

In re the Matter of: _____

**STATEMENT OF ADVISEMENT
AND WAIVER OF RIGHTS**

Case No. _____

ADVISEMENT

I have reviewed my rights with _____, who has been retained/appointed to be my attorney.

1. I have read, understand and signed the Notice and Acknowledgment of Rights and Potential Liabilities.
2. I am charged with the following offenses in the petition dated _____:

| Count | Code Section | Nature of Offense | Maximum Time in Custody |
|-------|--------------|-------------------|-------------------------|
| | | | |
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TRIAL RIGHTS

I understand: I give up:

1. I have a right to be represented by an attorney and the right to have counsel appointed subject to a claim by the court or county for reimbursement as provided by law.
2. I have a right to a hearing by the court on the issues raised by the petition.
3. I have the right to assert the privilege against self-incrimination.
4. I have the right to confront and cross-examine any witness called to testify against me.
5. I have the right to use the process of the court, at no expense, to compel attendance of witnesses in court on my behalf.
6. I have not been threatened or promised anything to make me give up my trial rights.
7. As a result of my admission today I will have ____ years ____ months maximum of lockup time. I already have ____ years ____ months from previous petitions.
8. I admit that Counts _____ are true and that I was under 18 years of age.

AGREEMENTS

1. I agree that restitution or other disposition orders may be ordered on dismissed counts.
2. I agree that the decision about whether Count(s) _____ will be a felony or a misdemeanor may be made at a time prior to the termination of probation based on how I do on probation.
3. I agree that if the court reads the probation/police report, there are facts that will support my admission.
4. The following promises have been made to me as part of my decision to admit:
- a. Count(s) _____ will be dismissed.
- b. _____

PROBATION VIOLATION

1. I understand that I am charged with violating the terms of my probation.
2. I understand that if I get in more trouble in the future, more time will be added to my maximum time.
3. I understand that even if my lockup time is not used in this case, it is available in the future and may be used as a consequence for any violation of my probation.
4. I know that if I am ever committed to the California Youth Authority, the calculation of time may result in a number of years in custody that is different from the maximum time stated here.

5. I admit the 777 Petition and acknowledge that I violated the terms of my probation.

CONSEQUENCES OF ADMISSION

1. I can be sent home on probation or removed from my home and placed in a foster home or group home or in the home of a friend or relative that is approved by the court or I can be locked up at the Carl F. Bryan II Juvenile Hall, a camp, or the California Youth Authority.

2. There are some mandatory fines the court will order me to pay as well as other fines and community service work that can be ordered and I will be required to pay the victim the damages that I caused.

3. I will remain on probation until I have completed my obligations to the court and my community or, if a Ward, until I am 21 years of age, unless I am sent to the Youth Authority; the Youth Authority may keep me until my 25th birthday if I am sent there for certain offenses.

4. I understand that my admission to Counts _____ of the petition will allow me to be kept at the California Youth Authority until I am 25 years of age.

CASE No. _____

DRIVER'S LICENSE CONSEQUENCES

1. For admitting to an alcohol or drug-related offense, or a vandalism, I will lose my driving privilege for one year or suffer a delay in issuance of my license for one year. I may be able to get a restricted license. If I admit a felony involving a vehicle, I will lose my driving privilege for 1 year.

2. My driving privilege has been previously suspended until _____. It will now be suspended until _____.

SPECIAL CONSEQUENCES

1. I understand that my case has additional consequences as follows:

_____ ; I have read them and my attorney has explained them to me.

NOTICES

1. **To School:** I understand that my admission to Count(s) _____ will require the Superior Court Clerk to notify my school of my responsibility for that count. The school will keep that information in my file until I graduate from high school.

2. **To Immigration:** I understand that if I am not a U.S. citizen, my admission could result in my deportation, exclusion from admission to this country, or denial of naturalization.

MINOR'S DECLARATION

I, _____, declare that I reviewed each of these rights with my attorney before I initialed them. I understand what each of the rights means. I freely and voluntarily give up my rights to a trial and ask to enter my admission.

1. I understand that I have a right to have an attorney represent me, and I understand that _____ is my attorney.

2. I was under the age of 14 when I committed the offense listed in Counts _____

3. At the time I committed the offense(s), I knew that what I was doing was wrong.

Dated: _____

MINOR

INTERPRETER'S DECLARATION

I, _____, am a certified/provisionally certified interpreter to translate from _____ into English. I interpreted for the minor/parents.

- 1. I have read the transcript of the video to the minor and his/her parent(s).
- 2. I have translated for counsel as the minor reviewed this form.
- 3. I believe that the minor and his/her parents understood my translation and that my translation was accurate.

Dated: _____

Certified/Provisionally Certified Interpreter

ATTORNEY'S DECLARATION

I, _____, am an attorney licensed to practice law in the State of California. I have fully advised the minor of each of the rights involved in this case as initialed above by the minor. I stipulate that there is a factual basis for the admission.

I have been:

- 1. Retained for the entire case.
- 2. Retained for the purpose of advising the minor only because the minor wants to proceed without counsel.
- 3. Appointed by the court to represent the minor as a conflict public defender.
- 4. Appointed subject to reimbursement.

Dated: _____

ATTORNEY AT LAW

ORDER

THE COURT accepts the Statement of Advisement and Waiver of Rights prepared by the minor and counsel and orders it filed.

Dated: _____

JUDGE OF THE SUPERIOR COURT