

SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA  v.  DEFENDANT:	
CASE NUMBER: _____	PID NUMBER: _____
<b>ARRAIGNMENT FORM (Statement of Rights)</b>	

**INSTRUCTIONS:** Read this form. If you understand it, sign and date the form on page 2. If you have any questions about your case, or the information on this form, ask your attorney or the judge.

### NOTICE

1. **RIGHT TO BE ADVISED OF CHARGES** - You have the right to be told what crimes you are charged with and the right to receive a copy of the Complaint or Information.
2. **RIGHT TO BE CHARGED BY TRUE NAME** - You have the right to be charged by your true name. Tell the judge if your name is incorrect.
3. **RIGHT TO AN ATTORNEY** - You have the right to be represented by an attorney in this case. If you are charged with a felony or misdemeanor, the Court will appoint a free attorney for you if you cannot afford to hire one, but, at the end of the case, you may be asked to pay all or part of the cost of that attorney, if the Court determines you have the ability to pay.
4. **RIGHT TO REPRESENT YOURSELF** - You have the right to represent yourself if you wish. There are dangers in, and disadvantages to, giving up your right to an attorney, and it is almost always unwise to represent yourself. You will be bound by all legal rules and procedures and by the rules of evidence. The People are represented by an experienced prosecutor and you will receive no special help from the judge if you represent yourself.
5. **RIGHT TO REASONABLE BAIL** - You have the right to have reasonable bail set by the judge or to be released on your own recognizance (~~W.R.~~ <sup>W.R.</sup>), without the need for posting bail, if you qualify.
6. **RIGHT TO A PRELIMINARY HEARING** - You have the right to a preliminary hearing within 10 court days of the day you enter your plea(s), if you are charged with a felony. This case will be dismissed if the preliminary hearing is not held within 60 days, unless you agree otherwise.
7. **RIGHT TO A TRIAL** - You have the right to a speedy and public jury trial or court trial. (The right to a jury trial does not apply to infractions or probation violations.) At a trial, you would be presumed innocent, and you could not be convicted unless 12 impartial jurors (or the judge at a court trial) were convinced of your guilt beyond a reasonable doubt. For misdemeanors, the trial must be held within 30 days of the day you enter your plea, if you are in custody at the time, or within 45 days of the day you enter your plea, if you are not in custody then. For felonies, the trial must be held within 60 days of the day the information is filed. If a trial is not held within these time periods, then your case may be dismissed.
8. **RIGHT TO PRODUCE EVIDENCE** - You have the right to present evidence, to testify in your own behalf, and to have the Court issue subpoenas to bring into court all witnesses and evidence favorable to you, at no cost to you.
9. **RIGHT TO REMAIN SILENT** - You have the right to remain silent and not incriminate yourself. If you plead guilty or no contest, you are incriminating yourself.

- 10. RIGHT TO INFORMAL TRIAL - If you are charged with an infraction and wish to plead not guilty, you have the right to an informal trial. This means the judge will decide your case based on a written statement provided by you and by the arresting officer. You will be notified of the verdict by mail. You would not need to return to court. If you are not satisfied with the results of the informal trial, you have the right to request a formal trial.
- 11. PLEAS - You may plead GUILTY, NOT GUILTY, NO CONTEST (which has the same effect in this case as a guilty plea), FORMER CONVICTION OR ACQUITTAL, ONCE IN JEOPARDY, or NOT GUILTY BY REASON OF INSANITY.
- 12. SENTENCING - If you are charged with a misdemeanor and plead Guilty or No Contest, then you have the right to have your sentencing postponed for at least 6 hours and not more than 5 days. You may give up that right and be sentenced immediately, so that you do not have to return to court on another day for sentencing.
- 13. DIVERSION (OR DEFERRED ENTRY OF JUDGMENT) - You may be eligible for these programs if you are charged with certain offenses. The charges may eventually be dismissed if you successfully complete the program. Ask the judge to see if you are eligible.
- 14. CITIZENSHIP - If you are not a United States citizen, a plea of Guilty or No Contest could result in your deportation, exclusion from admission to this country, or denial of naturalization.

**DEFENDANT’S STATEMENT**

I have read this form and I understand each paragraph.

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Date
Defendant’s Signature

**INTERPRETER’S STATEMENT**

I, having been duly sworn or having a written oath on file, certify that I truly translated this form to the defendant in the following language:  Spanish  Other (specify)\_\_\_\_\_

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Date
Interpreter’s Name
Interpreter’s Signature