

# Pro Se Packet

## CASPER MUNICIPAL COURT

*This is a reference only. Court staff cannot explain this packet or give you legal advice. If you have questions regarding your case consult an attorney.*

### Casper Municipal Court

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Tel 307.235.8267  
Fax 307.235.8405

201 North David Street  
Casper, WY 82601

Casperwy.gov  
MuniCourtClerk@cityofcasperwy.com

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## Prior to Arraignment

### When is My Court Hearing?

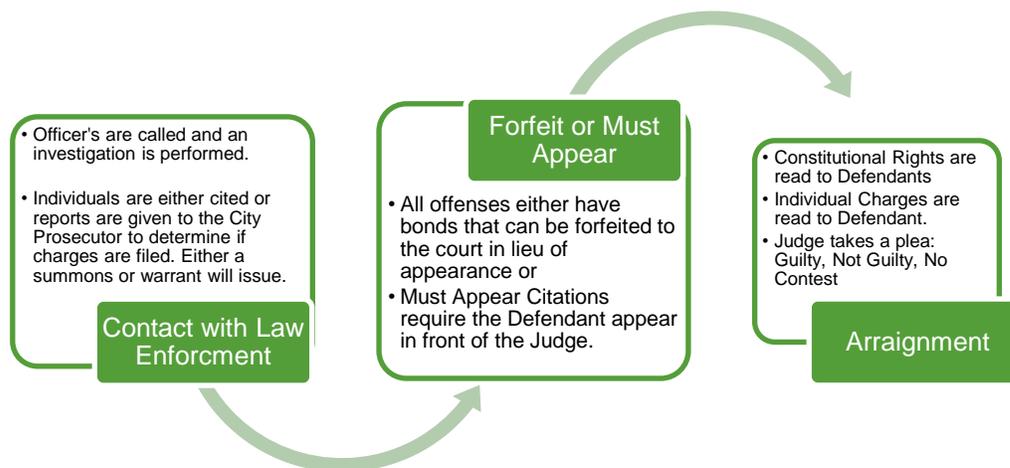
- Citation: At the bottom of the citation
- Summons: Court date is on the document itself
- Warrant: You will be seen within 72 hours of being booked into the jail.

### What if I just want to pay my Citation?

- As long as it is not a must appear charge you can pay your citation as follows:
  - In person: 201 N. David Street 5<sup>th</sup> Floor of the Hall of Justice at the Casper Municipal Court
  - Phone: 1.877.794.1215
  - Online: [www.caspertix.com](http://www.caspertix.com)
  - Mail: Casper Municipal Court 200 N. David Street, Casper, WY 82601

### What if I need to make a payment arrangement?

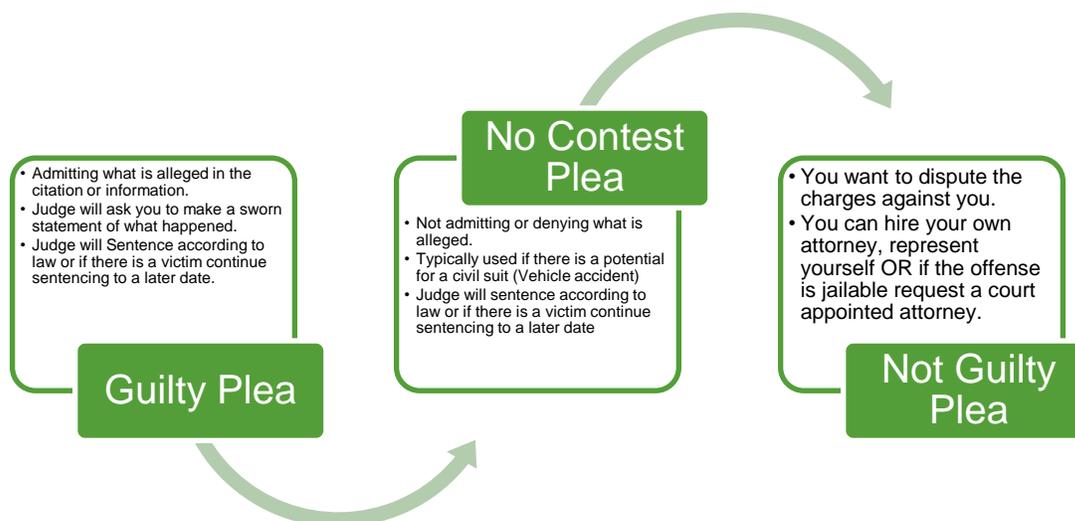
- Either:
  - Come to the Court Window at 201 N. David Street 5<sup>th</sup> Floor of the Hall of Justice
  - Go to your hearing



