



Know your rights: Petty Misdemeanor and Misdemeanor Citation Options

I have been charged with a **PETTY MISDEMEANOR**. What are my options?

1. You may pay the fine(s) for the offense(s) listed on your citation. **BE AWARE THAT BY PAYING THE FINE YOU ARE PLEADING GUILTY** and waiving your rights to:
 - A trial before a judge;
 - Be presumed innocent until proven guilty beyond a reasonable doubt;
 - Confront and cross-examine witnesses; and
 - Remain silent and/or testify on your own behalf.
2. Pleading guilty will result in a conviction for a petty misdemeanor offense. You can talk to a hearing officer about your case. If you have already talked to a hearing officer, but did not resolve your case, you can schedule a court hearing. If you are convicted, the maximum sentence is a \$300 fine.

If you schedule your case for a court hearing and fail to appear, you will be found guilty and a conviction will be entered. (Minn. Stat. § 169.91; 609.491; Minn.R.Crim.P. 23.04-23.05.)

I have been charged with a **MISDEMEANOR payable offense**. What are my options?

1. You may pay the fine(s) for the offense(s) listed on your citation. **PLEASE BE AWARE THAT BY PAYING THE FINE YOU ARE PLEADING GUILTY** and you are waiving your rights to:
 - A trial before a judge or a jury;
 - Be represented by an attorney;
 - Be presumed innocent until proven guilty beyond a reasonable doubt;
 - Confront and cross-examine witnesses; and
 - Remain silent and/or testify on your own behalf.
2. Pleading guilty will result in conviction for a **petty misdemeanor offense**. You can talk to a hearing officer about your case. If you have already talked to a hearing officer, but did not resolve your case, you can schedule a court hearing.

If you are convicted, the maximum sentence is up to 90 days in jail and/or a fine up to \$,1000.

- **Failure to appear for your scheduled court date may result in:**
 - The misdemeanor citation becoming a payable offense; or
 - The prosecutor issuing a formal complaint. If this happens you will receive a summons in the mail with a new court date; or
 - The prosecutor certifying the offense as a petty misdemeanor. If this happens, once certified, your failure to appear will be considered a waiver of your right to trial and petty misdemeanor conviction will be entered on the case.