

Lafayette Municipal Court, Boulder County, State of Colorado 451 N. 111 <sup>th</sup> Street, Lafayette, CO 80026 303-604-8000, Fax: 303-604-8001	
PEOPLE OF THE STATE OF COLORADO, CITY OF LAFAYETTE, Plaintiff vs.  <b>Defendant,</b> _____	<b>▲ COURT USE ONLY ▲</b>
	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.
- 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. A plea of guilty means that you give up the right to require the prosecution to prove your guilt beyond a reasonable doubt. 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. 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. Consulting with an attorney is recommended prior to entering a plea of guilty or nolo contendere.

**§4. 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

**§5. 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 Lafayette Municipal Court or with the Boulder County District Court. (C.R.S. § 24-72-705 & 24-72-708)

Juveniles are eligible to have their cases expunged. If there are no pending municipal cases involving the juvenile and the prosecutor does not object to the expungement, the Court will expunge juvenile records after the completion of the sentence. If the prosecutor objects, the Court will set the case for a hearing and the Court will decide if the juvenile is eligible to expunge their records. (C.R.S. § 13-10-115.5)

MAXIMUM PENALTIES																						
<b>ADULT</b>	<ul style="list-style-type: none"> <li>➤ A fine of \$2,650 for <b>any non-criminal (not jailable) or traffic offense</b></li> <li>➤ A fine of <b>\$2,650 or 364 days in jail OR both, fine and imprisonment</b> for <b>any criminal violation</b> in this Municipal Court. The following offenses may result in a jail sentence of up to 364 days of jail:</li> </ul> <p><b>CRIMINAL OFFENSES:</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">• Assault</td> <td style="width: 33%;">• Menacing</td> <td style="width: 33%;">• Offense related to weapons</td> </tr> <tr> <td>• Harassment</td> <td>• Shoplifting</td> <td>• Offenses related to gov't operations</td> </tr> <tr> <td>• Disorderly Conduct</td> <td>• Theft</td> <td>• Offenses against public decency</td> </tr> <tr> <td>• False Imprisonment</td> <td>• Joyriding</td> <td>• Tampering and Criminal Mischief</td> </tr> <tr> <td>• Reckless Endangerment</td> <td>• Trespass</td> <td>• Prairie dog control without a permit</td> </tr> </table> <p style="margin-top: 10px;"><b>CRIMINAL TRAFFIC OFFENSES:</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">• Eluding or Attempting to Elude a police officer</td> <td style="width: 50%;">• Speeding more than 24 MPH over the posted speed limit</td> </tr> <tr> <td>• Reckless Driving</td> <td>• Failure to Provide Compulsory Insurance</td> </tr> <tr> <td>• Speed Contest</td> <td></td> </tr> </table>	• Assault	• Menacing	• Offense related to weapons	• Harassment	• Shoplifting	• Offenses related to gov't operations	• Disorderly Conduct	• Theft	• Offenses against public decency	• False Imprisonment	• Joyriding	• Tampering and Criminal Mischief	• Reckless Endangerment	• Trespass	• Prairie dog control without a permit	• Eluding or Attempting to Elude a police officer	• Speeding more than 24 MPH over the posted speed limit	• Reckless Driving	• Failure to Provide Compulsory Insurance	• Speed Contest	
• Assault	• Menacing	• Offense related to weapons																				
• Harassment	• Shoplifting	• Offenses related to gov't operations																				
• Disorderly Conduct	• Theft	• Offenses against public decency																				
• False Imprisonment	• Joyriding	• Tampering and Criminal Mischief																				
• Reckless Endangerment	• Trespass	• Prairie dog control without a permit																				
• Eluding or Attempting to Elude a police officer	• Speeding more than 24 MPH over the posted speed limit																					
• Reckless Driving	• Failure to Provide Compulsory Insurance																					
• Speed Contest																						
<b>JUVENILE</b>	<ul style="list-style-type: none"> <li>➤ Maximum fine \$2,650.00. Failure to comply with a court order could result in a sentence to a juvenile detention facility up to 48 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>																					

\_\_\_\_\_ **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.

**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 I understand that by entering my plea of guilty to the charge I am waiving and giving up all the rights set forth in that Section.

**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:	Points:	Fine:
			\$

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

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