## Arraignment

### What is going to happen?

- You will sign a Statement of Constitutional Rights
- If you have any questions about your rights or the charges against you, ask the Judge.
- Enter a plea.
- If you need a payment arrangement, make sure to ask the Judge.



### Can I have a Court Appointed Attorney?

- **Only if the offense is subject to jail time.** Offenses resulting in jail time include:
  - Driving While Under the Influence
  - 2<sup>nd</sup> offense Assault and Battery
  - 2<sup>nd</sup> offense Shoplifting or Petit Larceny
  - 2<sup>nd</sup> offense Property Damage or Destruction
  - 2<sup>nd</sup> offense Interference with a Peace Officer, Resisting Arrest
  - Minor in Possession
  - 2<sup>nd</sup> offense Disturbing the Peace
  - Probation Revocation
  - Failure to Comply with a Court Order

### Do I have to pay for my Court Appointed Attorney?

Yes, the court will assess payment for the Court Appointed Attorney at Sentencing unless no ability to pay can be proven.

### What do I do if I can't get a Court Appointed Attorney?

- Hire your own attorney. The Wyoming State Bar provides a list of all attorneys in your area, call them at 307.632.9061
- Low Income Options
  - Equal Justice of Wyoming [www.legalhelpwy.org](http://www.legalhelpwy.org).
  - Legal Aid of Wyoming <http://www.lawyoming.org>
  - Wyoming Free Legal Answers <https://wyoming.freelegalanswers.org/>
  - University of Wyoming College of Law Legal Clinics Defender Aid Program 307.766.3223
  - Wyoming State Bar Modest Means Program
    - P.O. Box 109  
Cheyenne, WY 82003  
Fax: (307) 632-3737  
[brobinson@wyomingbar.org](mailto:brobinson@wyomingbar.org)

### What do I do if I am eligible for a Court Appointed Attorney?

- Fill out the Court Appointed Attorney application available at the Court window. **YOU MUST INCLUDE:**
  - Pay Stubs
  - Rent Receipts
  - Utility Bills
  - All other Bills
  - Child Support Ordered or Received
  - State or Federal Assistance Received
- If you do not provide a completed packet your application will be DENIED.

### What do I do after my application is approved?

- Wait for your attorney to contact you.
- Ensure that the Court has a current mailing address and telephone number.

## Prior to Trial

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### Can I have a Jury Trial?

- Only offenses subject to a jail term qualify for Jury Trials. If you have an attorney, they will need to file the necessary paperwork. If you do not have an attorney and the offense you are charged with carries a potential jail term, please submit a request in writing requesting a Jury Trial.

### What is a Bench Trial?

- The Judge hears all of the evidence and makes a decision.

