

**MORRISON MUNICIPAL COURT
ADVISEMENT OF RIGHTS**

The following is an explanation of your rights in this court. Before you enter into a plea and appear before the judge, you will have the opportunity to speak with the Town Prosecutor; the purpose of that discussion is to explore a disposition or plea bargain in your case. If you do not want to enter into a plea agreement with the Town Prosecuting Attorney, you have the right to plead Not Guilty and set your case for trial.

YOU HAVE THE FOLLOWING RIGHTS:

1. To be presumed innocent of the charges, and if you plead not guilty the prosecution must prove your guilt beyond a reasonable doubt.
2. To be represented by an attorney at your own expense. You have the right to have this arraignment continued to obtain one. In certain cases, if you cannot afford an attorney one may be appointed to represent you.
3. To a full explanation of the nature of the charges against you. If you do not understand what you are charged with, you have the right to ask the judge. The maximum sentence the court may impose on each charge is listed on the back of this form.
4. To enter a plea that is voluntary and not the result of undue influence or coercion on the part of anyone. A plea of guilty means that you give up the right to require the prosecution to prove your guilt beyond a reasonable doubt. If you plead not guilty, you will have a trial to a judge or, in certain cases, a trial to a jury. To obtain a jury trial, you must request, in writing, a jury trial and post a \$25 jury deposit within 21 days after the arraignment or entry of a plea. The jury shall consist of three (3) persons, unless a greater number, not to exceed six (6), is requested. The jury deposit may be waived if you show that you are indigent.
5. To testify or not testify on your own behalf. Your silence cannot be used against you. If you make any statement, it can and may be used against you. You have the right, at no cost, for the Court to issue subpoenas to compel witnesses to testify for you. You have the right to cross examine witnesses called to testify against you.
6. To a speedy trial within 91 days of your arraignment date.
7. To make a statement before any sentence is imposed upon you. You have the right to appeal a conviction within 35 days after the date of entry of the judgment or the denial of post-trial motions, whichever is later.
8. To bail and to be advised as to the amount of bail set by the Court.

If you are not a citizen of the United States, you are advised that a conviction of the offense for which you have been charged may have the consequences of deportation, exclusion from admission to the U.S., or denial of naturalization pursuant to the laws of the U.S. You have the right to consult with an attorney prior to entering a plea of guilty or nolo contendere.

I am currently serving in the United States Armed Forces or I am a Veteran of such Forces. If so, I understand that I may be entitled to receive mental health treatment, substance use disorder treatment or other services as a Veteran.

I have read and understand both the front and back of this advisement

Date: _____

Name Printed: _____

Signature: _____

Address: _____ Phone: _____

Email Address: _____

Parent Signature (needed if defendant is less than 18 years of age): _____

MAXIMUM PENALTIES	
ADULT	<ul style="list-style-type: none"> • Non-traffic violations: \$2,650 fine + a jail sentence of 1 year, or both. • Traffic Offenses, such as: Reckless or Carless Driving, Eluding a Police Officer, Speed Contest, or School Bus Charges: \$2,650 fine + 1 year in jail sentence or both. • All other traffic violations (Infractions): Maximum fine \$1000.00.
JUVENILE	<ul style="list-style-type: none"> • Traffic cases: Maximum fine \$1,000.00 • Criminal cases: Maximum fine \$1,000.00. Failure to comply with a court order could result in a sentence to a juvenile detention facility up to 48 hours. • Your driver's license may be revoked if (1) you are convicted of possession of alcohol, marijuana or drug paraphernalia by a minor and fail to complete a court ordered evaluation or treatment, or (2) you are convicted of a second possession of alcohol/marijuana/paraphernalia by a minor.
<u>PAYMENTS</u>	
<p>The court expects you to pay all fines and court costs on the day of your guilty plea, settlement or conviction following a trial. If you do not pay in full on the day of your guilty plea, you may receive another court date to appear.</p> <p>In addition to any fine, Court Costs of \$30 apply if you plead guilty or accept a settlement. Court Costs of \$50 are imposed if you are convicted following a trial.</p> <p>A Payment Plan fee of \$25 is imposed if the court grants you a stay of execution.</p> <p>If amounts are not paid when due, Colorado DVM will take action to revoke your driving privilege and you may be found in contempt of court.</p>	

SEALING OF RECORDS

You may have the right to petition the District Court or the Municipal Court to seal your criminal record pursuant to §24-72-702 C.R.S. and/or §24-72-702.5, C.R.S.

Pursuant to §24-72-702.5, C.R.S, you may be entitled to seal your records through a simplified process and this Court requires you to file a Motion to Seal with the Court. A form copy of this Motion is available from the Court upon request. Before the Judge can grant your motion you must (1) File a Motion to Seal and indicate all of the agencies that you wish the Court to send a copy of its Order to Seal and (2) pay the \$65 filing fee unless the Court waives the fee due to your indigence. CBI also will require a fee. If the Court grants your Motion to Seal and you have paid all required fees, you may legally say that these records do not exist.

You may also have the right to petition the District Court to seal your criminal conviction records following a conviction pursuant to §24-72-703, C.R.S.

If you have any questions regarding the above information, court procedures or defenses, you should consult legal counsel but may also ask the judge regarding your rights, the charge against you, the court process, your available choices and the potential punishment.