

# **TRAFFIC COURT TEMPORARY JUDGES TRAINING MISDEMEANORS AND INFRACTIONS**

## **Misdemeanors**

Punishable by jail and/or fine (Usually 6 months county jail and/or \$1000 fine)

Right to court appointed counsel if financially eligible

Right to jury trial and with the consent of the prosecutor, a court trial

Right to have a judge hear the case after arraignment – must stipulate to a commissioner or temporary judge – with stipulation bench officer has all powers of a judge

Immigration consequences are possible

No right to a trial by written declaration

Traffic school is not allowed

Bench Officer has discretion to reduce some to infractions with the consent of the defendant (Penal Code sections 17 and 19.8)

## **Infractions**

Punishable by fine only (Generally max is \$250, but some are higher)

No Right to court appointed counsel

No right to a jury trial

Trial by written declaration is allowed for most Vehicle Code violations

Traffic school allowed for infractions (rules of the road and equipment violations) reportable to the DMV

Right to appeal within 30 days