

## ASPEN MUNICIPAL COURT, COLORADO

ADVISEMENT OF LEGAL RIGHTS: PLEASE READ THE ADVISEMENT, SIGN AND GIVE TO THE CLERK

YOU HAVE BEEN CHARGED WITH A VIOLATION OF LAW FOR THE TOWN OF ASPEN AND HAVE THE FOLLOWING RIGHTS BEFORE THE COURT:

1. You are presumed innocent of the charges, and if you plead not guilty, the prosecution must prove your guilt beyond a reasonable doubt.
2. You have the right to be represented by an attorney. If you are indigent and facing a possible jail sentence for your charge, you may be eligible to have an attorney appointed at no cost to you.
3. You have the right to have a full explanation of the nature of the charges against you. If you do not understand what you are charged with, please ask the judge.
4. You have the right to have bail and to be advised of the amount of bail that has been set by the court.
5. You have the right to remain silent at all stages of these proceedings. If your case proceeds to trial, you have the right to testify or not testify.
6. You have the right to a speedy and public trial, which means a trial within 91 days of the date you plead not guilty.
7. You have the right to a trial by judge or jury, if a jury right is granted by law. To have a jury trial, you must make a written jury demand accompanied by a \$25 jury fee, within 21 days of entering a not guilty plea, unless the Court waives the fee because of indigency. If you fail to meet the above conditions, your trial will be to a judge.
8. You have the right to compel the attendance of witnesses on your behalf by subpoenas, issued by the Court, without expense to you.
9. You have the right to confront and cross-examine the witnesses called to testify against you.
10. You have the right to appeal any judgement within 35 days after the judgement is entered to the Pitkin County District Court.
11. You have the right to a continuance of this arraignment to hire an attorney to represent you or for some other good reason.
12. If you are not a citizen of the U.S., you are advised that the conviction of certain offences may have consequences of deportation, exclusion from the U.S., or denial of naturalization as a U.S. citizen.
13. If you have any questions about these rights, ask the judge.

IF YOU ARE UNDER 21 AND PLEAD GUILTY OR ARE FOUND GUILTY OF AN ALCOHOL VIOLATION, YOUR DRIVER'S LICENSE MAY BE SUBJECT TO REVOCATION IF YOU FAIL TO COMPLY WITH COURT ORDERS TO COMPLETE ALCOHOL TREATMENT, OR IF YOU HAVE PRIOR ALCOHOL CONVICTIONS.

POSSIBLE PENALTIES: The maximum penalty that may be imposed upon conviction of any traffic offense or criminal violation is a fine of \$2,650.00, one year in jail, or both. The maximum penalty that may be imposed upon conviction of any traffic infraction or non-criminal violation is a fine of \$2,650.00. Additional costs, including court costs and surcharge, will be imposed upon conviction. The court may impose additional sentencing orders, at its discretion, where it deems appropriate.

### ADVISEMENT TO DEFENDANT CONCERNING THE SEALING OF RECORDS

Pursuant to Colorado Revised Statute sec..24-72-708 the record of your violation may be sealed under certain circumstances. The record for a case in which the charge was dismissed or in which the person was acquitted (including deferred judgments and deferred prosecutions) may be eligible for sealing by the District Court of the District in which any arrest and criminal records, information pertaining to said person in interest, is located. In addition, some cases where a conviction has occurred may be eligible for sealing with the District Court after 3 years if you meet certain conditions set forth in these statutes.

I HAVE CAREFULLY READ AND UNDERSTAND THE ABOVE ADVISEMENT

Print name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_ Parent \_\_\_\_\_ (if defendant is under 18)