

**GRANBY MUNICIPAL COURT  
ADVISEMENT OF RIGHTS**

The following is an explanation of your rights in this court. Before you enter into a plea and appear before the judge, you will have the opportunity to speak with the City Prosecutor or designated representative. You do not have to speak with the City Prosecutor/representative, but the purpose of that discussion is to explore a disposition or plea bargain in your case. If you do not want to enter into a plea bargain with the City Prosecutor, you have the right to plead Not Guilty and set your case for trial.

**YOU HAVE THE FOLLOWING RIGHTS:**

1. To be presumed innocent of the charges, and if you plead not guilty the prosecution must prove your guilt beyond a reasonable doubt.
2. To be represented by an attorney at your own expense. You have the right to have this arraignment continued to obtain one. In certain cases, if you cannot afford an attorney one may be appointed to represent you.
3. To a full explanation of the nature of the charges against you. If you do not understand what you are charged with, ask the judge. The maximum sentence the court may impose on each charge is listed on the back of this form.
4. To enter a plea that is voluntary and not the result of undue influence or coercion on the part of anyone. 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.
5. To testify or not testify on your own behalf. Your silence cannot be used against you. If you make any statement, it can and may be used against you. You have the right for the Court to issue subpoenas to compel witnesses to testify for you. You have the right to cross examine witnesses called to testify against you.
6. To a speedy trial within 91 days of your arraignment date.
7. To make a statement before any sentence is imposed upon you. You have the right to appeal a conviction within 35 days after the date of entry of the judgment or the denial of post-trial motions, whichever is later.
8. To bail and to be advised as to the amount of bail set by the Court.
9. If you are not a citizen of the United States, you are advised that a conviction of the offense for which you have been charged may have the consequences of deportation, exclusion from admission to the U.S., or denial of naturalization pursuant to the laws of the U.S. Consulting with an attorney is recommended prior to entering a plea of guilty or nolo contendere.

**MAXIMUM PENALTIES**

<b>ADULT</b>	<ul style="list-style-type: none"><li>• Non-traffic violations and criminal traffic violations: Maximum fine of \$2,560.00, a jail sentence of 90 days, or both.</li><li>• Traffic violations: Maximum fine of \$499.00.</li></ul>
<b>JUVENILE</b>	<ul style="list-style-type: none"><li>• Traffic violations: Maximum fine \$499.00.</li><li>• Criminal cases: 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, marijuana or drug paraphernalia 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/paraphernalia by a minor.</li></ul>

**PAYMENTS**

The court expects you to pay all fines and court costs on the day you receive your sentence. If you cannot, you may set up a payment plan. However, you must make your payment by your review date or appear on that date to see the judge. **If you fail to appear and do not pay your outstanding balance, your case may be sent to collections and failure to appear warrant for you arrest may be issued .**

**SEALING OF RECORDS**

You may have the right to petition the District Court or the Municipal Court to seal your criminal record pursuant to §24-72-702 C.R.S. and/or §24-72-702.5, C.R.S.

Pursuant to §24-72-702.5 C.R.S., you may be entitled to seal your records through a simplified process and this Court requires you to file a Motion to Seal with the Court. A copy of this Motion is available from the Court upon request. Before the Judge can grant your motion, you must (1) File a Motion to Seal and indicate all of the agencies that you wish the Court to send a copy of its Order to Seal and (2) pay the \$65.00 filing fee unless the Court waives the fee. If the Court grants your Motion to Seal, you may legally say that these records do not exist.

Pursuant to §19-1-306(9), C.R.S. you may be entitled to have your juvenile records expunged. Upon entry of an expungement order, the person who is the subject of the record that has been expunged may assert that he or she has no juvenile delinquency record as it relates to the expunged matter.

**I acknowledge that I have read and understand this advisement of rights and I understand that by entering my plea of guilty or nolo contendere to the charge(s) I am waiving and giving up all of the rights set forth in this form. If you have any questions regarding the above information or process you should consult legal counsel.**

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

Name Printed: \_\_\_\_\_

Email: \_\_\_\_\_

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

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

\_\_\_\_\_ Please 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. (Rev. 10/19)