

<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED STREET ADDRESS: 2840 W. Sandy Mush Road MAILING ADDRESS: 627 W. 21st Street CITY AND ZIP CODE: Merced, CA 95340 BRANCH NAME: Juvenile Justice Division</p>	<p><i>FOR COURT USE ONLY</i></p>
<p>NAME OF MINOR:</p>	
<p>WAIVER FORM WITH ADVISEMENTS, STIPULATIONS, DECLARATIONS, FINDINGS, AND ORDERS</p>	<p>CASE NUMBER:</p>

A. CHARGES

Initials

<p>1. I admit to or plead no contest to these offense(s) in the Petition(s).</p>	
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Code Section	Name of the Offense	Max Custody Time
Count		_____ years, _____ months
Count		_____ years, _____ months
Count		_____ years, _____ months
Count		_____ years, _____ months

<p>2. Together with my prior offenses, my maximum custody time is: _____ years, _____ months</p>	
<p>3. I understand that my maximum custody time may not be used in this case. If I commit new law violations or violate probation, my custody time may increase and could be used as a consequence in the future.</p>	

B. TRIAL RIGHTS: JURISDICTION HEARING

Initials

<p>1. The right to a speedy 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(s) says I did.</p>	
<p>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.</p>	
<p>3. The right to have those witnesses questioned by my attorney.</p>	
<p>4. The right to have to have my own witnesses at trial.</p>	
<p>5. If witnesses refuse to come to court, I have the right to have them ordered to court at no cost to me.</p>	
<p>6. The right to testify at the trial and to tell my side of the story.</p>	
<p>7. The right to remain silent in court and not say anything.</p>	
<p>8. No threats or promises have been made to me to give up my trial rights.</p>	
<p>9. I do not want a trial. I want to give up each of my trial rights listed above. I understand the rights that I am giving up and I have discussed them with my attorney.</p>	

C. APPELLATE RIGHTS

Initials

<p>1. I understand that I have a right to appeal this adjudication and any resulting dispositional orders unless placed on informal probation or Deferred Entry of Judgment (DEJ).</p>	
<p>2. In order to appeal, a notice of appeal must be filed within 60 days of the dispositional hearing.</p>	
<p>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.</p>	

D. GENERAL CONSEQUENCES OF ADMISSION

Initials

<p>1. PLACEMENT: I understand I can be sent home on probation or removed from my home and placed in a foster home, a Short-Term Residential Therapeutic Program (STRTP), or a home that is approved by the Judge.</p>	
<p>2. PROBATION: I can remain on probation until I am 21 years old, unless I am sent to a Secure Youth Treatment Facility (Secure Track). Secure Track may keep me until my 25th birthday if I am sent there for certain offenses.</p>	
<p>3. INCARCERATION: I understand I can be confined at Juvenile Hall, the County Jail, Secure Track, or other placement after my 19th birthday.</p>	

NAME OF MINOR:	CASE NUMBER:
4. FINES & FEES: I understand there are fines and fees the Court will order me to pay, as well as other fines and community service that can be ordered.	
5. RESTITUTION: I will be required to pay the victim(s) money for the damage I caused.	
6. IMMIGRATION: I understand that if I am not a citizen of the United States, a conviction of the offense(s) to which I am pleading guilty/no contest will have the consequences of deportation (removal), exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States. I have had sufficient time to discuss the potential immigration consequences of my plea with my attorney and I am willingly, knowingly, and voluntarily choosing to enter my plea of guilty or no contest, rather than go to trial.	

