

**ADVISEMENT OF RIGHTS**

The following is an explanation of your rights in this court. You have been charged with a violation of the ordinances of the City of Colorado Springs, Colorado. You should understand the following rights before entering a plea.

You are presumed innocent until proven guilty beyond a reasonable doubt. You need make no statement, and any statement made by you can be used against you.

You have the right 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. If you choose to represent yourself, be aware that the City will be represented by a trained attorney and you will be required to follow the rules of procedure and evidence.

If you are in custody, you have the right to appear before a judge in person. You also have the right to bail. If you cannot pay the bail that is set, you have the right to request a reduction in the amount required to be posted or request a personal recognizance bond.

You may enter a plea of not guilty, guilty, or with the consent of the Court, plea of nolo contendere. A plea of nolo contendere or guilty means that you give up the right to require the prosecution to prove your guilt beyond a reasonable doubt, and to cross-examine witnesses against you. You also give up the right to present evidence that you are innocent and your right against self-incrimination. Any plea you make must be voluntary, and not the result of undue influence or coercion on the part of anyone.

The maximum sentence this court may impose on each charge is a \$2,500.00 fine, a sentence of probation, and/or 189 days in jail plus court costs. If you were less than 18 years of age at the time of the alleged offense or you are charged with a violation subject to ordinance 11-4-104, the maximum sentence is a fine not to exceed \$500.00, and/or a sentence of probation, plus court costs.

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 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.

You have the right to subpoena witnesses to testify at no expense to you. You have the right to testify or not testify on your own behalf at trial. If you do not testify, your silence will not be held against you. If you do testify, you may be cross-examined by the prosecutor. Whether or not you testify, you may call on any other witnesses or present evidence that you feel is important to your case.

If you are convicted at your trial or if you plead guilty, you may present evidence in extenuation or mitigation, that is, anything you want the court to consider before imposing sentence.

You have the right to appeal a conviction in this court within 35 days after the date of entry of the judgment or the denial of post-trial motions, whichever is later.

If you are not a citizen of the U.S., you are advised that 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 in this court.

A defendant may petition the district court of the district in which any conviction records pertaining to the defendant for a petty offense or municipal violation are located for the sealing of the conviction records. Refer to CRS 24-72-308.9 for more information.

I have read and understand my rights as presented herein.

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

Case Number: \_\_\_\_\_