

**AURORA MUNICIPAL COURT
JUVENILE ARRAIGNMENT ADVISEMENT**

Please read this advisement carefully so that you will understand your rights and the procedures for the court session that's about to start. In a moment you and your parent or legal guardian will be in front of a judge who will review your rights, which are:

- 1) You are presumed innocent. That means you have the right to plead not guilty and have a trial where the City will have the burden of proving that you are guilty beyond a reasonable doubt.**
- 2) You have the right to an attorney. You may hire a private attorney at your own expense.**
- 3) You have the right to a speedy trial, to be heard by a judge. That is your trial must be heard within 91 days of the date of your plea. However, any delay that you cause or that you request does not count as part of the 91 days.**
- 4) You have the right to have free subpoenas issued to require your witnesses to come to court and testify for you. You can pickup the subpoenas at the Court Clerks window. It is your responsibility to have the subpoenas properly served in accordance with State law, by a person over 18 years of age who is not connected to this case.**
- 5) You have the right to testify or remain silent at trial, but you can't be forced to testify. If you choose to remain silent, your silence cannot be used against you.**
- 6) You have the right to question any witnesses called by the City. You have the right to call witnesses of your own.**
- 7) If you are convicted, you have the right to appeal within 35 days to the Arapahoe County District Court.**
- 8) Throughout the legal process you have the right to remain silent. Any statement you make about the facts in your case can and may be used against you.**
- 9) If you are charged with a traffic offense, you may be subject to a jail sentence if convicted. Therefore, you would also have the right to a court appointed attorney and a jury trial. The Judge will advise you of these rights if applicable.**

When your case is called you may request a short continuance to consult a lawyer before entering a plea or you can enter a plea of guilty, no contest, or not guilty.

If you plead "guilty" you will be giving up all of the rights that were just explained. You will be admitting that you committed the charged offense and you will have a conviction on your juvenile criminal record. The maximum sentence for a juvenile criminal offense and for traffic infractions is a \$2650 fine. The Court will also order costs and may order restitution, classes and/or probation. The maximum sentence for simple possession of two ounces or less of marijuana or drug paraphernalia is \$100. Court costs will also be assessed in addition to any fine.

Additionally, if you are not a citizen of the U.S., a guilty plea (or "no contest") may result in deportation, exclusion from admission to the U.S., a denial of naturalization as a U.S. Citizen or in other ways affect your immigration status. Therefore, upon your request, the Court will allow you a continuance of today's hearing for a reasonable amount of time to consider the appropriateness of the plea and to contact an immigration attorney for legal advice.

A plea of “no contest” is exactly like a guilty plea except that you do not admit or deny the charge. However, you give up all of your rights and are subject to the same penalties as with a guilty plea and this will be a conviction on your criminal history. The judge has the discretion to accept or not accept a no contest plea.

If you wish you may enter a plea of not guilty. There are three options if you plead not guilty.

One, you may have a short continuance to get legal advice.

Two, you may request a pretrial conference with the City Attorney. This is a meeting with one of the prosecutors to discuss the case and your side of the story. It is an attempt to reach a settlement and avoid having a trial. As the pretrial conference will delay setting a trial date, you will have to waive your right to a speedy trial for the period from now until the pretrial conference. If you do not agree you may lose the option of a pretrial conference. If you are unsuccessful in reaching a resolution your case will then be set for trial.

Three, you may set a date for trial.

You may hire an attorney. If your case does proceed to trial and you have not hired an attorney, you the juvenile defendant will be required to represent yourself. Your parent or legal guardian may sit with you and advise you, but except for traffic offenses, jail is not a possible penalty, by law a public defender cannot be appointed. If you are charged with a traffic offense as shown on your Summons and Complaint, you do have the right of the appointment of an attorney, if you qualify.

In a moment the Judge will come into the court. When your case is called you and your parent or legal guardian are to come to the podium. The Judge will advise you of the charges and answer any questions you have concerning both the charges and your rights.

***SEALED RECORDS or JUVENILE EXPUNGEMENT of RECORDS:* Please refer to additional handouts as it relates to your right to seal records or juvenile expungement of records.**

Thank you.