E. SPECIFIC CONSEQUENCES OF ADMISSION

Initials

1. DRIVER'S LICENSE: My privilege to drive may be suspended or delayed by the Court as a consequence of offenses pursuant to Vehicle Code §§ 13201 or 13202.5. The Court may allow me to keep my driver's license or reduce the suspension if the Court finds that there is a critical need or family hardship.	
2. FIREARM: A violation of _____ will prohibit me from owning, purchasing, receiving, or having possession of a firearm for 10 years pursuant to Penal Code § 29805. A violation of _____ will prohibit me from owning or possessing a firearm until the age of 30 pursuant to Penal Code § 29820.	
3. ARSON: For admitting an arson or attempted arson offense, I understand that if I am ever sent to Secure Track, 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)-(d).)	
4. SEX OFFENSE: I understand if I am ever committed to Secure Track on a Penal Code § 290 sex offense that I admitted, I will be required to register with law enforcement in the jurisdiction in which I live as a sex offender for the rest of my life and that I may be eligible to petition the court to have the registration requirement terminated after the mandated minimum registration period of five or ten years expires and other criteria are met. 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. SVP: I understand I may be subject to screening by the State Department of State Hospitals to determine whether I qualify for trial as a sexually violent predator, which could result in my being committed to a secure medical facility indefinitely.	
5. NARCOTICS MURDER ADVISEMENT: Pursuant to Penal Code section 11369, you are hereby advised that it is extremely dangerous and deadly to human life to illicitly manufacture, distribute, sell, furnish, administer, or give away any drugs in any form, including real or counterfeit drugs or pills. You can kill someone by engaging in this conduct. All drugs and counterfeit pills are dangerous to human life. These substances alone, or mixed, kill human beings in very small doses. If you illicitly manufacture, distribute, sell, furnish, administer, or give away any real or counterfeit drugs or pills, and that conduct results in the death of a human being, you could be charged with homicide, up to and including the crime of murder, within the meaning of Section 187 of the Penal Code.	
6. I have been advised that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.	
7. STRIKE: I understand that the offense(s) listed in Count(s) _____ of the petition(s) qualify as a "strike" under the current three strikes laws. I understand that if I am sentenced in adult court in the future, this offense may cause: my time in custody to be doubled; me to automatically be sent to prison; a reduction of the custody credits available to me; and the "strikes" laws may count against me. If I am convicted of a third "strike" as an adult I can be sentenced to life in prison.	
8. 707(b) OFFENSE: I understand the offense(s) list in Count(s) _____ is a Welfare & Institutions Code § 707(b) offense. I understand this means I can be sent to Secure Track until I am 25 years old, for this offense or any later violation of probation.	
9. DEJ: If given an opportunity on the DEJ 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.	
10. SPECIAL CONSEQUENCES: 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. _____ _____	

NAME OF MINOR:	CASE NUMBER:
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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, the allegations in the petition(s) and what each of the rights and consequences mean. I freely and voluntarily give up my rights to a trial and ask to enter my admission, or a plea of no contest, because I committed the offense(s) in Section A.

Date: _____

Minor's Signature

INTERPRETER'S DECLARATION

The primary language of the child is: _____.

The primary language of the parent is: _____.

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

Date: _____

Interpreter's Name

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Interpreter's Signature

ATTORNEY'S 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(s) is knowingly, intelligently, and voluntarily made, and I consent to the admission. *(Check if the following applies:)*

My client was under the age of 14 at the time of one or more offenses. (Penal Code § 26).

Date: _____

Attorney's Name

Attorney's Signature

COURT FINDINGS

THE COURT FINDS: The identifying information in the Petition(s) 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(s) is/are 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."

Count	<input type="checkbox"/>	Felony	<input type="checkbox"/>	Misdemeanor
Count	<input type="checkbox"/>	Felony	<input type="checkbox"/>	Misdemeanor
Count	<input type="checkbox"/>	Felony	<input type="checkbox"/>	Misdemeanor
Count	<input type="checkbox"/>	Felony	<input type="checkbox"/>	Misdemeanor

For setting max time: The felonies to the left would have been wobblers if filed against the minor in adult court. The Court is aware of, and actually exercises its wobbler discretion in this case. (Welfare and Institutions § 702.)

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

Date: _____

Judicial Officer of the Superior Court