

Arraignments and Trials

Your first appearance in court is known as an arraignment. This hearing is when the Judge will advise you of your rights. After the reading of the rights, the Defendant will be asked to plead guilty or not guilty to the charges. The Prosecuting Attorney will be present before court to discuss your case. The prosecutor may be willing to enter into a plea agreement with the Defendant. The Defendant is under no obligation to enter into such an agreement. If a Defendant truly believes that they are not guilty, they should enter a not guilty plea and request a trial in the case.

Trials are set by the Court at the arraignment. In most cases, the Judge hears trials. However, a Defendant may request a jury trial. By Municipal Code, the case must involve a possible jail sentence in order to be heard by a jury, otherwise the Judge will hear the case. The jury usually consists of three members, unless otherwise requested by the Defendant, not to exceed six persons. A Jury Trial is assessed additional fees.

If you are going to have a trial, you may have third parties issued a subpoena. In order to request a party to receive a subpoena, you must contact the Eaton Municipal Court Clerk. The Clerk will make out the Subpoena, however the Defendant is responsible for the service and delivery of the subpoena to the party.