

ADVISEMENT OF RIGHTS
(Felony)

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. 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 have the right to a preliminary hearing on any felony charge that has been filed against you. The purpose of a preliminary hearing is for the court to determine if there is probable cause to believe that you committed any such felony charge. If the court finds that there is probable cause to believe that you committed any felony charge, your case will be transferred to the district court for further proceedings, including a trial. If the court finds that there is not probable cause to believe that you committed any felony charge, the court will dismiss that charge at the preliminary hearing.

5. You have the right to a preliminary hearing within ten (10) days of your initial appearance if you are in custody, and within twenty (20) days of your initial appearance if you are not in custody. You may waive your right to have a preliminary hearing within these time deadlines. You may also waive your right to a preliminary hearing entirely, at which time your case would be transferred to the district court without a preliminary hearing or other proceedings in this court.

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

Defendant