

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT/JEFFERSON COUNTY  
NOTICE**

Read the following information before your court appearance by ZOOM.

To join a Zoom meeting from a computer, go to [www.zoom.us](http://www.zoom.us) and choose “join a meeting” and enter meeting ID 687 107 4357

To join Zoom from a smart phone, add the zoom app from Google Play or the Apple Store and enter meeting ID 687 107 4357

No internet? No problem. Just dial (312)626-6799 and enter meeting ID 687 107 4357

**First Appearance in Court:**

- (1) Right to be proven guilty beyond a reasonable doubt.
  - (2) Presumed to be innocent of the charges.
  - (3) Right to have an attorney represent you throughout these proceedings.
  - (4) You have three options regarding an attorney:
    - (a) **Represent yourself and talk to the State’s Attorney’s Office** . If you represent yourself, no one will be helping you make decisions about your case. The best way to contact the assistant state’s attorney is through email at [lueckinglawoffice@gmail.com](mailto:lueckinglawoffice@gmail.com). If you do not have email, you can call (618)244-8000 extension 2025 and ask for Letisha Luecking from the State’s Attorney’s Office. She will be able make an offer in your case if you are considering pleading guilty or working out a supervision agreement. Please note that the State’s attorney’s office is prosecuting you for this case and not your private attorney. For that reason, you would not be able to ask for legal advice from anyone at the State’s Attorney’s Office. If you do not like what the State’s attorney offers, you are allowed to plead not guilty and proceed with your case;
    - (b) If you cannot afford an attorney and you are charged with a crime in which you could go to jail, **you can request a public defender** to be appointed to represent you. You would have to fill out an affidavit of assets and liabilities basically showing the court what you own, how much money you owe, and how much money you make, and the judge can check the guidelines to see if you qualify for a court appointed public defender (an attorney that is free of charge); or
    - (c) **Hire a private attorney**.\*\*A private attorney or public defender both have specialized training and experience to help you determine whether you are receiving an appropriate offer from the state and also to help you make legal decisions about your case.
  - (5) Right to a trial in front of a judge only or a jury trial.
  - (6) Right to be present at that jury trial with your attorney.
  - (7) Right to confront and cross-examine the witnesses that the State would have to present against you.
  - (8) Right to present your own witnesses and your own defense.
  - (9) Right to testify yourself, but you also have the right to remain silent and not say anything that could be used against you.
  - (10)Right to speedy trial
    - (a) When in custody, the law guarantees you will have a trial within 120 days of your arrest unless you cause or agree to some delay.
    - (b) If you make bond, you still have a right to a speedy trial but you have to file a demand with the court requesting a trial as soon as possible. You will have a trial within 160 days of that demand.
- \*\*\*Please note that due to the Pandemic emergency, speedy trial rights are currently suspended pursuant to Illinois Supreme Court Order M.R. 30370 and previous orders entered by the Illinois Supreme Court on March 17, 2020 and April 7, 2020, and by order of the Chief Judge of the Second Judicial Circuit in Administrative Order 2020-15 (see previous Administrative Order 2020-8 (now repealed) and Administrative Order 2020-11 (now modified).
- (11) **You must appear at every court appearance by following the Zoom link provided in this packet of information.** If you do not appear (by zoom), without good cause shown, a warrant for your arrest could be issued, and if you have bond money posted, that could be forfeited, which means the court could take your bond money, and it would not be returned to you.
  - (12) If you are given notice of your trial or any hearing and you fail to appear without good cause shown, the law says the court can proceed to have the trial or hearing whether you were present or not. If you do not appear for your trial and are found guilty, the court could sentence you to the following:
    - (a) Most traffic cases are **Petty Offenses** and punishable by 2 years maximum court supervision, \$1,000 fine or amount specified in the offense (whichever is less) and/or 6 months of conditional discharge.
    - (b) **Class C Misdemeanor**—Not more than 30 days imprisonment, 2 years maximum court supervision, not more than 30 days periodic imprisonment, \$1,500 fine, and/or 2 years maximum conditional discharge.

(c) **Class B Misdemeanor**—Not more than 6 months imprisonment, 2 years maximum court supervision, not more than 6 months periodic imprisonment, \$1,500 fine and/or 2 years maximum conditional discharge.

(d) **Class A Misdemeanor**—Any term of imprisonment of less than 1 year, 2 years maximum court supervision, any term less than one year for periodic imprisonment, \$2,500 fine or amount specified in offense (whichever is greater) and/or 2 years maximum conditional discharge.

If you decide to plead guilty and have an agreement with the State's Attorney's office, **most** traffic cases can be resolved without a court appearance, through zoom or another method of electronic communication. When you speak with the assistant State's Attorney, he/she will let you know if you need to appear.

**If you plead guilty, you are waiving the following rights:**

1. Right to be proven guilty beyond a reasonable doubt; (2) Right to have a jury trial; (3) Right to be present at that jury trial with your attorney; (4) Right to confront and cross-examine the witnesses that the State will have to present against you; (5) Right to present your own witnesses and your own defense; (6) Right to remain silent; and (7) Right to a speedy trial (keeping in mind the orders previously listed which suspends those speedy trial rights at this time due to the Pandemic emergency).

You should also understand the following:

1. As a consequence of a conviction or a plea of guilty, the sentence for any future conviction may be increased or there may be a higher possibility of the imposition of consecutive sentences;
2. As a consequence of a conviction or a plea of guilty, there may be registration requirements that restrict where the defendant may work, live or be present; and
3. As a consequence of a conviction or a plea of guilty, there may be an impact upon your ability to, among others:
  - (a) retain or obtain housing in the public or private market;
  - (b) retain or obtain employment; and
  - (c) retain or obtain a firearm, an occupational license, or a driver's license.

\*\*\* You are hereby notified that **if you are not a citizen of the United States**, that a conviction of the offense for which you have been charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization under the laws of the United States.

**Appeal Rights:**

1. You have a right to an appeal;
2. Prior to taking that appeal you must file in the circuit court within 30 days of the date on which sentence is imposed, a written motion asking to have the judgment vacated and for leave to withdraw the plea of guilty, setting forth the grounds for the motion;
3. If the motion is allowed, the plea of guilty, sentence and judgment will be vacated and a trial date will be set on the charges to which the plea of guilty was made;
4. Upon the request of the State, any charges that may have been dismissed as a part of the plea agreement will be reinstated and will also be set for trial;
5. If you are indigent (cannot afford counsel), an attorney would be appointed to represent you without any cost to you, and counsel would be appointed to assist you with the preparation of the motions; and
6. In any appeal taken from the judgment on the plea of guilty, any issue or claim of error not raised in the motion to vacate the judgment and to withdraw the plea of guilty shall be deemed waived.