

**MUNICIPAL COURT, TOWN OF PARKER, DOUGLAS COUNTY, COLORADO**  
**ADVISEMENT OF RIGHTS Misdemeanor cases**

If you plead guilty to or are convicted at trial of the charges currently pending against you, the following maximum penalties may be imposed:

**You are the defendant in this case. You have the following rights:**

- a. You need make no statement, and any statement made can and may be used against you.
- b. You have a right to counsel. If you are indigent, you may make application for a court-appointed attorney, and, upon demonstration of indigency and payment of the application fee, you will be assigned counsel as provided by law or rule of criminal procedure if the Town Attorney is seeking a jail sentence in your case.
- c. Any plea you make must be voluntary on your part and not the result of undue influence or coercion.
- d. You have a right to bail if the offense is bailable, and to know the amount of bail set by the court.
- e. You have the right to a jury trial if a jail sentence is a penalty that may be imposed in your case; if no jail sentence may be imposed in your case, you have a right to a Court trial. If you are eligible for a jury trial and wish to have a jury trial, you must within 21 days after arraignment or entry of plea: (1) Demand a jury trial in writing; and (2) Pay a jury fee of \$25.00. If you wish to have a jury of 6 jurors rather than a jury of 3 jurors, you must make that demand within 21 days after arraignment or entry of plea.
- f. You have the right to understand the nature of the charges against you.
- g. You are presumed innocent. To be convicted of a charge, the Town Attorney must prove each and every element of the charge(s) against you beyond a reasonable doubt.
- h. You have the right to request a continuance of a Court date. If you desire a continuance, you must expressly make your request in person or in writing.

**If you enter a not guilty plea, you have the following additional rights:**

- a. The right to a speedy trial within 91 days of the entry of a not guilty plea, unless a delay in the trial is requested or caused by you or permitted by law or rule.
- b. The right to have subpoenas issued by the Court to compel the attendance of witnesses on your behalf.
- c. The right to cross-examine any witness called to testify against you.
- d. The right to remain silent or to testify at trial. If you choose not to testify, your silence may not be used against you. If you testify, the Town Attorney will be permitted to cross-examine you and anything you say can be considered as evidence.
- e. The right to present evidence and witnesses at trial and the right to present no evidence at all.
- f. The right to appeal any conviction from a trial.

If you plead guilty to the original or amended charge(s), you will waive all the rights specified in this advisement. Further, by pleading guilty to the original or amended charge(s), you will be admitting all the elements that the Town Attorney would have been required to prove to obtain a conviction against you as to that charge.

A plea of guilty or a finding of guilt for a case involving domestic violence may result in you being required to relinquish all firearms and ammunition in your custody.

If you plead guilty, the Town may seek to have you pay restitution (damages). If the Town seeks restitution, you will have the right to object to the amount of restitution the Town asks you to pay, and you will have the right to a hearing. Restitution is governed by the Court's current Order Concerning Restitution.

You may be eligible to have the criminal records in this case sealed pursuant to C.R.S. §24-72-702.5 if the case against you is completely dismissed, if you are acquitted of all counts in the case, if you complete a diversion program or you

complete a deferred judgment and sentence agreement.

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. You may also be able to transfer probation supervision after a plea or sentence to a jurisdiction with a veteran's treatment court.

**POSSIBLE IMMIGRATION CONSEQUENCES:** If you are not a citizen of the United States, you may want to consult with an attorney regarding any potential impacts to your immigration status before proceeding with this Municipal Court matter.