



## CONSTITUTIONAL RIGHTS

### TRIAL RIGHTS: JURISDICTION HEARING & VIOLATION OF PROBATION NOTICE

(initials)

1. The right to a speedy court trial or hearing where the Judge would listen to all the evidence and decide if the district attorney has enough evidence to prove that I did what the petition says I did.	
2. The right to see and hear the witnesses who will testify against me. This includes the officer who wrote the report, and any of the people who provided information that is written in the report.	
3. The right to have those witnesses questioned by my attorney.	
4. The right to have my own witnesses at trial.	
5. If witnesses refuse to come to court, I have the right to have them ordered to court at no cost to me.	
6. The right to testify at the trial and to tell my side of the story.	
7. The right to remain silent in the Court and not say anything.	
8. No threats have been made to me to give up my trial rights.	
9. I do not want a trial. I want to give up each of my trial rights listed above; these rights are also called Constitutional rights. I understand the rights that I am giving up and I have discussed them with my attorney.	

## APPELLATE RIGHTS

(initials)

1. I understand that I have a right to appeal this Court's decision and any resulting dispositional orders.	
2. In order to appeal, a notice of appeal must be filed within 60 days of the dispositional hearing.	
3. I have a right to an attorney to help with the appeal, if I cannot afford an attorney, the Court will appoint one for me.	

## GENERAL CONSEQUENCES OF ADMISSION

(initials)

<b>PLACEMENT:</b> I understand I can be sent home on probation or removed from my home and placed in a foster home, group home, or a home that is approved by the Judge.	
<b>PROBATION:</b> I can remain on probation until I am 21 years old. However, if I have (a) sustained petition(s) for (a) WIC §707(b) offense(s), I can remain on probation until I am 23 years old. If the WIC §707(b) offense(s) and other offense(s) amount to an aggregate sentence of seven (7) years or more, I understand I can remain on probation until I am 25 years old.	
<b>INCARCERATION (LOCKED UP):</b> I understand I can be confined at Juvenile Hall, County Jail, Secure Track Facility, DJJ, or other detention facility/program beyond my 18th birthday. I may remain confined until the age of 25 or two (2) years from the date of confinement, whichever occurs later.	
<b>RESTITUTION:</b> My parents or legal guardian and I may have to pay for the things I did that hurt others and caused them to lose money, including paying for things I took, broke, or damaged. We may also have to pay a restitution fine.	
<b>IMMIGRATION CONSEQUENCES:</b> If I am not a United States citizen, my admission or no contest plea may mean that I will have to leave the country (be deported) and never allowed to return (exclusion) and/or never be allowed to become a United States Citizen.	
<b>DNA SAMPLE (FELONY ADMISSION):</b> I understand that I will be required to submit a DNA sample to law enforcement as a result of my felony admission.	
<b>ARBCUKLE:</b> I agree that a different judge than the one who took my admission may decide the disposition.	

## SPECIFIC CONSEQUENCES OF ADMISSION

(initials)

