

Salt Lake City Justice Court

SALT LAKE CITY, UTAH

Printed Name of Defendant

Case Number

STATEMENT OF DEFENDANT ENTERING A GUILTY PLEA (DV)

WAIVER OF CONSTITUTIONAL RIGHTS

I understand that by entering a plea of GUILTY to a criminal charge, I am waiving several constitutionally protected rights, including the following:

Initial > _____ **COUNSEL:** I have the right to consult with and be represented by an attorney. If the judge were to determine that I am too poor to be able to hire a lawyer, then the judge could appoint one to represent me. I might later, if the judge determined I was able, to be required to pay for the appointed lawyer's service to me.

Initial > _____ **PRIVILEGE AGAINST SELF-INCRIMINATION:** Although I can choose to testify if I wish, I cannot be forced by anyone to take the witness stand and testify or give evidence against myself. That I choose not to testify cannot be held against me in court.

Initial > _____ **CONFRONTATION AND CROSS EXAMINATION OF ACCUSERS:** I have a right to see and hear in open court the witnesses to give evidence against me. I have it if I represent myself, or an attorney has, in my behalf, the right to ask questions of those witnesses. I also have the right to have witnesses who will testify in my behalf subpoenaed or, in other words, called to court at government expense.

Initial > _____ **JURY TRIAL:** I have a right to a speedy public trial before an impartial jury. Therefore, I can choose to have a jury hear the case against me. Any verdict rendered by a jury, whether it be guilty or not guilty, must be by complete agreement of all jurors.

Initial > _____ **PRESUMPTION AND PROOF:** At trial I am presumed innocent until proven guilty. The burden of proving me guilty of the crime(s) charged is upon the prosecutor who must prove each and every element of a crime beyond a reasonable doubt.

Initial > _____ **APPEAL:** If I were to be tried and convicted of the crime(s) with which I am charged, I could appeal from any errors of the law that may have resulted in my conviction. By law, an appeal must be taken within 28 days of entry of judgment.

Initial > _____ I understand each of these constitutional rights. They have been explained to me by the judge or a lawyer. I have no question about them. I know that I could plead not guilty and exercise all of the rights listed above. I understand that by entering a plea of guilty, I AM GIVING UP THESE CONSTITUTIONAL RIGHTS.

CONSEQUENCES OF ENTERING A GUILTY PLEA

I am admitting that I did commit the crime(s) to which I plead guilty. I convict myself the same as if I were found guilty by judge or jury. Where more than one crime is involved, sentences may be imposed one after another (consecutively), or they may run at the same time (concurrently). **In sentencing me, the judge is not required to follow what any other person, including the prosecutor, recommends.** The judge must impose sentence within the following limits:

OFFENSE	JAIL	FINE	
Class B Misdemeanor	0-180 Days	\$0.00-\$1, 000.00	(plus maximum 90% surcharge)
Class C Misdemeanor	0-90 Days	\$0.00- \$750.00	(plus maximum 35% surcharge)
Infraction	None	\$0.00-\$750.00	(plus maximum 35% surcharge)

Some penalties for certain crimes may be greater, or enhanced, if there are other convictions for similar crimes. I understand these consequences and have no questions about them. I understand by entering this plea today any future charges involving domestic violence may be enhanced as a result of this plea.

IMMIGRATION/DEPORTATION

I understand that if I am not a United States citizen, my plea(s) today may, or even will, subject me to deportation under United States immigration laws and regulations, or otherwise adversely affect my immigration status, which may include permanently barring my re-entry into the United States. I understand that if I have questions about the effect of my plea on my immigration status, I should consult with an immigration attorney.

GUN RESTRICTIONS

I understand that if I enter a guilty or no contest plea to certain offenses, or if I plead guilty and mentally ill to any offense, I will become a "restricted person" under state and/or federal law, giving up for at least some period my right to possess, purchase, transfer, or own firearms or ammunition, and requiring me to forfeit each firearm I currently possess. I acknowledge these restrictions will apply for offenses involving domestic violence (DV) or a controlled substance, and potentially other offenses as well. I acknowledge by signing below that my lawyer or the prosecuting attorney has informed me of these restrictions and the penalties I could face for a violation.

ENTRY OF GUILTY PLEA

Of my own choice, I enter this plea. No force, promises, or threats have been made to get me to do it. I am not under the influence of alcohol or drugs or anything that would impair my judgment right now. I have read this document or had it read to me. I understand its contents and adopt each statement in it as my own. By signing this document I am saying that I ENTER A PLEA OF **GUILTY TO** (offense and class):

A request to withdraw a plea of guilty or not contest shall be made by motion before sentence is announced or within 28 days after pleading guilty or no contest, whichever occurs first. A plea of guilty or no contest may be withdrawn only upon a showing that it was not knowingly and voluntarily made as determined under a totality of the circumstances.

CONSENT FOR RELEASE OF INFORMATION

I authorize the Prosecutor's Office to release my city or state criminal histories and any police reports, notes, witness statements, any form or judgment completed in court, or any other evidence relating to the above referenced matter to DCFS and to any treatment provider that I am ordered to contact in this matter.

I also hereby consent to having the treatment provider make regular reports to the court as needed. By signing this, I waive any confidentiality or privacy right and consent to the disbursement of information from this referral to the court, the prosecutor, or my own attorney.

This consent for the release of case information is for the limited purpose of fulfilling court-ordered probation in the above-referenced case. Material released under this consent is to be used only for the purpose of meeting the probationary orders in this case. This consent expires at the end of court-ordered probation in this case.

STIPULATION TO NOTICE BY MAIL

I agree that notices from the court while this case is pending may be sent by U.S. mail to the address below. I agree to notify the court in writing of any address change within 10 days of the change. The prosecution will be required to send notice by U.S. mail to the address that I am required to provide to the court. My failure to comply with this stipulation may result in the issuance of a warrant by the court for my arrest.

SIGNATURE ACKNOWLEDGING AND INCORPORATING ALL OF THE ABOVE

Date

Defendant's Signature



Defendant's Address

Defendant's Attorney

Salt Lake City Justice Court Judge

By my signature above, I hereby find that the defendant has knowingly and voluntarily entered a guilty or no contest plea or pleas.