

At Trial

The Complaint or Citation

Under Kansas law, you can be brought to trial only after a complaint or traffic citation has been filed. The complaint or citation is a document which alleges what you are supposed to have done, and that your actions were unlawful.

You have the right to inspect this complaint before trial, and have it read to you at trial.

The Trial

You *do not* have the right to have your case tried before a jury in Municipal Court.

You are entitled to hear all testimony introduced against you.

You have a right to testify on your own behalf.

You also have a constitutional right not to testify. If you choose not to testify, your refusal cannot and will not be used against you in determining your guilt or innocence.

However, if you do choose to testify, the prosecutor will have the right to cross-examine you.

You may call witnesses to testify on your own behalf.

You also have the right to have the Court issue subpoenas for witnesses to ensure their appearance at trial. However, you must furnish the names, addresses and telephone numbers of witnesses to the Court, at least 10 working days before your trial date, so that the witnesses may be located and the subpoenas served.

The Court will only serve subpoenas within the City of McLouth. Services outside of the city will be your responsibility.

Presenting The Case

As in all trials, the City will present its case first by calling witnesses to testify against you.

After each prosecution witness has finished his/her testimony, you will have the right to cross-examine him/her.

Your examination must be in the form of questions and you must not argue with the witness.

Do not attempt to tell your side of the story at this time. You will have an opportunity to do so later in the trial.

After the prosecution has presented its case, you may present your case. You have the right to call any witness who knows anything about the incident, and to introduce exhibits such as photographs and diagrams.