

ADVISEMENT OF RIGHTS
(Misdemeanor)

1. You are presumed innocent of any crime that you are charged with, and this presumption follows you throughout any trial that is held in this case. In order for you to be convicted of a crime, the prosecutor must prove you guilty of any crime that you are charged with beyond a reasonable doubt by producing witnesses and evidence against you in court.

2. You have the right to remain silent. You do not have to give any written or verbal statement to anyone about the case, including a law enforcement officer and/or the prosecutor, and you have the right to stop answering their questions. You do not have to testify as a witness in any hearing or trial unless you decide to do so of your own free will. If you make any statements to anyone, anything that you say can be used against you. If you choose to testify as a witness in court, you will testify under oath, anything that you testify to can be used against you, and the prosecutor will be allowed to ask you questions about your testimony.

3. You have the right to be represented by an attorney at every stage of a criminal proceeding. You have the right to choose and hire your own attorney. If you cannot afford to hire your own attorney, and if the law allows it, you can request that the court appoint a public defender to represent you. Court appointed attorneys are not available for all misdemeanor charges. Further, you must meet certain financial eligibility requirements before the court can appoint you a public defender. If the court appoints you a public defender, you could still be required to reimburse the public defender for his or her services, unless the court finds that you are unable to do so.

4. You can plead (1) not guilty; (2) not guilty or unfit to proceed by reason of mental illness or deficiency; (3) guilty; or (4) no contest (with the court's permission); to any crime with which you have been charged.

a. If you plead "not guilty," you have the right to a speedy, public trial within 180 days from the date of your arraignment, unless you waive this right, or unless the law otherwise allows the court to set your trial for a later date. If the law allows it, you have the right to a trial to a jury of six persons, and it requires the unanimous vote of all of the jury members to convict you of any crime. You also have the right, if the prosecutor and the court consent, to a trial to a judge (without a jury). You have the right, during any trial, to be present in court, to listen to the witness testimony, to present witnesses and evidence in your own defense, to testify as a witness, and to subpoena witnesses to compel them to appear and testify at the trial. You or your attorney also have the right to cross-examine any witness that testifies for the prosecution.

b. If you plead "guilty" to any charge: 1) you admit that you are guilty of that charge and you will be convicted of any crime that you plead "guilty" to; 2) you will be placed under oath and asked questions about that crime, you will have to admit that you committed that crime before the court can accept your plea, and anything that you testify to in that regard could be used against you in any prosecution for perjury or a false statement; and 3) you will give up your right to have a trial, your right to have an attorney represent you (if an attorney does not already represent you), your right to remain silent, your right to pursue a defense to that charge (including a claim that the charging documents are defective and/or that any evidence was illegally obtained), and your right to appeal certain issues.

c. If you plead "no contest" to any charge: 1) you state that you do not wish to contest that charge and you will be convicted of any crime that you plead "no contest" to; and 2) a "no contest" plea has the same legal effect as a "guilty" plea, and by pleading "no contest" you will give up your right to have a trial, your right to have an attorney represent you (if an attorney does not already represent you), your right to remain silent, your right to pursue a defense to that charge (including a claim that the charging documents are defective and/or that any evidence was illegally obtained), and your right to appeal certain issues.

5. You have the right, to the extent that the law allows it, to appeal court rulings or judgments, and/or the sentence the court imposes, by following the applicable rules as to what is required to perfect such an appeal.

I understand these rights, having read them myself and/or a court translator/interpreter having read them to me.

Defendant

Date