

**Butler County Juvenile Traffic Court  
Information Sheet**

**Scheduling:** Traffic Court is held every Monday and Tuesday at 4:30 PM. Most cases are scheduled in Traffic Court directly by the citing officer and are generally called on a first-come first-served basis. Court is usually completed by about 5:30 PM.

**Your Rights:** You have the **right** to be represented by attorney. You have the **right** to request a continuance in order to consult with an attorney. Appointed attorneys **ARE NOT** available in traffic cases except Operation of a Motor Vehicle while Intoxicated (OVI) cases or other cases which may result in your incarceration.

**If the charge against you can result in your incarceration, the magistrate will advise you of your right to a court-appointed attorney.** Under those circumstances, if you wish to proceed without a court-appointed attorney, you must waive that right in writing (the court will provide you with that document).

**IMPORTANT:** All minors who are cited to Juvenile Traffic Court **must appear in court with their parent, legal guardian, legal custodian, or an attorney at law.** *Any person appearing in court who falsely claims to be a minor's parent, legal guardian, or legal custodian, may be subject to prosecution.*

**Waiver of  
Hearing:**

If the **only** charge against you is a seat belt, parking, registration, or license plate infraction, you may be able to waive your appearance in court by paying fines and costs at the cashier window. If you are interested in proceeding in that manner, please inquire at the information or the cashier window.

**Penalties:** If you are found guilty (found to be a Juvenile Traffic Offender) the court may impose a wide range of penalties including, but not limited to: fines, costs, driver education, alcohol/drug intervention services (Teen Intervention Program), license suspension, probation, and (in some cases) incarceration. **Please carefully review the MANDATORY PENALTIES mentioned later in this form.**

**Pleas:** There are **two** pleas that may be entered in Juvenile Court in ANY case:

1. An **ADMISSION** (also known as a "true" plea) is essentially the same as a **guilty** plea.
2. A **DENIAL** (also known as a "not true" plea) is essentially the same as a **not guilty** plea. If you enter this plea, the court will not be able to proceed with your case today and the case will be set for pre-trial with the prosecuting attorney on a later date.

A **third** plea (**NO CONTEST**) may only be entered **where you have been cited for being at fault in an automobile accident.** You may, therefore, enter a **no contest** plea **only** if you have been cited to court as a result of a motor vehicle accident. A NO CONTEST plea is very similar to an admission and IS NOT a substitute for a denial or a not guilty plea. If you enter a NO CONTEST plea, you are indicating that you **do not contest** the allegations in the citation and accompanying documents (such as the accident report).

If you plead **true, guilty, or no contest (acceptable in accident cases only)** to **any** violation in court this evening, it is **highly probable that you will be convicted** regarding the violation in the citation. The Magistrate assigned to the traffic court evening docket will listen to what you have to say but has no authority to deviate from Ohio law.

**Special  
Situations:**

If you believe that your case (or your child's case) deserves special consideration due to personal, factual, or legal issues, **you should strongly consider whether entering a denial (a plea of not guilty) to the offense is in your or your child's best interests.** If you enter a denial, the case will be scheduled for a pre-trial, the citing officer will be subpoenaed and the case will be assigned to a prosecutor. Only the prosecutor has the authority to withdraw or reduce a charge.

**Costs:** If there is a TRUE/ADMIT or a NO CONTEST plea entered, the costs for moving violations are \$129.00 (MOST violations are moving violations). Costs for non-moving violations are \$100.00. If there is a NOT TRUE plea, the court is legally required to assess higher costs based upon the types of documents which must be issued (such as subpoenas). Costs may only be assessed if there is a conviction.

**Payment:** Payment of fines and costs may be made by cash; by Cashier's Check, by an Official Credit Union check, or with a Visa® debit card or the following credit cards (subject to an additional processing fee of \$1.95 or 2.35% of the total, whichever is greater) Master Card®, American Express®, and Discover®. **Personal checks will not be accepted.** You are expected to pay your fines and costs today. The court, upon request, may grant you up to thirty days to pay your fines and costs. The court may require you to surrender your license pending that payment. If you fail to pay your fines and costs in full within thirty days, notice will be sent to the BMV and the BMV may issue a forfeiture order regarding your license.

## MANDATORY PENALTIES

### Local Penalties (Court imposed)

For some time now, the judges of this court, in response to teen-driver related crashes and fatalities in Butler County have directed that for first offenses, this court will issue (in most cases) the following orders:

1. A thirty (30) day total suspension of all driving privileges (no driving privileges of any kind) upon conviction for speeding 15 MPH or more over the speed limit.
2. One of the following orders on all other two-point moving traffic violations (Examples: Speeding, Assured Clear Distance, Failure to Yield, Failure to Control and others):
  - Successful completion of CarTeens (with a passing grade) accompanied by a parent and/or
  - A thirty (30) day total suspension of all driving privileges (no driving privileges).

