

Frequently Asked Questions



1) What are the City Prosecutors' Office hours?

Monday - 8:30 a.m. - 4:30 p.m.

Tuesday - 8:30 a.m. - 4:30 p.m.

Wednesday - 8:30 a.m. - 3:00 p.m.

Thursday - 8:30 a.m. - 4:30 p.m.

Friday - 8:30 a.m. - 4:30 p.m.

2) Does the City Attorney's Office offer free legal advice?

No. The City Attorney represents the State of Montana's interests in criminal prosecutions within the City Limits of Great Falls and represents the City of Great Falls and its various divisions in legal matters. Any requests for legal advice should be directed to attorneys in the community and/or [Cascade County Law Clinic](#). Contact information for private attorneys can be found in the telephone directory under Attorneys.

3) What do I do when I get a traffic ticket?

First, check to see when you are required to appear in Great Falls Municipal Court. This date is of vital importance and your appearance before the Municipal Court Judge must coincide with it or a warrant for your arrest may issue.

4) What are my options when I've been charged with a traffic or criminal offense?

You have 3 options once you have been charged with a traffic or criminal offense:

1. You may plead "not guilty" – this sets the matter for trial. This plea must be made to the Municipal Court Judge.
2. You may plead "guilty" – sentence will be imposed either in the form of a fine, jail or both. The fine and/or jail is set by statute. This plea must be made to the Municipal Court Judge.
3. You may qualify for a deferred prosecution agreement on traffic offenses. This is an informal probation agreement you may enter into with the prosecutor where trial is deferred for the term of the agreement. This is not a guilty plea and the charge will not affect your permanent driving record should you comply with all terms of the agreement. A fee is required for this agreement, which is usually equal to, but may be greater than, the standard fine amount. You may inquire as to whether you qualify for a deferred prosecution agreement by coming into the City Prosecutor's Office in Room 101 of the Civic Center. An appointment with the City Prosecutor is not necessary. Legal staff in the office will assist you. There is no guarantee that

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a deferred prosecution agreement will be offered. All fees must be paid in full at the time the agreement is executed. City Prosecutor's Office can only accept cash, check or money order.

If you believe that you need to speak to a City Prosecutor regarding your charges, you may contact the City Prosecutor during open court Tuesday through Friday at the following times:

- Monday - DUI's only - check in time is 10:00 a.m. to 10:30 a.m.
- Tuesday – Check-in for open court is from 1:00 p.m. to 1:30 p.m.; Juvenile session 3:00 p.m. to 3:30 p.m.
- Wednesday through Friday – check in for open court is from 9:00 a.m. to 9:30 a.m.

5) How do I get an attorney to defend me on my serious violations if I cannot afford an attorney?

For individuals who cannot afford an attorney, the State may appoint an attorney if certain financial criteria are met. This attorney would be a [Public Defender](#). Applications for the Public Defender can be obtained from the Municipal Court at the window in the basement of the Civic Center.

6) I am a victim of an assault, or PFMA, what if I want to drop charges against my spouse/family member what do I do?

An affidavit requesting that the charges be dismissed may be filled out by coming into the City Prosecutor's Office in Room 101 in the Civic Center. The affidavit must contain a detailed explanation of the reasons for the request. It is advised that any victim speak to Victim Witness prior to requesting that charges be dismissed. Any dismissal will be based on consideration of all relevant evidence and there is no guarantee that the charges will be dismissed simply because a request has been submitted. If the charges are dismissed, the City Prosecutor will not send notification thereof to the person requesting the dismissal, but rather the Defendant will receive notification from the Court via a copy of the Order of Dismissal.

7) I am a victim of an assault or PFMA, and I want this person to stay away from me, and I want full support in prosecution of this person. Whom would I contact to keep me informed of what I need to do?

It is advised that any victim speak to [Victim Witness](#) located at 401 Third Avenue North, Great Falls, Montana. Victim Witness will assist in the process of obtaining an Order of Protection and can answer any questions regarding your responsibilities throughout the process before trial. The City Prosecutor will contact you before trial regarding matters of testimony and trial.

8) If I am subpoenaed to testify in a case, where do I go?

Please come to the Civic Center, #2 Park Drive South. Enter through the South doors and check in at the Municipal Court window in the basement of the Civic Center. Prior to coming in for trial, call the number listed on your subpoena to verify you are still expected to testify.

9) How do I get a copy of a police report and can an insurance company obtain the police report for me?

Yes, insurance companies request police reports everyday. The process is the same for your insurance company as it is for the person in the report requesting a copy. Copies of Police reports may be obtained through the City Prosecutor's Office by coming into Room 101 in the Civic Center and completing a report request form. If you are from out of town or the State, you may provide a written letter requesting the report, enclose a self-addressed stamped envelope, a check or money order in the amount of \$15 made payable to the City of Great Falls. This is a non-refundable \$15 fee for each report requested, which covers the cost of legally required redaction of privacy and criminal justice information and processing. Reports are reviewed for criminal justice and privacy information prior to release of these reports. There is no guarantee that a request will result in the release of a police report as the release of reports must comply with Montana State law. Mail the request to:

City Prosecutors Office
P.O. Box 5021
Great Falls, MT 59403-5021

Police report requests will take approximately 14 days.

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10) What is a pre-trial/omnibus hearing?

The pre-trial/omnibus hearing listed on the Defendant's court-issued notice of trial is a Defendant's opportunity to meet with the prosecutor to resolve any matters pertinent to trial. Failure to attend an omnibus/pre-trial hearing may result in certain rights being waived at the time of trial.

11) If I have been charged with creating or maintaining a Public Criminal Nuisance, who do I call?

Any and all matters concerning Public Criminal Nuisance charges must first be directed to the City of Great Falls Code Enforcement Officer who wrote the citation. The name of the issuing officer is found at the bottom-right corner of the citation you received and this officer can be reached by calling 771-1180 and asking for the Community Development Department.

12) If I have received an Abandoned Vehicle Notice, who do I call?

Great Falls City Prosecutor's Office. 771-1180 x 538.

13) How should I report a crime?

Crimes should be reported to the Great Falls Police Department by either calling "9-1-1" in an emergency situation; 406-771-1180 for non-emergencies; or through the [on-line system](#).

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