### What do I need to do to represent myself?

- Just because you can represent yourself does not mean you should. It is very important that you learn about what is at stake in your case, and what you will be expected to do and know in order to handle it on your own.
- You may need a lawyer if...
  - You have a complicated case or a case that may become complicated (but keep in mind you may not always realize a case is or could be complicated without talking to a lawyer).
  - You want legal advice.
  - You want to discuss strategies for your case, like where to file your lawsuit, whether to file a response, whether to ask for a jury, and many other decisions that will come up during the case.
  - You want a confidential attorney-client relationship.
  - You are worried that the other side will not “play fair” (a lawyer is more likely to notice this and know what to do).
  - You are going to have a jury trial, and there are complicated decisions to make, from choosing a jury to knowing how to present a case to a jury most effectively.
  - You are too close emotionally to the case and have a hard time seeing things objectively.
- You may not need a lawyer if...
  - Your case is straightforward and there is no opposing side (like in a petition to change your name) or the other side and you are in agreement about everything (like an uncontested stepparent adoption or a guardianship of a child where everyone agrees).
  - You understand all your options and can make informed choices about your case.
  - You are willing to learn and understand the law and the rules and procedures that apply to our case.
  - You can spend time to prepare your case.
  - You can follow written instructions and work on your own.

## Tips for Representing Yourself

Here are some basic steps you can take to make sure you are prepared to represent yourself in court:

- Read about the law that applies to your case. Do research at the local public library.
- Make sure you follow the court procedures. To do this, you must read the laws that affect your case in the Wyoming Rules of Criminal Procedure and the Wyoming Rules of Evidence.

Not being a lawyer and not knowing the law is not an excuse for not following court procedures.

- Keep track of all deadlines — especially deadlines for filing papers and providing copies to the City Attorney's Office. If you miss these deadlines, you may lose your case.
- Go to the courtroom where your hearing will be and watch some cases. You can learn:
  - Where the parties sit;
  - How to explain your case to the judge; and
  - How much time each side has to talk.
- Be prepared for your court hearing. Have copies of:
  - All the papers you filed;
  - All the papers the other side served you with; and
  - Anything you have not served on the other side but want to use in court. If you have exhibits (like photos or letters you want to show the court), you must mark each one with a label (Exhibit 1, etc.) and make sure they are organized.
- Act professionally in court. Explain your side briefly and clearly. Do not talk about issues that do not support your case.
- Be realistic about what the judge can and cannot do. Make sure you understand what legal relief you can get in your case and focus on that.
- Show respect for the judge, the court clerks, and other people in the courtroom. Do not interrupt the judge or the other side. Do not make personal attacks against the other side.

## Risks of representing yourself

- The biggest risk is that you lose your case because (1) you are unable to follow all the required procedures to bring your case to trial so your case is dismissed, or (2) once you get to trial, you cannot meet all the technical requirements to prove your case.
- You will be responsible for understanding the Wyoming Rules of Criminal Procedure and the Wyoming Rules of Evidence.

## How do I get the videos/reports/other materials pertaining to my case?

- Fill out a request for discovery form or write a letter to the court asking for discovery and bring it to the court window to file. You will need to take a copy to the City Attorney's Office.

