

WHEAT RIDGE MUNICIPAL COURT

7500 West 29th Avenue
Wheat Ridge, CO 80033-8001

Christopher D. Randall
Presiding Judge

ADULT ADVISEMENT OF RIGHTS

The Municipal Court is the independent judicial branch of the City of Wheat Ridge Municipal government. As a defendant, you have been charged with a violation of a code or an ordinance of the City of Wheat Ridge. The fact that a Summons and Complaint has been issued is not evidence of your guilt. Your rights and obligations are set forth below. These rights are crucial to your case.

1. The following is a statement of the rights that the defendant has in this case:
 - a. You have the right to understand the nature of the charge(s) brought against you.
 - b. You have the right to enter a plea of not guilty and have a trial to the Court, over which a Judge will preside, or in some circumstances, a trial to a jury.
 - c. You are presumed innocent of the charges pending against you, and that presumption of innocence will remain with you throughout your case.
 - d. You have the right to seek legal counsel to represent you throughout all Court proceedings.
 - e. If you are indigent, you may make an application for a court appointed attorney. Upon approval and payment of the application fee, you will be assigned counsel as provided by law or applicable rule of procedure.
 - f. If you feel you did not commit a violation of the ordinance with which you have been charged, you should enter a plea of "not guilty". The City Attorney will then be required to prove all the elements of the violation beyond a reasonable doubt.
 - g. If you enter a "not guilty" plea you have the right to have a trial either by the Court, which is by a judge, or, if circumstances allow, a trial to a jury. Some, but not all, charges entitle you to a jury trial. In those cases where a jury trial is permitted, you must, within 21 (twenty-one) days of your not guilty plea, file a written jury demand and tender to the court a \$25.00 (twenty-five dollar) jury fee. It is possible for the court to waive the jury fee if you prove you are indigent. If you fail to follow this procedure, you waive the right to a jury trial. The jury shall consist of three jurors unless a greater number, not to exceed six, is requested in the jury demand.
 - h. You need not make a statement and any statement made can and may be used against you.
 - i. After the trial is over, you have the right to appeal to review the judgment of the Court.
 - j. A plea of "guilty" is your admission that you did violate the ordinance as charged. If you plead guilty, the City will not be required to prove anything.
 - k. Once a plea of guilty is accepted, it is very difficult for you to change your mind and withdraw that plea. In criminal matters, a fine or jail or both may be imposed with any other conditions the court may deem appropriate. The fine may not exceed \$2,650.00 (two thousand six hundred fifty dollars) and the jail may not exceed three hundred sixty-four days (364). Jail, if imposed, is served at the Jefferson County Detention Facility in Golden, Colorado.
 - l. The plea of nolo contendere or no contest is one of privilege and may be refused at the discretion of the Court. If accepted by the Court it means that you are not admitting guilt, however, you will be sentenced as though you entered a guilty plea, with all the same possibilities.
 - m. Any plea you make must be voluntary on your part and not the result of any undue influence or coercion.
 - n. You have the right to bail.
2. These rights apply when you enter a guilty or nolo contendere plea or have been found guilty at trial to the charge(s) brought against you.
 - a. I acknowledge that I understand the elements of the offense and the penalty for that offense. I understand that the prosecution would have to prove each element of the offense beyond a reasonable doubt before I would be convicted of that offense at trial.
 - b. I understand that the Court will not be bound by any representations made to me by anyone concerning the penalty to be imposed or the granting or denial of probation, unless such representations are included in a formal plea agreement approved by the Court.
 - c. I acknowledge that there is a factual basis for this plea or if this plea is a result of a plea bargain, I waive the establishment of a factual basis for the charge.
 - d. At this time I am not under the influence of any drugs, intoxicants, or medication that would interfere with my ability to understand the advisement given in this form.
 - e. If you are serving in the United States Armed Services or are a veteran of such forces, you may be entitled to receive mental health treatment, substance abuse disorder treatment, or other services.

- f. I understand that if I am not a citizen of the United States and I plead guilty or nolo contendere (“no contest”) to a crime, this plea may cause collateral consequences including but not limited to deportation or removal, exclusion from the United States, or denial of naturalization. I understand that a deferred sentence may be considered a conviction for immigration purposes. I understand that I may confer with an attorney regarding immigration issues and collateral consequences prior to entering this plea. I understand that this court has no authority regarding immigration issues. No promises or representations have been made to me by the Court regarding immigration consequences other than the statements made in this Advisement.
- g. I understand that entering a guilty plea in this criminal case may result in separate administrative procedures by the Department of Revenue, Motor Vehicles Division (“DMV”). I also understand that those additional actions by the DMV may include the revocation of my license.

ADVISEMENT TO DEFENDANT CONCERNING THE SEALING OF RECORDS

Under some circumstances criminal records may be sealed pursuant to Title 24, Article 72, Part 7. Request the information from the clerk of the court regarding the sealing process.

I acknowledge that I have read and understand this advisement of rights and I understand that if I enter a plea of guilty to the charge I am waiving and giving up all the rights set forth.

X _____ X _____ X _____
 DEFENDANT NAME - PRINT DEFENDANT’S SIGNATURE DATE

X _____ X _____
 ATTORNEY’S SIGNATURE DATE