

WAIVER OF ARRAIGNMENT AND REQUEST TO ENTER PLEA

STATE OF VERMONT

SUPERIOR COURT

CRIMINAL DIVISION

Unit _____

Docket No. _____

STATE OF VERMONT	v.	Defendant's Name	DOB ____/____/____
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Address _____

Offense(s) _____

I, the Defendant named above, am charged with the crime(s) of _____ and have been cited to appear before the above Court on _____ to answer to this charge which is a misdemeanor under the laws of the State of Vermont. I understand that the maximum punishment for this offense is _____

I understand that I have the right to be represented by an attorney at my own expense, and if I cannot afford to hire one, to have one appointed at State expense.

- I am not represented by an attorney and do not wish to be represented by one.
- I am represented by an attorney, whose name is _____ . I believe that my attorney has done all that anyone could do to counsel and assist me.

I understand that as a defendant in a criminal case, I have certain constitutional and statutory rights. I understand that I may plead NOT GUILTY to this offense, and that the State would then have to prove me guilty beyond a reasonable doubt. I understand that by pleading GUILTY or NOLO CONTENDERE I am giving up the following rights, and that the Court may impose the same punishment as if I had plead NOT GUILTY, stood trial, and been convicted by a jury:

- a. the right to appear before a judge to have my rights explained and be given a copy of the Information and the Affidavit describing the charges against me;
- b. the right to a trial by jury;
- c. the right to question any witnesses testifying against me;
- d. the right to present evidence and have witnesses brought to the Court for me at State expense;
- e. the right to remain silent regarding the offense with which I am charged;
- f. the right to appeal.

No threats or force have been used against me by anyone to try to make me plead guilty or nolo contendere. I plead guilty or nolo contendere of my own choice, freely and voluntarily. No promises have been made to me by anyone for the State except those which are contained in the attached Notice of Plea Agreement. I agree that there is a factual basis for my plea of guilty or nolo contendere, supported by the affidavit.

I understand that by pleading GUILTY I admit that I committed the essential parts of the offense with which I have been charged. I understand that by pleading NOLO CONTENDERE I do not deny that I committed the essential parts of the charge. I further understand that a plea of GUILTY or NOLO CONTENDERE to a violation of Title 23 of the Vermont Statutes Annotated may result in a suspension of my license or privilege to operate a motor vehicle in the State of Vermont. I understand that, if I am not a citizen of the United States, a plea of GUILTY or NOLO CONTENDERE may have consequences of deportation or denial of United States citizenship.

I hereby ask the Court to accept my plea of GUILTY NOLO CONTENDERE to the charge(s) listed above. I enclose \$ _____ in a check or money order made payable to the Superior Court of Vermont for payment of the fine imposed by the court, as recommended in the attached Notice of Plea Agreement.

Date	Signature of Defendant
Signature of Guardian ad Litem (if defendant is under 18 years of age)	Signature of Attorney

- I accept the defendant's plea to the charges listed above, finding it to be voluntary and made with knowledge and understanding of its consequences after a knowing waiver of constitutional rights. The plea has a factual basis. I adjudge the defendant guilty and enter a judgment of guilty.
- I do not accept the defendant's plea by waiver for the charges listed above.

Date	Signature of Judge
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