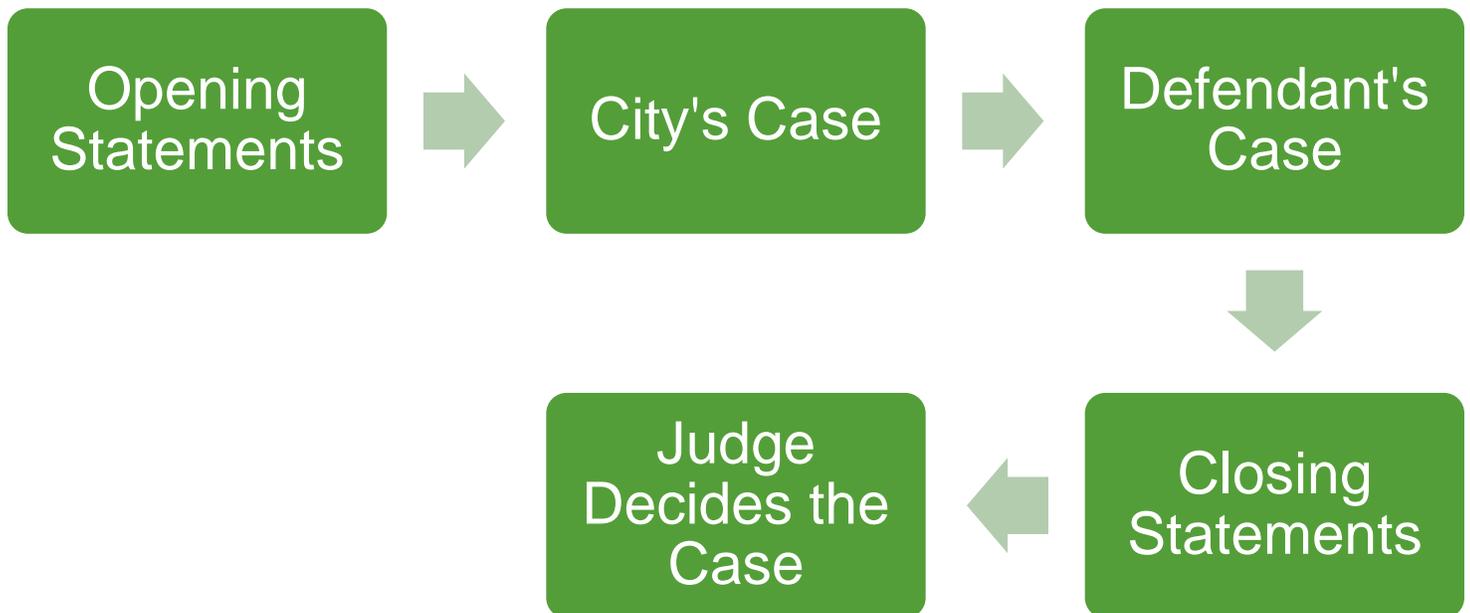
### **How do I get my witnesses to Court?**

- Come to the Court window to fill out a subpoena packet.
- If you do not subpoena your witnesses, you will be required to proceed without them if they decide not to show up.

## Trial

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### What is the Process at the Trial?



#### Opening Statement:

Please note that an opening statement is not testimony or evidence that can be considered in the judge's verdict. It just gives you an opportunity to generally state what you think your side of the case will show. Often, both parties waive opening statements.

#### City's Case

Because the Prosecutor has the burden of proof, he will present his evidence first. This will be in testimony and/or documents or other evidence which support the charges against you.

The prosecutor will be required to show you any evidence or documents. The judge will ask you if you have any objections. These must be based on the Wyoming Rules of Evidence and have a legal basis.

You will have the opportunity to cross examine any of the City's witnesses, which means you get to ask them yes or no questions within the scope of what they just testified to.

Do not argue with the witnesses, you will have the ability to explain your side during your presentation.

## **Defendants Case**

You can present any evidence, witnesses or testify if you wish to do so. If you do testify you will be waiving your right to remain silent and anything you say can and will be used against you during the trial. You will also be subject to the cross examination by the prosecutor.

If you have evidence, show it to the prosecutor so that they can see what you are going to try to present. The Judge will ask the prosecutor if there are any objections.

## **Closing Statement**

After all the testimony, the judge will ask if the Prosecutor wants to make a Closing Argument where he can summarize all the evidence. The Prosecutor will give his reasons for the judge to find you guilty. After the Prosecutor has made his Closing Argument, then you can make your Closing Argument which sums up your reasons, based on the evidence, for the judge to find you not guilty.

## **Judge Decides the Case**

The judge will render a Verdict which means they will decide whether you are guilty or not guilty. The judge may sentence you on the trial date or they may hold over sentencing for another date. If you are found not guilty, the judge will give you information on how to go about expunging your record through. At this point, your trial is over.

## Other General Information

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### Can court staff help me?

#### Can

- Refer you to resources and other sources of information
- Direct you to forms, examples, and other court related information.
- Answer basic procedural questions

#### CANNOT

- Give Legal Advice
- Draft or prepare any documents
- Review documents or forms for accuracy
- Help you in court.

### Can someone other than an attorney come and help me at my trial?

No. That is the unauthorized practice of law and is not allowed in the State of Wyoming.

### If I got a traffic ticket what will that do to my driving record or my license?

Please call the Wyoming Department of Transportation at 307.777.4800.

