

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF NEVADA
SITTING AS A JUVENILE COURT

201 Church Street, Nevada City, CA 95959 (530)362-4309
 10075 Levon Avenue, Truckee, CA 96161 (530)362-4309

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