### Statutory Penalties (Penalties imposed by State Law)

Some offenses (such as OVI, Leaving the Scene of an Accident, Street Racing, Reckless Operation, and driving without insurance) have SIGNIFICANT mandatory penalties which are too complex for full explanation on this information sheet. Mandatory penalties imposed by state law can be confusing. The most common of those include the following:

**MANDATORY 90 day license suspension by the BMV:** Upon conviction for **two moving violations** which were committed prior to your 18<sup>th</sup> birthday.\*

**MANDATORY one year license suspension by the BMV:** Upon conviction for **three moving violations** which were committed prior to your 18<sup>th</sup> birthday.\*

**If a BMV suspension is imposed, such suspensions REQUIRE** that you pay a reinstatement fee, take a remedial driving course, and RE-TAKE THE DRIVING EXAMINATION prior to getting your license returned. **The court cannot waive these or any other BMV imposed requirements.**

**Serious offenses**, such as operation of a vehicle while intoxicated (OVI), leaving the scene of an accident, street/drag racing, speeding 30MPH or more over the speed limit, and reckless operation are enhanced point violations. If you are convicted under any of those offenses, the court will impose a significant license suspension. Convictions for such offenses may also have a significant effect upon insurance availability and cost.

**Points:** Points are assessed regarding juvenile traffic offenses based upon the offense of record in accordance with Ohio law. The assessment of points cannot be waived.

### Other Information

**Insurance:** Proof of insurance (coverage for the vehicle and/or the driver) must be provided to the court in many instances. You must provide proper **documentation** of that insurance to a staff member after your

hearing. **The court cannot accept proof presented electronically (on a cell phone) or by email.** If proper proof is not provided to the BMV, it will result in a license suspension, possible revocation of your vehicle registration, and other substantial financial penalties.

### **Out of County Residents**

**Ohio Residents Only:** Ohio Juvenile Rule 11 permits the court to transfer your case to your home county in the State of Ohio. This transfer can be done before or after you enter a plea. If you wish to have your case transferred, you may inquire at the Cashier window or you may ask the Magistrate in the courtroom.

### **Special Programs:**

The Juvenile Court utilizes two different educational/diagnostic services as follows:

#### **CARTEENS:**

CarTeens is a classroom driving safety educational program that is conducted under the auspices of the local 4-H organization, the Ohio State Patrol, and the Ohio State University Extension Service. This program consists of one (1) class which lasts about two hours. The cost of this program is \$30.00 which must be paid **in cash** on the night of the program. **If participation in CARTEENS is ordered, you will be given an information sheet with details at the payment window. Juveniles ordered to attend CarTeens must successfully complete that program by attending and passing the test given to all juvenile participants. In most cases, both the child and the parent must attend in order to avoid a further license suspension or other penalty.**

#### **DRIVING INTERVENTION AND IMPROVEMENT PROGRAM (Formerly defensive driving):**

This program is a classroom driving safety program which is usually ordered when a juvenile is cited due to an accident. This program is conducted by the Safety Councils of Hamilton and Middletown. This is a one-day program and the cost varies but is approximately \$75.00. **If participation in THE DRIVING INTERVENTION AND IMPROVEMENT PROGRAM is ordered, you will be given a phone number to call for details at the payment window.**

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**After the BMV has issued a suspension on a juvenile's license as set forth above, a juvenile may file a petition (motion) with the court asking the court to grant occupational or educational driving privileges. The court may grant such privileges if continuing imposition of the suspension will seriously affect the person's ability to continue in employment or educational training or will cause undue hardship on the license holder or a family member of the license holder. The steps for requesting such privileges are as follows:**

- 1. The suspension must be "in the system." In other words, the suspension must be entered into the records of the BMV before the order granting privileges is received by the BMV. Suspensions are usually entered into the system approximately three weeks **AFTER** the court hearing where the juvenile was convicted. Information regarding driving records is available on the BMV website.**
- 2. A motion (A Motion for Reconsideration) must be filed (there is a filing fee of \$95.00 for such motions) requesting driving privileges. Forms are available from the clerk at nominal cost or on our website at: <http://www.butlercountyohio.org/JuvenileJusticeCenter>**
- 3. A hearing must be held on the motion where the court will either grant or deny the privileges requested (We will endeavor to expedite those hearings).**