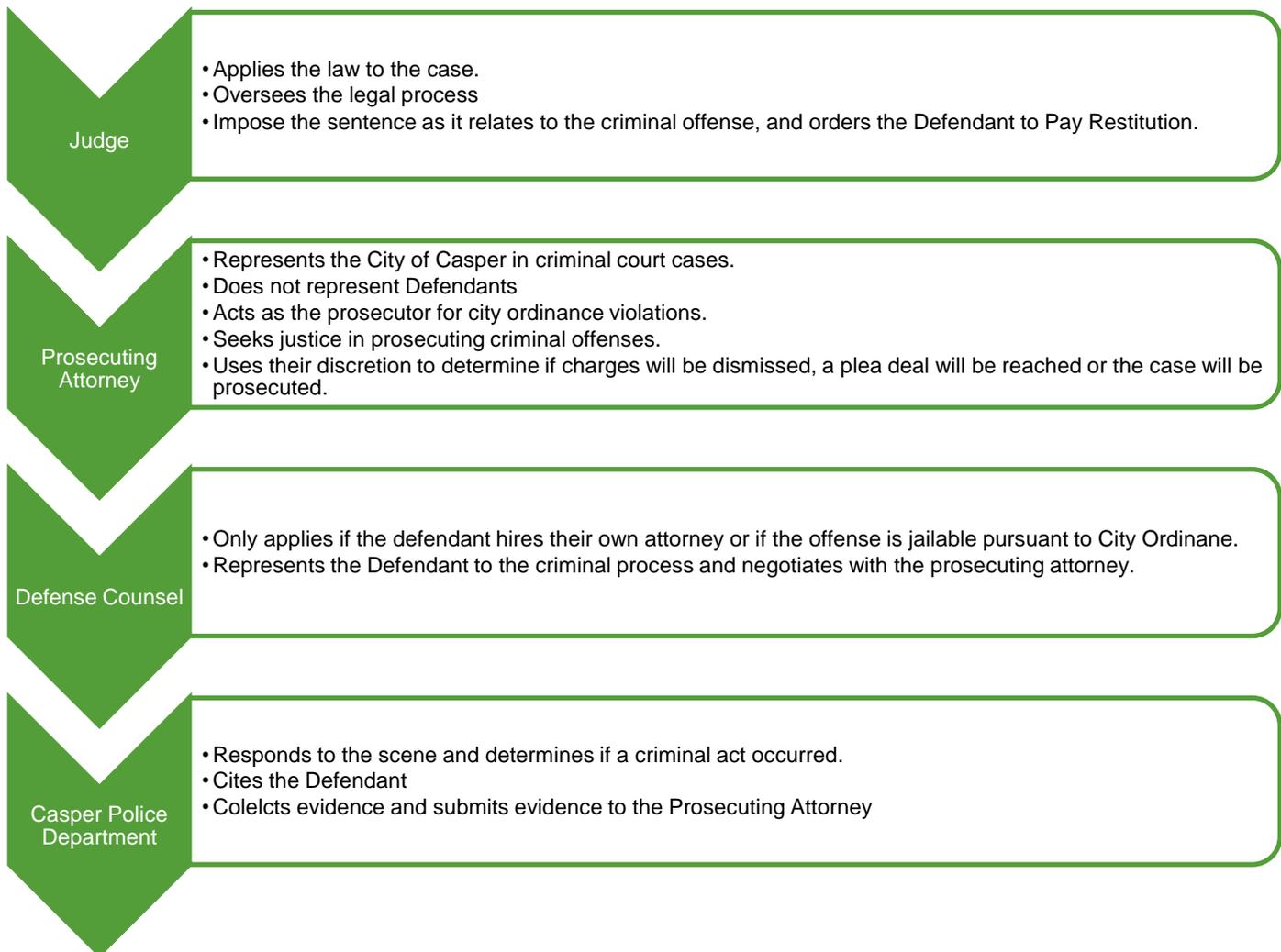
### If I got a DUI, how do I get my license back?

Please call the Wyoming Department of Transportation at 307.777.4800.

