food, or beverages are not allowed in courtrooms. It is a violation of law to bring a weapon into a courtroom. Children may come to court, but if they disturb the proceedings, you will be asked to remove them. Child care is not provided. If you bring your children, and the judge sentences you to jail, Child

Protective Services will be called if no one is present to take your children for you.

YOUR CONSTITUTIONAL RIGHTS

If you are accused of any offense that might result in a jail sentence, you have the following rights:

1. To have a lawyer present with you at all hearings;
2. To have a lawyer appointed at public expense if you cannot afford to hire one to represent you;
3. To represent yourself without a lawyer;
4. To a public and speedy trial by an impartial jury;
5. To cross examine any witness who testifies against you;
6. To have witnesses testify for you;
7. To remain silent before and during trial, and to refuse to testify against yourself;
8. You are presumed innocent unless the charge is proven beyond a reasonable doubt, or you enter a plea of guilty;
9. To appeal a determination of guilty after a trial to the Superior Court.

**CLARK COUNTY DISTRICT COURT
1200 FRANKLIN
VANCOUVER, WASHINGTON 98660**

Hours are from 8:00 a.m. to 4:30 p.m.