



**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO
ADVICE OF RIGHTS**

CASE NO. _____

You have the following legal rights:

1. You have the right to be furnished a copy of the complaint and you have a right to have the charge explained to you, unless you waive that right.
2. You have a right to an attorney at all stages of the proceedings.
3. You have a right to a continuance to obtain an attorney, if you want one.
4. If you are unable to hire an attorney due to lack of sufficient funds or property, the court will appoint one for you at no cost to you at this time. At the conclusion of your case in the trial court and after a hearing, if the Court determines you then have the ability to pay, you shall be ordered to pay all or part of the cost of such attorney, which order will have the same effect as a civil judgment and be subject to execution.
5. You have a right to reasonable bail set by the Court. If you are not able to post the bail set, the Court will review the amount of bail within five days of today's date upon your request at which time any new facts will be considered.
6. You have a right to use the power of the Court to subpoena witnesses and present evidence in your own behalf.
7. You have a right to confront and cross-examine the witnesses against you.
8. You have a right against self-incrimination, which means you cannot be required to testify against yourself. You may waive this right and testify in your own behalf if you wish.
9. You may plead guilty, not guilty, or nolo contendere (no contest). Nolo contendere is the same in legal effect as a plea of guilty but cannot be used against you as an admission in any civil suit when the plea of nolo contendere is used for a crime punishable as a misdemeanor or infraction.

If you are charged with a misdemeanor, you also have the following rights:

1. You have a right to a trial by jury, or you may waive this right and request a court trial.
2. You have a right to a speedy trial, which means within thirty days following arraignment, if you are in custody, or, within forty-five days following arraignment, if you are not in custody. If you are not brought to trial within the time stated your case must be dismissed, unless good cause is otherwise shown.
3. You have a right to wait at least six hours before sentence is imposed after a plea of guilty, a plea of nolo contendere, or conviction following trial; sentence must be imposed within five days, or within twenty-one days if the matter is referred to the Adult Probation Department unless you waive that right.

If you are charged with an infraction, you have the same rights as you would if charged with a misdemeanor except that you have a right to a court trial and no right to a trial by jury. You have no right to a court appointed attorney unless you are in custody.

My plea of guilty or nolo contendere to a misdemeanor or infraction crime shall constitute my expressed and explicit waiver of my right to trial by jury and trial by court, my right to see and cross-examine witnesses against me, my right against self-incrimination and also my right to an attorney unless I have an attorney at that time.

If you are charged with a felony, you have a right to a preliminary hearing within ten court days following your arraignment or plea, whichever occurs later.

I understand if I am not a citizen, a plea of guilty or nolo contendere, or a conviction following trial may result in my deportation, exclusion or admission to the United States, or denial of naturalization pursuant to the laws of the United States.

IF YOU DO NOT FULLY UNDERSTAND THESE RIGHTS ASK THE COURT TO EXPLAIN THEM FURTHER.

I have read the above "Advice of Rights" and fully understand these rights.

Dated: _____ (signature)

Interpreter:

I certify that I have well and truly translated the entire contents of this form into the _____ language and the defendant stated to me that (s)he understands the entire contents.

Dated: _____ (interpreter)