

Palisade Municipal Court, State of Colorado 341 W. 7 <sup>th</sup> St. Palisade, CO 81526 970-464-5602	
PEOPLE OF THE STATE OF COLORADO, TOWN OF PALISADE, Plaintiff vs.  Defendant _____	<b>▲ COURT USE ONLY ▲</b> <hr style="border: 1px solid black;"/> Case No. _____
<b>ADVISEMENT PER C.R.S. § 16-7-207, C.M.C.R. 211(b) AND PLEA OF GUILTY</b>	

§1. The undersigned acknowledges that he or she is the defendant in this case and that his or her name is as stated above.

§2. The following is a statement of the rights that the defendant has in this case:

- a. You have the right to be represented by an attorney at your own expense. In certain cases, if you cannot afford an attorney, one may be appointed to represent you. You are entitled to continue your court date to obtain an attorney.
- b. You are presumed innocent of the charges pending against you, and that presumption of innocence will remain with you throughout the trial; unless and until the prosecution presents evidence to prove you guilty beyond a reasonable doubt. A plea of guilty means that you give up the right to require the prosecution to prove your guilt beyond a reasonable doubt.
- c. You have the right to enter a plea of not guilty and have a trial in this case either to the Court or to a jury. 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 \$25.00 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.
- d. At the trial you have the right to confront the witnesses called to testify against you and to cross-examine those witnesses.
- e. You have the right to remain silent at the trial or testify in your defense if you choose. If you choose to remain silent, your silence cannot be used against you. If you testify it can and may be used against you.
- f. You have the right to present your own evidence and witnesses in your defense. You have the right to have the Court issue subpoenas to compel witnesses to testify for you.
- g. You have the right to a speedy trial within 91 days of your arraignment date.
- h. After the trial is over, you have the right to appeal to a higher court to review the judgments of the Court within 35 days after the date of entry of the judgment or the denial of post-trial motions, whichever is later.

§3. **ELEMENTS OF THE OFFENSE.** I acknowledge that I have read and 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 in trial. I am entering a plea of guilty to that offense.

§4. **NON-Citizen:** If you are not a citizen of the United States, you are advised that a municipal conviction or a deferred judgement and sentence may have the consequences of deportation, exclusion from admission to the U.S., or denial of naturalization pursuant to the laws of the United States.

§5. **U.S. Armed Forces or Veterans:** If you are serving in the United States armed forces or are a veteran of such forces you may be entitled to receive mental health treatment, substance use disorder treatment, or other services as a veteran. Depending upon the nature of the charge that you plead guilty to it may be possible to transfer probation supervision or the court sentence to a jurisdiction with a Veterans Treatment Court.

☒ **Initial here** if you currently serve in the **United States Armed Forces or are a Veteran** of such forces and **would like information** regarding mental health treatment, substance use disorder treatment or other services available to you.

§6. **Sealing and Expungement of Records:** Adults have the right to seal their criminal record if they are acquitted or the case is dismissed. Adults may request to seal municipal criminal convictions by filing a Petition with the Federal Heights Municipal Court or with the Adams County District Court.

Juveniles' records will be expunged by order of the Municipal Court if they were a juvenile at the time of the commission of the offense(s), the case is closed and there are no pending case(s) before the Municipal Court.

MAXIMUM PENALTIES			
<b>ADULT</b>	<ul style="list-style-type: none"> <li>➤ A fine of \$300 for <b>any non-criminal (not jailable) or traffic offense</b></li> <li>➤ A fine of <b>\$300 or 90 days in jail OR both, fine and imprisonment</b> for any criminal violation in this Municipal Court.</li> <li>➤ 40 Hours of Community Service</li> <li>➤ Any reasonable terms and conditions of probation</li> </ul>		
	The following offenses may result in a jail sentence of up to 90 days of jail:		
	<b>CRIMINAL OFFENSES:</b>		<b>CRIMINAL TRAFFIC OFFENSES:</b>
	• Assault	• Theft	• Speeding more than 24 MPH over the posted speed limit
	• Harassment	• Shoplifting	• Reckless Driving
	• Disorderly Conduct	• Criminal Mischief	• Speed Contest
• Graffiti Prohibited	• Trespass	• Eluding or Attempting to Elude a police officer	
• Offenses related to governmental operations (ex. Resisting Arrest)	• Offense against public decency	• Failure to Provide Compulsory Insurance	

**MAXIMUM PENALTIES**

<b>JUVENILE</b>	<ul style="list-style-type: none"> <li>➤ Maximum fine \$300. Failure to comply with a court order could result in a sentence to a juvenile detention facility for up to 10 hours.</li> <li>➤ Your driver's license may be revoked if (1) you are convicted of possession of alcohol or marijuana 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 by a minor.</li> </ul>
<b>OFFICE ADDRESS</b>	➤ All payments of fines and fees may be mailed to Town of Palisade, P.O. Box 128, Palisade CO 81526, paid in person at 175 E 3 <sup>rd</sup> St. Palisade, CO 81526, paid online at <a href="http://palisade.colorado.gov">palisade.colorado.gov</a> (Pay Ny Court Fees/Fines) or paid over the phone by calling (970) 464-5602

**By my signature below, I attest that I acknowledge that I have read and understand this advisement of rights.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Parent Signature: \_\_\_\_\_  
(needed if Defendant is less than 18 years of age)

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**If you are choosing to enter a GUILTY PLEA read the statements below and sign.**

**By my signature below, I attest that:**

- a. I am entering my plea of guilty voluntarily and not as a result of coercion or undue influence on the part of anyone. There have been no threats, force or promises made to me to cause me to enter this plea.
- b. I understand that the Court will not be bound by any representations made to me or 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. I acknowledge that I have read and understand this advisement of rights in Section 2 and 3, and I understand that by entering my plea of guilty to the charge I am waiving and giving up all the rights set forth in those Sections.

**TRAFFIC INFRACTIONS:**

- I understand that the traffic infraction that I am pleading guilty to is separate from the administrative procedures of the Department of Revenue, Motor Vehicles Division ("DMV"). I also understand that there may be further actions by the DMV that may result from this plea including the revocation of my license, in certain circumstances.
- I am pleading guilty to the below traffic infraction and the fine imposed is listed below.

Section:	Traffic Infraction / Charge	Points / Sentence	Fine:
			\$
			\$
<b>TOTAL AMOUNT DUE:</b>			<b>\$</b>

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent Signature: \_\_\_\_\_  
(Needed if Defendant is less than 18 years of age)

Attorney Signature: \_\_\_\_\_ Date: \_\_\_\_\_