

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, Address) TELEPHONE NO: _____ FAX NO.(Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO Youth Services Center 222 Paul Scannell Drive San Mateo, CA 94402	
Minor's Name: Attorney's Name	
WAIVER FORM WITH ADVISEMENTS, STIPULATIONS, DECLARATIONS, FINDINGS & ORDERS	CASE NUMBER: -JW-

I have talked with my attorney about what happened in my case and why I am being charged in this case. I have been told what the District Attorney would have to prove at a trial and the possible ways to fight my case. I want to: <input type="checkbox"/> admit the charge(s), which means that I am agreeing that I did what the petition says. <input type="checkbox"/> plead no contest. Which means that I do not want to fight my case at a trial, but I'm not agreeing that I did what the petition says I did. I am letting the judge decide whether the charges are true and know that the Judge will probably find them true.	(initials)
--	------------

CHARGES

Code Section	<u>Name of the Offense</u>
Count _____	_____
Count _____	_____
Count _____	_____
Count _____	_____

1. I am admitting to or pleading no contest to these offense(s) in the Petition (or Violation of Probation)	(initials)
2. Together with my prior offenses, my maximum custody time is: _____ years, _____ months	
3. I understand that my maximum custody time might not be used in this case. If I commit a new law violation or violate probation, my custody time may increase and could be used as a consequence in the future.	
4. I have not been promised anything except:	

TRIAL RIGHTS: JURISDICTION HEARING & VIOLATION OF PROBATION NOTICE

(initials)

1. The right to a speedy court trial or hearing where the Judge would listen to all the evidence and decide if the district attorney has enough evidence to prove that I did what the petition says I did.	
2. The right to see and hear the witnesses who will testify against me. This includes the officer who wrote the report, and any of the people who provided information that is written in the report.	
3. The right to have those witnesses questioned by my attorney.	
4. The right to have my own witnesses at trial.	
5. If witnesses refuse to come to court, I have the right to have them ordered to court at no cost to me.	
6. The right to testify at the trial and to tell my side of the story.	
7. The right to remain silent in the Court and not say anything.	
8. No threats have been made to me to give up my trial rights.	
9. I do not want a trial. I want to give up each of my trial rights listed above. I understand the rights that I am giving up and I have discussed them with my attorney.	

APPELLATE RIGHTS

(initials)

1. I understand that I have a right to appeal this Court's decision and any resulting dispositional orders.	
2. In order to appeal, a notice of appeal must be filed within 60 days of the dispositional hearing.	
3. I have a right to an attorney to help with the appeal, if I cannot afford an attorney, the Court will appoint one for me.	

GENERAL CONSEQUENCES OF ADMISSION

(initials)

PLACEMENT: I understand I can be sent home on probation or removed from my home and placed in a foster home, group home, or a home that is approved by the Judge.	
PROBATION: I can remain on probation until I am 21 years old. If I am sent to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ) DJJ may keep me until my 25 th birthday if I am sent there for certain offenses. (WIC §607).	
INCARCERATION (LOCKED UP): I understand I can be confined (locked up) at Juvenile Hall, another therapeutic detention program, County Jail, or DJJ beyond my 18 th birthday.	
RESTITUTION: My parents or legal guardian and I may have to pay for the things I did that hurt others and caused them to lose money, including paying for things I took, broke, or damaged. We may also have to pay a restitution fine.	
IMMIGRATION CONSEQUENCES: If I am not a United States citizen, my admission or no contest plea may mean that I will have to leave the country (be deported) and never allowed to return (exclusion) and/or never be allowed to become a United States Citizen.	
DNA SAMPLE (FELONY ADMISSION): I understand that I will be required to submit a DNA sample to law enforcement as a result of my felony admission.	

