

## WRITTEN ADVISEMENT

### You have the following rights:

- You are presumed NOT guilty and have the right to have the prosecution prove each and every element of the charge(s) against you beyond a reasonable doubt.
- You have the right to be silent; any statement can be used against you.
- You have the right to have this arraignment continued for good cause.
- You have the right to be represented by, and consult with a lawyer at your own expense at all stages of these proceedings.
- You have the right to a public trial within 91 days of your not guilty plea.
- You have the right to a trial-to the Court or to a jury if you are over 18 years old and are charged with a a charge for which jail is a possible penalty. A jury demand must be made in writing within 21 days of your not guilty plea and you must pay a \$25 jury fee unless such fee is waived due to indigency. The jury fee is refunded if you are found not guilty.
- You have the right to cross-examine any witnesses called to testify against you and you have the right to have witnesses subpoenaed by the court to appear and testify at the trial.
- You have the right to testify, but if you choose not to, your silence cannot be considered evidence of guilt.
- You have the right to appeal a guilty verdict to the Weld County District Court.
- And you are advised that the maximum penalty that can be imposed by this court on each charge \$2560 and/or 364 days in jail.
- If you are not a U.S. citizen and you plead guilty or no contest, even under a deferred sentence, the plea may result in immigration consequences including the possibility of deportation or removal. You may wish to consult with an attorney prior to entering any plea.
- If the charge against you is a traffic violation there may be points assessed against your driver's license that may, depending on your driving record, result in suspension or revocation of your license.
- Are you currently serving in the U.S. Armed Services or are a Veteran of the Armed Services?

**Circle YES or NO** If yes, you may be entitled to receive mental health treatment, substance abuse disorder treatment or other services. If you are interested in receiving information regarding such services, let the Judge know.

### Having read my rights, I wish to do one of the following:

- Request a continuance.
- Plead not guilty and set my case for trial.
- Plead guilty or no contest and have the Judge set my penalty. Points, if any, will not be reduced.
- Speak to the prosecutor before deciding to enter a plea. I understand s/he is not my attorney, but is the only one who can agree to plea bargain my case.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Attorney/Parent/Guardian: \_\_\_\_\_

Current mailing address: \_\_\_\_\_ Current Phone #: \_\_\_\_\_

**NOTICE REGARDING SEALING/EXPUNGEMENT OF RECORDS.** Except for traffic violations, if your case is dismissed or you are acquitted you may ask to seal your records immediately by filing a petition and paying the \$65 filing fee. Certain records may be eligible for sealing not less than three years after completing your sentence in this case pursuant to C.R.S. 24-72-702, 24-72-703 and 24-72-708. If you are a juvenile, you may be eligible to have your record expunged within 42 days if you have completed all obligations in your case and have no pending cases in any other court.