<b>FIREARM:</b> If I am adjudged a ward I understand I am prohibited from owning, purchasing, receiving or having possession of a firearm until the age of 30 based on violation of . I understand the juvenile court must notify the Department of Justice and any violation of this restriction may be charged as a new crime. I understand that even if the petition is dismissed and sealed, I still will not be able to own, purchase, receive, or possess a firearm until I am 30 years old. (Penal Code §29820).	
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<b>ARSON:</b> If admitting an arson or attempted offense, I understand that if I am ever sent to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice, I will have to register as an arsonist until the age of 25 or until my record is sealed by a Judge. Penal Code §457.1(b)(1)(C)(3)	
<b>SEX OFFENSE:</b> I understand if I admitted or plead no contest to a Penal Code § 290 sex offense and am committed to DJJ for that offense, I will be required to register for 5 or 10 years, depending on the offense, with the local police or sheriff department where I live. I understand the court may order that I be tested for HIV/AIDS and other sexually transmitted diseases and that the results will be made available to the victim and others who are entitled by law to have the information.	
<b>GANG OFFENSES:</b> I understand I will be required to register with the local police agency or sheriff's department in the city or county where I live if I have a sustained petition for a 186.22(a), an offense where a 186.22(b) enhancement was found true, or any offense the court finds is gang related at the time of disposition. (PC § 186.30)	
<b>STRIKE:</b> My attorney has explained that when I admit to: _____, listed as Count(s) _____, I will have crime(s) on my record that are "strike" offenses under the Three Strikes Law. I have talked with my attorney about what this could mean in my future and how I may have to spend much more time in jail or prison if I get in trouble again because I am admitting to these offenses today. I understand that if I am sentenced in adult court in the future this offense may cause my custody time to be doubled; me to automatically be sent to prison; a reduction of the custody credits available to me; and the three strikes law may count against me. If I am convicted of a third strike as an adult, I can be sentenced to life in prison.	
<b>707(b) OFFENSES:</b> I understand the offense(s) listed in Count(s) _____ is a Welfare & Institutions Code § 707(b) offense. I understand this means, if I was 14 or older at the time of the offense, I can be sent to the Secure Track Facility or DJJ for this offense or any later violation of probation. I understand I may be confined until the age of 23 or two (2) years from the date of confinement, whichever occurs later, or if the aggregate sentence is seven (7) years or more I may be confined until the age of 25 or two (2) years from the date of confinement, whichever occurs later.	
<b>DEJ:</b> If given an opportunity to participate in the Deferred Entry of Judgment Program, I waive the right to a speedy jurisdiction and disposition and agree to have the case handled by a different Judge if the current Judge is unavailable.	
<b>SPECIAL CONSEQUENCES:</b> I understand that my case has additional consequences that are stated here, I have read this information and my attorney has explained it to me:	

**MINOR'S DECLARATION**

I reviewed each of these rights and consequences with my attorney before I initialed them. I understand the facts of my case and the allegations in the petition and what each of the rights and consequences mean. I freely and voluntarily give up rights to a trial and ask to enter my admission/no contest plea because I committed the offense(s) in the charges section.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Minor's Signature

**INTERPRETER'S DECLARATION**

The primary language of the minor is \_\_\_\_\_, primary language of the parent is \_\_\_\_\_  
I certify that I interpreted this for the minor/parent/legal guardian in that person's primary language to the best of my ability.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Interpreter's Name

\_\_\_\_\_  
Signature

**ATTORNEY DECLARATION**

I am the attorney for the minor. I have explained and discussed with my client the above rights, the facts of his/her case, possible defenses, and the consequences of his/her decision to enter an admission. Based on my conversation with the minor, I am satisfied that his/her admission to the petition is knowingly, intelligently, and voluntarily made, and I consent to the admission.

YES  NO My client was under the age of 14 at the time of one or more of the offenses (Penal Code §26)

\_\_\_\_\_  
Date Attorney Name Signature

**DISTRICT ATTORNEY CONCURRENCE**

The People of the State of California in the above-entitled juvenile justice action, by and through its attorney, concur and stipulate there is a basis for the admission or plea of no contest.

\_\_\_\_\_  
Date Deputy District Attorney Name Signature

**COURT FINDINGS**

**THE COURT FINDS:** The identifying information in the Petition/Violation of Probation is correct; the minor is a person described in Welfare & Institutions Code § 602; the minor knowingly, intelligently, freely and voluntarily waived his/her rights; the minor understood the nature of the allegations and consequences of his /her admission; there is a factual basis for the admission(s); the allegation(s) is/are true; the Petition/Notice of Hearing is sustained (unless accepting DEJ).

"The minor was under the age of 14 at the time of the offense(s) and understood the wrongfulness of the offense(s) at the time they were committed pursuant to P.C. § 26. This finding is based on clear and convincing evidence presented orally and/or in writing at today's hearing."

IT IS HEREBY ORDERED: The minor's admission(s) be entered; this document is filed and the above findings are made by this Court.

\_\_\_\_\_  
Date Judicial Officer of the Superior Court