SPECIFIC CONSEQUENCES OF ADMISSION

(initials)

FIREARM: If I am adjudged a ward I understand I am prohibited from owning, purchasing, receiving or having possession of a firearm until the age of 30 based on violation of _____. I understand the juvenile court must notify the Department of Justice and any violation of this restriction may be charged as a new crime (Penal Code §29820).	
ARSON: If admitting an arson or attempted offense, I understand that if I am ever sent to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice, I will have to register as an arsonist until the age of 25 or until my record is sealed by a Judge. Penal Code §457.1(b)(1)(C)(3)	
SEX OFFENSE: I understand if I am ever committed to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice, on a Penal Code §290 sex offense that I admitted, it will require me to register with the local police department as a sex offender in every place I live for the rest of my life. I understand the Court may order that I be tested for HIV/AIDS and other sexually transmitted diseases and that the results will be made available to the victim and others who are entitled by law to have the information.	

GANG OFFENSES: I understand that I will be required to register with the local police department as a gang member pursuant to Penal Code §186.30 for crimes that meet the requirements of Penal Code §186.22(e) and (f) and that gang registration is for 5 years pursuant to Penal Code §186.32(c).	
STRIKE: My attorney has explained that when I admit to: _____, listed as Count(s) _____, I will have crime(s) on my record that are "strike" offenses under the Three Strikes Law. I have talked with my attorney about what this could mean in my future and how I may have to spend much more time in jail or prison if I get in trouble again because I am admitting to these offenses today. I understand that if I am sentenced in adult court in the future this offense may cause my custody time to be doubled; me to automatically be sent to prison; a reduction of the custody credits available to me; and the three strikes law may count against me. If I am convicted of a third strike as an adult, I can be sentenced to life in prison.	
707(b) OFFENSES: I understand the offense(s) listed in Count(s) _____ is a Welfare & Institutions Code §707(b) offense. I understand this means I can be sent to the DJJ until I am 25 years old for this offense or any later violation of probation. I also understand that this offense may prevent me from sealing my record.	
DEJ: If given an opportunity to participate in the Deferred Entry of Judgment Program, I waive the right to a speedy jurisdiction and disposition and agree to have the case handled by a different Judge if the current Judge is unavailable.	
SPECIAL CONSEQUENCES: I understand that my case has additional consequences that are stated here, I have read this information and my attorney has explained it to me:	

MINOR'S DECLARATION

I reviewed each of these rights and consequences with my attorney before I initialed them. I understand the facts of my case and the allegations in the petition and what each of the rights and consequences mean. I freely and voluntarily give up rights to a trial and ask to enter my admission/no contest plea because I committed the offense(s) in the charges section.

_____ Date _____ Minor's Signature

INTERPRETER'S DECLARATION

The primary language of the minor is _____, primary language of the parent is _____
I certify that I interpreted this for the minor/parent/legal guardian in that person's primary language to the best of my ability.

_____ Date _____ Interpreter's Name _____ Signature

ATTORNEY DECLARATION

I am the attorney for the minor. I have explained and discussed with my client the above rights, the facts of his/her case, possible defenses, and the consequences of his/her decision to enter an admission. Based on my conversation with the minor, I am satisfied that his/her admission to the petition is knowingly, intelligently, and voluntarily made, and I consent to the admission.

YES NO My client was under the age of 14 at the time of one or more of the offenses (Penal Code §26)

_____ Date _____ Attorney Name _____ Signature

DISTRICT ATTORNEY CONCURRENCE

The People of the State of California in the above-entitled juvenile justice action, by and through its attorney, concur and stipulate there is a basis for the admission or plea of no contest.

_____ Date _____ Deputy District Attorney Name _____ Signature

COURT FINDINGS

THE COURT FINDS: The identifying information in the Petition/Violation of Probation is correct; the minor is a person described in Welfare & Institutions Code § 602; the minor knowingly, intelligently, freely and voluntarily waived his/her rights; the minor understood the nature of the allegations and consequences of his /her admission; there is a factual basis for the admission(s); the allegation(s) is/are true; the Petition/Notice of Hearing is sustained (unless accepting DEJ).

- "The minor was under the age of 14 at the time of the offense(s) and understood the wrongfulness of the offense(s) at the time they were committed pursuant to P.C. § 26. This finding is based on clear and convincing evidence presented orally and/or in writing at today's hearing."

IT IS HEREBY ORDERED: The minor's admission(s) be entered; this document is filed and the above findings are made by this Court.

Date

Judicial Officer of the Superior Court