

Ely Justice Court

Virtual Traffic Court

(Court Appearances via Video-Conference)

1. Basic Information:
 - a. The Court uses Zoom to conduct virtual hearings. For more information on Zoom, visit: zoom.us
 - b. The purpose of this virtual court proceeding is for the convenience of the person who received the citation.
 - c. The Court generally conducts virtual traffic appearances on Wednesday mornings. Please consult your citation for your specific date and time. If you have a different time on your citation and wish to appear virtually, please contact the Court via telephone.
 - d. All hearings will be recorded.
 - e. You should be appropriately dressed.
2. Required Forms – you must complete either of the following forms and return them to the Court not less than 24 hours prior to the hearing.
 - a. If you are pleading guilty, you must complete and return the attached Virtual Traffic Court Guilty Plea Form
 - i. If you plead guilty, you will likely be found guilty and a sentence will be imposed.
 - ii. The Court is not permitted to reduce or remove demerit points or to alter charges. Any such requests must be directed to the prosecutor.
 - b. If you are pleading not guilty, you must complete and return the attached Virtual Traffic Court Not Guilty Plea Form
 - i. If you plead not guilty, the Court will set a trial date
 - ii. You will likely have to appear in person for trial
3. Technology and Equipment- You are entirely responsible for ensuring you have properly functioning adequate equipment
 - a. You must have a device equipped with a camera and microphone.
 - b. Your device should be fully charged
 - c. You must be in an area with sufficient wifi and/or cellular data coverage
 - d. You should test your device, coverage and equipment, by visiting:
<https://zoom.us/test>
 - e. You must load and test the appropriate Zoom app to their device well prior to the start of the hearing.
4. Attending the Hearing
 - a. The zoom meeting will open shortly prior to the hearing time.
 - b. Cases will be taken in citation number order
 - c. You should not speak until your case is called – talking out of turn can impact the integrity of the recording and will be grounds for muting and/or removal from the virtual hearing
 - d. Observers may be present via zoom on in person in the Courtroom, but will not be permitted to address the Court or otherwise participate.

All required forms should be returned to the Court via fax or email at:
775-289-3392 wpcjusticecourt@whitepinecountynv.gov

Virtual Traffic Court
Not Guilty Plea Form

1 Case Number: _____

2

3

4 **IN THE JUSTICE COURT OF ELY TOWNSHIP NO. 1**

5 **COUNTY OF WHITE PINE, STATE OF NEVADA**

6

7 THE STATE OF NEVADA,
PLAINTIFF,

8 vs.

VIRTUAL TRAFFIC COURT
NOT GUILTY PLEA FORM

9

10 _____
[PRINT YOUR NAME]
DEFENDANT.

11 I am [Print Your Name] _____

12 and I am the defendant in this matter. My mailing address is: _____

13 _____ My phone number is: _____

14 My email is: _____

15 **Waiver of Appearance:** I wish to waive my right to personally appear and wish to enter this
16 plea via audiovisual transmission equipment (i.e. Zoom). I understand my constitutional rights¹ and
17 plead not guilty to the charges against me.

18 **Speedy Trial:** (check only one) I waive my right to a speedy trial (the Court may schedule
19 my trial later than 60 days) do not waive my right to a speedy trial (the Court will –court calendar
20 permitting- set my trial within 60 days).

21 I declare, under penalty of perjury the foregoing is all true and correct.

22 _____
Date

23 _____
Defendant's Signature

24 ¹ I am fully aware of and fully understand I have the following rights:

- 25 1. The right to counsel.
- 2. The right to a speedy public trial.
- 3. The right to require the State of Nevada to prove the charges against me beyond a reasonable doubt.
- 4. The right to remain silent.
- 5. The right to confront and cross-examine the witnesses against me.
- 6. The right to subpoena witnesses and present evidence on my behalf.

Virtual Traffic Court
Guilty Plea Form

1 Case Number: _____

2

3

4

5

6

IN THE JUSTICE COURT OF ELY TOWNSHIP NO. 1

7

COUNTY OF WHITE PINE, STATE OF NEVADA

8

9 THE STATE OF NEVADA,
PLAINTIFF,

9

10 vs.

10

VIRTUAL TRAFFIC COURT
GUILTY PLEA FORM

11

_____,
[PRINT YOUR NAME]

12

DEFENDANT.

13

I am [Print Your Name] _____

14

and I am the defendant in this matter. My mailing address is: _____

15

_____. My phone number is: _____.

16

My email is: _____.

17

I wish to plead [check one] Not Guilty Guilty No Contest to the following
misdemeanor charge(s) of: [Print Title and Count Number of Charge You are Pleading to] _____

18

19

20

which charge(s) are more fully set forth in the charging document on file in this case.