### What is the process if someone posted bond for me?

- The bond posted is held by the Court to ensure that the Defendant appears for their scheduled hearings. If you post bond for someone **YOU** are responsible in making sure that they appear for Court.
- After **sentencing** the bond will be eligible for release back to the poster, it will be processed through the Court finance department and returned within 30-45 days.
- If the bond poster agrees, the bond can be used to pay off fines and costs by either marking the appropriate boxes on the bond form or by coming to the Court window.
- It is the responsibility of the bond poster to make sure that an accurate mailing address and telephone number is on file with the Court for the return of the bond money.

### What are the functions of the individuals in the Court process?



# Reading Citations

Court

STATE OF WYOMING Member NRVC FORM P-6 (8/11)

CITATION/COMPLAINT Court/Judge Municipal Court Citation Number 5701061AA  
 DKT # \_\_\_\_\_ Event # P 15-003316

State of Wyoming, City of Casper  
 VS  
 Defendant \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 Mail Address \_\_\_\_\_  
 City CHEYENNE St WY Zip 82001  
 DOB \_\_\_\_\_ Sex F Race W Ht 62 Wt 170 Hair BLN Eyes BLU  
 DL # \_\_\_\_\_ Class C State WY  
 Employer \_\_\_\_\_ Phone Number \_\_\_\_\_  
 VL # \_\_\_\_\_ St WY Make CHEVROLET Model SUBURBAN Yr 2010  
 VIN \_\_\_\_\_  
 Passenger  PU  SUV  Motorcycle  MPV Color RED  
 Comm Veh  Comm Viol  Comm 10,001 to 26,000  Comm > 26,000  
 DOT # \_\_\_\_\_  Placarded Veh. Haz Mat ID # \_\_\_\_\_  
 Co. Name \_\_\_\_\_  
 City/State \_\_\_\_\_  
 G&F Lic. # \_\_\_\_\_  
 The undersigned states that on or about the 16 day of January, 2015  
 at 20:35 hrs at LRS Section# \_\_\_\_\_ MP \_\_\_\_\_  
 Street  County Rd.  State Hwy  Private Property Travel Dir. E  
 Location CY & BELLAIRE  
 School Zone  Construction  
 The defendant did unlawfully commit the following offense against the peace and dignity of the State of Wyoming  
 City of Casper  
 39 MPH in 30 MPH Zone  Radar  Other  Lidar 4 Dist: 488 ft  
 9 MPH OVER - Statute/Ordinance # 31-5-301(B) BY 10.04.10 (39) \$86.00  
 9 MPH OVER \$86.00

Charge and Bond amount for each charge

and the undersigned further states that there are just and reasonable grounds to believe that the person named above committed the offense herein.  CRASH

Complainant \_\_\_\_\_ BAC \_\_\_\_\_ %  
 Sworn to and Subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
 Judge/Judge Pro Tem \_\_\_\_\_  
 I hereby promise to appear in Municipal Court at 1:00 PM  
 on the 11 day of February, 2015 in CASPER WY.  
 MUST APPEAR  May forfeit bond in lieu of appearance  
 Officer JENNI CHRIS No. 195 Dept. Casper PD  
 Physical Court Address: 201 N. DAVID, WWW.PEPPER  
 CASPER WY 82601  
 Mailing Court Address: TRAFFIC MUNICIPAL COURT  
 200 N. DAVID  
 CASPER WY 82601  
 WWW.CASPERTIX.COM  
 Pay Online: (877) 794-1215  
 Pay By Phone: \_\_\_\_\_  
 Bond \$86.00 Paid By \_\_\_\_\_  NO Bond Taken  
 Date \_\_\_\_\_ Paid by \_\_\_\_\_  
 Date \_\_\_\_\_ Rec'd by \_\_\_\_\_  
 Court receipt # \_\_\_\_\_  Seat Belts in use

Court date and time and citation is marked that it can be paid instead of appearing

If this is marked you MUST come to Court

Total Amount on all charges to be paid