

**IN THE MUNICIPAL COURT OF ATHENS-CLARKE COUNTY
STATE OF GEORGIA**

STATE/ COUNTY v. _____ * CASE NO.: _____

DEFENDANT'S GUILTY/NOLO CONTENDERE PLEA STATEMENT AND WAIVER OF RIGHTS

Please **CAREFULLY READ** and answer each question by **CIRCLING YOUR ANSWER**.

BASIC INFORMATION ABOUT YOU AND YOUR UNDERSTANDING

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| 1. Are you 17 years of age or older? | YES or NO |
| 2. Can you read and write? | YES or NO |
| 3. Are you under the influence of any drugs, alcohol, or medications that would affect your ability to understand what's going on today? | YES or NO |
| 4. Do you understand what you are charged with in this case? | YES or NO |

ABOUT YOUR ATTORNEY

- | | |
|---|-----------|
| 5. Do you have an attorney representing you here today on this case? | YES or NO |
| 6. My Attorney is: _____ | |
| 7. Have you had enough time to talk with your attorney about this case? | YES or NO |
| 8. Do you feel as if your attorney has done everything he or she could have to help you in this case? | YES or NO |
| 9. Are you satisfied with the legal services your attorney has provided you in this case? | YES or NO |

IF YOU ARE NOT A UNITED STATES CITIZEN...

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| 10. Do you understand that if you are not a United States citizen and you enter a plea here today, that you could be removed from the United States and could be prevented from returning? | YES or NO |
| 11. Do you understand that this Court does not have any power over your legal status in the United States? | YES or NO |

YOUR TRIAL RIGHTS

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| 12. Do you understand that if you enter this plea and are charged with a County ordinance violation or a State petty offense that you are giving up the right to a trial in front of a judge? | YES or NO |
| 13. Do you understand that if you enter this plea and are charged with a State misdemeanor or any State traffic or criminal violation that is not a petty offense that you are giving up the right to a trial in front of a judge or jury? | YES or NO |

At a trial of this case, you would have all of the following rights:

- the right to be presumed innocent of the charge(s) against you;
- the right to make the State or County prove the case against you beyond a reasonable doubt;
- the right to confront, see, hear, and cross-examine witnesses that would testify against you at trial;
- the right to use the subpoena power of the court to bring in witnesses and evidence and have them presented on your behalf at a trial;
- the right to testify or not testify as you should choose at a trial;
- the right to not incriminate yourself and to remain silent at trial;
- the right to appeal any errors of law that might occur; and
- the right to have an attorney help you with any appeal of any conviction or sentence imposed after a trial.

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| 14. DO YOU UNDERSTAND ALL OF THE RIGHTS THAT YOU WOULD HAVE AT A TRIAL? | YES or NO |
| 15. DO YOU WANT TO GIVE UP ALL YOUR TRIAL RIGHTS AND ENTER A PLEA HERE TODAY? | YES or NO |

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ABOUT THE COURT'S SENTENCE

- 16. Do you understand that if you have worked out a plea agreement with the State or County, that the Court does NOT have to accept that plea? **YES or NO**
- 17. Do you understand that in any case the Court can sentence you up to the maximum of the law, which could be: **YES or NO**
 - as much as 6 months in confinement and/or as much as \$1,000 in fines for County Ordinance violations?
 - as much as 12 months in confinement and/or as much as \$1,000 in fines for State and traffic violations?
- 18. Do you understand that if you are charged with more than one violation, that the court can sentence you on each charge separately and consecutively **YES or NO**
- 19. Do you understand that any action for habeas corpus relating to your plea must be filed within 180 days of today's date for a traffic offense and within one year for a non-traffic misdemeanor offense? **YES or NO**

YOUR CERTIFICATION AND SIGNATURE

By signing this form, I hereby state that I understand all of the rights I am giving up by entering this plea, that I want to enter this plea of my own free will, and that no one has threatened or coerced me to enter this plea. I also hereby certify that all of my answers are true and correct.

Defendant

Date

Defendant's Attorney of Record

Date

THE COURT'S FINDINGS AND RECORD

The above plea having been tendered by the Defendant in open court, the Court is satisfied that the Defendant understands the nature of the charge(s), understands the consequences of entering this plea, understands the rights being waived by entering this plea, and is entering his or her plea freely and voluntarily, without the hope of benefit or fear of injury. The Court further finds that acceptance of the Defendant's plea serves the interests of justice, and the Court accepts the Defendant's plea.

This the _____ day of _____, _____.

Judge, Municipal Court of Athens-Clarke County

During the colloquy, the Court further advised the Defendant of: _____ possible license suspension _____ OTHER:

During this plea, the Defendant required an Interpreter of: _____, and such Interpreter was present, and the Defendant appeared to understand such Interpreter.