

**TRINITY COUNTY SUPERIOR COURT  
STATE OF CALIFORNIA  
ADVISEMENT OF RIGHTS**

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**YOU HAVE BEEN CHARGED WITH ONE OF MORE CRIMINAL OR TRAFFIC OFFENSES. BEFORE SPEAKING WITH THE JUDGE, PLEASE CAREFULLY READ THIS INFORMATION:**

**RIGHT TO AN ATTORNEY:**

You have the right to an attorney. If you cannot afford to hire an attorney, the court will appoint one to represent you, unless you are charged with an infraction. If the court appoints an attorney to represent you, the court will hold a hearing at the conclusion of your case to determine whether you have the financial ability to reimburse the County for the attorney. If you need time to hire an attorney, the court will give you a brief continuance. You also have the right to represent yourself although that may not be in your best interest.

**RIGHT TO SPEEDY TRIAL/PRELIMINARY HEARING:**

If you are charged with a felony, you have the right to a preliminary hearing within ten(10) court days from the day a "not guilty" plea is entered, and not later than sixty (60) days. If you are charged with a misdemeanor, you have the right to a trial within thirty (30) days if you are in custody, forty-five (45) days if you are not.

**RIGHT TO A JURY TRIAL:**

If you are charged with a felony or a misdemeanor, or both, you have the right to a jury trial or a court trial. A court trial is one in which the Judge determines your guilt or innocence. A jury trial is one in which twelve member of the community determine your guilt or innocence. If you are charged with an infraction, you are only entitled to a court trial.

**RIGHT TO CROSS-EXAMINE WITNESSES:**

You have the right to see and hear the witnesses who would testify against you. You have the right to cross-examine those witnesses. You also have the right to present a defense, that is, to testify on your own behalf and to present evidence, and to use the court's subpoena power to produce evidence and witnesses on your behalf.

**RIGHT AGAINST SELF-INCRIMINATION:**

You have the right against self incrimination. This means that you may not be compelled to offer evidence or testimony against yourself.

**OTHER IMPORTANT RIGHTS:**

If you are not a citizen of the United States, a plea of guilty could result in you being deported, denied admission to the United States, or denied naturalization as a United States citizen.

If you are in custody, you have the right to be released on reasonable bail, as determined by the court, or be released on your "own recognizance:.". This right does not apply if you are charged with a capital offense.

**ADDITIONAL IMPORTANT INFORMATION:**

**Possible "Pleas":** You may enter a plea of "guilty", "not guilty", or "nolo contendere" (no contest). Nolo contendere is the same in legal effect as a plea of guilty but cannot be used against you as an admission in any civil suit when the plea of nolo contendere is used for a crime punishable as a misdemeanor or infraction.

**Military Service:** There are certain provisions of law specifically designed for individuals who have active duty or veteran status in the United States military and who have been charged with a crime. You should inform the court and your attorney, as soon as possible, if this applies to you.

**Maximum punishment:** For most misdemeanor offenses, the maximum punishment is \$1000 fine and 1 year in jail. The punishment for a felony offense varies depending upon the crime.

**Sentencing:** Misdemeanor offenses will be sentenced immediately, unless you wish to postpone sentencing for not less than six (6) hours or up to five (5) days. Felony offenses require a referral to probation and must be postponed for approximately four weeks.

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**I HAVE READ THIS DOCUMENT (OR HAVE HAD IT READ TO ME) AND UNDERSTAND IT.**

Dated \_\_\_\_\_ Signature \_\_\_\_\_

Print Your Name \_\_\_\_\_ Case Number \_\_\_\_\_

\*\*INTERPRETER'S CERTIFICATION\*\*

I, \_\_\_\_\_, truly translated the foregoing statement into the \_\_\_\_\_ language for the defendant. The defendant thereafter acknowledged understanding the information so translated and defendant then signed the statement. I declare under penalty of perjury that the foregoing is true and correct.

Dated: \_\_\_\_\_ Signature \_\_\_\_\_

Updated 1/1/15 (Interpreter)