

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO: _____ FAX NO. (Optional) _____ E-MAIL ADDRESS ( <i>Optional</i> ): _____ ATTORNEY FOR ( <i>Name</i> ): _____	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CRUZ</b> STREET ADDRESS: 701 Ocean Street MAILING ADDRESS: 701 Ocean Street CITY AND ZIP CODE: Santa Cruz, 96050 BRANCH NAME: Santa Cruz	
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:	
<b>MISDEMEANOR ADVISEMENT OF RIGHTS, WAIVER, AND PLEA FORM</b>	CASE NUMBER:

Fill out this form if you wish to plead guilty or no contest to the charges against you. Initial the box for each applicable item only if you understand it, and **sign and date the form on page 3**. If you have any questions about your case, the possible sentence, or the information on this form, ask your attorney or the judge.

**RIGHT TO AN ATTORNEY**

1. I understand that I have the right to be represented by an attorney throughout the proceedings. I understand that the Court will appoint a free attorney for me if I cannot afford to hire one, but at the end of the case, I may be asked to pay all or part of the cost of that attorney, if I can afford to. I understand that there are dangers and disadvantages to giving up my right to an attorney, and that it is almost always unwise to represent myself . . . . .

**NATURE OF THE CHARGES (Initial all items you are charged with.)**

2. I understand that I am charged with the following offense(s):

\_\_\_\_\_

TYPE OF OFFENSE(S) AND SECTION NUMBER(S)

**CONSTITUTIONAL RIGHTS/WAIVER OF RIGHTS**

3. I understand the charge(s) against me, and the possible pleas and defenses. . . . .
4. RIGHT TO A JURY TRIAL - I understand that I have the right to a speedy, public jury trial. At the trial, I would be presumed innocent, and I could not be convicted unless 12 impartial jurors were convinced of my guilt beyond a reasonable doubt. . . . .
5. RIGHT TO CONFRONT WITNESSES - I understand that I have the right to confront and cross-examine all witnesses testifying against me. . . . .
6. RIGHT AGAINST SELF-INCRIMINATION - I understand that I have the right to remain silent and not incriminate myself, and the right to testify on my own behalf. I understand that by pleading guilty or no contest, I am incriminating myself. . . . .
7. RIGHT TO PRODUCE EVIDENCE - I understand that I have the right to present evidence and to have the Court issue subpoenas to bring into court all witnesses and evidence favorable to me, at no cost to me. . . . .

INITIALS ↓
1.
2.
3.
4.
5.
6.
7.

**RIGHTS ON CHARGES OF PRIOR CONVICTIONS(S) AND PROBATION VIOLATION(S)**

8. If applicable - I understand that I have the right to an attorney, the right to a jury trial, the right to confront witnesses, the right against self-incrimination, and the right to produce evidence for all charges against me, including any charged prior convictions(s) or probation violation(s). However, for a charge of violating probation, I do not have the right to a jury trial, although I do have the right to a hearing before a judge. . . . .

8.

**WAIVER OF RIGHTS**

9. I give up my rights to an attorney, and I choose to represent myself (does not apply if you have an attorney). . . . .

9.

10. I give up my rights to a jury trial. . . . .

10.

11. I give up my right to confront and cross-examine witnesses. . . . .

11.

12. I give up my right to remain silent and to not incriminate myself. . . . .

12.

13. I give up my right to produce evidence and witnesses on my own behalf. . . . .

13.

**CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST**

14. Penalty: I understand that the possible consequences for the offense(s) charged include the following:

14.

\_\_\_\_\_  
 SECTION NUMBER      JAIL – MIN.      MAX.      FINE – MIN.      MAX.

OTHER CONSEQUENCES: \_\_\_\_\_

\_\_\_\_\_  
 SECTION NUMBER      JAIL – MIN.      MAX.      FINE – MIN.      MAX.

OTHER CONSEQUENCES: \_\_\_\_\_

\_\_\_\_\_  
 SECTION NUMBER      JAIL – MIN.      MAX.      FINE – MIN.      MAX.

OTHER CONSEQUENCES: \_\_\_\_\_

\_\_\_\_\_  
 SECTION NUMBER      JAIL – MIN.      MAX.      FINE – MIN.      MAX.

OTHER CONSEQUENCES: \_\_\_\_\_

\_\_\_\_\_  
 SECTION NUMBER      JAIL – MIN.      MAX.      FINE – MIN.      MAX.

OTHER CONSEQUENCES: \_\_\_\_\_

\_\_\_\_\_  
 SECTION NUMBER      JAIL – MIN.      MAX.      FINE – MIN.      MAX.

OTHER CONSEQUENCES: \_\_\_\_\_



People of the State of California vs. Defendant:	Case Number:
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**INTERPRETER’S STATEMENT (if applicable)**

I, having been sworn or having a written oath on file, certify that I truly translated this form to the defendant in the language indicated below. The defendant stated that (s)he understood the contents of the form, and then (s)he initialed and signed the form. Language:  Spanish  Other (specify): \_\_\_\_\_

COURT INTERPRETER’S SIGNATURE	TYPE OR PRINT NAME	DATE
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**COURT’S FINDINGS AND ORDER**

The Court, having reviewed this form and any addenda, and having questioned the defendant concerning the defendant’s constitutional rights, and the defendant’s admission of prior conviction(s) and probation violations(s), if any, finds that the defendant has expressly, knowingly, understandingly and intelligently waived his or her constitutional rights. The Court finds that the defendant’s plea is freely and voluntarily made with an understanding of the nature and consequences thereof, and that there is a factual basis for the plea(s). The Court accepts the defendant’s plea(s) and the defendant’s admission of prior conviction(s) and probation violations(s), if any, and orders this form filed and incorporated in the docket by reference as though fully set forth therein.

<input type="checkbox"/> JUDGE OF THE SUPERIOR COURT	DATE
<input type="checkbox"/> TEMPORARY JUDGE OF THE SUPERIOR COURT	