21

A. Waiver of In Person Appearance (if you understand and agree with each statement, initial on
the line provided)

22

23

_____ I wish to waive my personal presence in this matter and desire to conduct my first
appearance and arraignment via audio-visual transmission equipment.

24

_____ I wish to enter my plea via audio-visual transmission equipment.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I also hereby consent to the entry of the plea(s) and imposition of sentence on the charge(s) via audio-visual transmission equipment.

B. Right to Representation by Lawyer (if you understand each right, initial on the line provided)

I have the right to be represented by a lawyer at stages of the proceedings.

I also have the right to represent myself without the assistance of a lawyer.

I waive (give up) my right to be represented by a lawyer. I have chosen to represent myself in this case. I have made this choice even though there are the following dangers and disadvantages to self representation, among others.

[1] Self representation is often unwise, and I may conduct it to my own detriment.

[2] I am responsible for knowing and complying with the same procedural rules as lawyers, and cannot expect help from the judge in complying with these procedural rules.

[3] I will not be allowed to complain on appeal about the competency or effectiveness of my self representation.

[4] The State of Nevada is represented in this case by experienced, professional lawyers who will have the advantage of skill, training and ability.

[5] I may allow the prosecutor an advantage, may not make effective use of legal rights, and may make tactical decisions that produce unintended consequences.

[6] The effectiveness of my self representation may well be diminished by my dual role as lawyer and accused.

C. Other Rights (if you understand each right, initial on the line provided)

I understand that I have the following other rights in this case. I also understand that I will be waiving (giving up) these rights if, without being present, I plead either guilty or no contest to the charge(s) listed above, and am sentenced by the Court.

I have a right to a speedy, public trial.

I have the right to require the State of Nevada to prove the charge(s) against me beyond a reasonable doubt at trial.

I have the right to remain silent and refrain from incriminating myself. If I choose to remain silent, that choice cannot and will not be used against me by the judge.

I have the right to confront and cross examine (see and question) all witnesses called

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

against me in court.

I have the right to present evidence and subpoena witnesses to testify on my behalf in court.

I have the right to appeal any conviction in this case.

I have the right to personally appear in court to be arraigned, enter my plea(s) and receive imposition of sentence. At a sentencing hearing, I have the right to make a statement or testify, and present evidence for the Court to consider before sentencing me.

D. Elements of Charge(s) to Which Plea(s) Entered; Criminal/Civil Penalties (if you understand and agree with each statement, initial on the line provided)

I understand the elements of any charge(s) to which I am entering either guilty or no contest plea(s) in this case.

I understand the maximum criminal and civil penalties which may be imposed by the Court if it accepts my plea(s) in this case.

I understand that, generally, the maximum penalty for a misdemeanor offense is 6 months in the county jail and a \$1,000 fine, plus administrative fees. I understand my case may be different from the general rule set forth above. I understand, while the maximum penalty may not necessarily be imposed, the Court remains free to sentence me to the maximum penalty.

E. Entry of Plea; Waiver of Rights on Plea(s) of Either Guilty or No Contest (if you understand and agree with each statement, initial on the line provided)

I have read this document, and/or had this document read to me in the language I understand best, and I understand the entire document.

I fully understand all of the implications of my decision to plead guilty or no contest, including the range of possible sentences.

I have had sufficient time to consider all relevant matters before making my decision to plead guilty or no contest.

I have no questions regarding my decision to plead guilty or no contest.

If I am pleading guilty to a charge or charges, I agree with what the State claims I did wrong in the charge(s) to which I am pleading guilty.

If I am pleading no contest to a charge or charges, I agree that the State has enough evidence to prove me guilty beyond a reasonable doubt of the charge(s) to which I am pleading no contest.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I was sober and in full control of my mind at the time I: [1] read this document and/or had this document read to me; [2] initialed this document; and [3] signed this document.

I have not been threatened or coerced in any way to enter (make) my plea(s). I am entering (making) my plea(s) without any promises of leniency, other than those which may have been placed on the record.

I understand that the judge is not required to follow the sentencing recommendation of either party. The judge may impose any sentence allowed by law, up to and including the maximum sentence. I understand the judge may order my sentence(s) run consecutive to each other and/or to any sentence(s) I am currently serving. The judge may also order me to pay restitution if that is appropriate.

I choose to waive (give up) my rights as described in this document, and request that the Ely Justice Court accept my plea(s). I understand that the judge will sentence me on and convict me of the charge(s) to which I am entering the plea(s).

I declare, under penalty of perjury the foregoing is all true and correct.

_____ Date

_____ Defendant's Signature