

IN THE MUNICIPAL COURT OF THE CITY OF LIBERAL, KANSAS

DECLARATION OF RIGHTS

1. You have the right to a trial on the charge or charges being brought against you. It is the burden of the City Prosecutor to prove to the Court that you are guilty beyond a reasonable doubt. If the prosecutor does not meet that burden at trial, the Court would find you Not Guilty.
2. If you are found guilty at trial, you may appeal the Court's decision within 14 days after the date of sentencing by filing a notice of appeal in the District Court and posting any necessary appearance bond for appeal purposes.
3. At trial, you or your attorney have the right to cross-examine witnesses brought to testify against you, you may bring your own witnesses, or you may testify yourself. You may remain silent throughout the proceeding, if you choose.
4. You have the right to have an attorney represent you or you may represent yourself. If you cannot afford to hire an attorney, one may be appointed for you.
5. You must either answer the charges by entering a plea or applying for diversion. There are 3 plea choices.
 - a. You may plead Not Guilty, which means that you deny committing the offense. You will maintain your trial rights and your case will be set for trial at a later date.
 - b. You may plead No Contest, which means that you do not admit committing the offense but do not wish to have a trial or contest the matter. The court will find you guilty and you will be sentenced.
 - c. You may plead Guilty, which means that you admit committing the offense. The court will find you guilty and you will be sentenced.
6. In lieu of entering a plea, you may apply for diversion. Diversion is generally available for those persons that have not been convicted or received diversion for the same or similar offenses. Diversion is generally not available for traffic offenses. If you are accepted into and successfully complete the Diversion Program, the City will dismiss the charges against you. If you enter into the Diversion Program, but fail to successfully complete the program, your diversion would be revoked and you would proceed to trial based upon stipulations that you are guilty that are contained within the Diversion Agreement. If you enter into the Diversion Program, you will be waiving your rights to have a speedy arraignment and speedy trial and you will be waiving your trial rights. If you are interested in applying for diversion, please raise your hand and inform the warrant officer if you want a diversion information packet in either English or Spanish. Please let them know if you have been charged with driving under the influence. If you want to apply for diversion, please inform the judge at the time that you are asked to enter a plea to the charges against you.
7. Entering a plea or entering into a diversion agreement in this case may impact your immigration status, including, but not limited to, deportation.
8. If you are convicted, you may be able to perform community service to pay fines and costs.
9. If you are convicted or receive diversion, you may later request an expungement or sealing of your arrest, diversion, or conviction.