

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): ATTORNEY FOR (NAME):	TELEPHONE NO.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF: DEFENDANT:	People of the State of California	
DEFENDANT'S WAIVER OF PERSONAL PRESENCE AND CONSTITUTIONAL RIGHTS		CASE NUMBER:

I have been advised of, clearly understand and expressly waive each of the following rights:

- 1) My right to trial by jury whereby 12 persons impartially selected from the community determine the facts of my case;
- 2) My right to confront and cross-examine witnesses testifying against me and to subpoena witnesses in my own behalf;
- 3) My right to testify or not to testify in my own behalf; and
- 4) My privilege against self-incrimination whereby I am not required to testify against myself.

If unrepresented by an attorney I understand that I have the right to an attorney, and to have a free attorney if I am unable to hire an attorney of my own. Nevertheless, I expressly waive my right to have an attorney. I recognize that I am given no special consideration because of my lack of legal knowledge and experience, and further recognize that I am likely better off if I consult with an attorney, even if only to discuss whether or not I should be further represented by an attorney.

I understand the charges against me and the maximum penalties possible, including the fact that a plea of guilty or nolo contendere (no contest) may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States. I understand further that a plea of guilty or nolo contendere to section 12500(a), 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5 of the California Vehicle Code will result in the impoundment and forfeiture of my vehicle in the future if I drive it in violation of any of the above sections.

I understand that the plea of nolo contendere (no contest) is the same as a guilty plea except that in misdemeanor cases it may not be used against me in a separate civil action; however, it may be used to suspend or revoke any license to practice a business or profession.

I give up my right to be sentenced not less than 6 hours nor more than 5 days after my plea.

If I have an attorney I authorize him or her on my behalf to enter my plea and to accept my sentence.

I declare under penalty of perjury under the laws of the State of California that I HAVE FULLY READ AND UNDERSTOOD the above and that the foregoing is true and correct.

Dated: _____

Defendant

I declare that I am the attorney of record for the above named Defendant. I have reviewed this form with my client. We have thoroughly discussed each of the above rights, the elements of the offense(s), the facts of the case, any possible defenses and the consequences of this plea. I have answered all of my client's questions. My client appeared to understand everything I explained, and I believe that my client's plea is knowing, understanding, intelligent, free and voluntary. If my client is not present, I am authorized to enter this plea and accept sentence for him/her.

Dated: _____

Attorney for Defendant

Court's Finding & Order: The Court finds that the Defendant understands the above constitutional rights and has expressly, knowingly and intelligently waived those rights. The Court finds that the Defendant's plea(s) and admission(s) are freely and voluntarily made with understanding of the consequences thereof. The Court accepts the Defendant's plea(s) and admission(s), and enters the judgment of conviction. This form shall be filed and incorporated in the docket by reference as though fully set forth therein.

Dated: _____

Judge/Commissioner of the Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS):	TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (NAME):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF:	People of the State of California	
DEFENDANT:		
RENUNCIA DEL ACUSADO A LA PRESENCIA PERSONAL Y A LOS DERECHOS CONSTITUCIONALES		CASE NUMBER:

Se me ha explicado y claramente entiendo y expresamente renuncio a cada uno de los siguientes derechos:

- 1) El derecho a un juicio ante jurado mediante el cual doce personas, escogidas imparcialmente de la comunidad, determinan los hechos en mí caso;
- 2) El derecho a carear e interrogar a los testigos que testifiquen en mi contra y a citar al tribunal a los testigos a mi favor;
- 3) El derecho de testificar o no testificar en mi propia defensa;
- 4) El privilegio de no inculparme a mí mismo, por el cual no se me requiere que dé testimonio en contra de mí mismo.

Si no estoy representado por un abogado, entiendo que tengo el derecho a la asistencia de un abogado y tener la ayuda gratuita de un abogado si no puedo contratar a uno particular. Sin embargo, yo expresamente renuncio a mi derecho de tener un abogado. Reconozco que no me están dando consideración especial debido a mi falta de conocimientos legales y experiencia y asimismo reconozco que probablemente sería mejor para mí, si consultara con un abogado, aunque sólo sea para discutir si debería o no ser representado por un abogado.

Entiendo los cargos en mi contra y el castigo máximo posible, incluyendo el hecho de que una declaración de culpable o de no me opongo ("no contest") podría tener como consecuencia mi deportación, la exclusión de admisión a los Estado Unidos o la denegación de la naturalización, conform a las leyes federales. Entiendo, además, que una declaración de culpable o de no me opongo a la sección 12500(a), 14601, 14601.1, 14601.2, 14601.3, 14601.4, o 14601.5 del Código de Vehículos de California resultará en la incautación y pérdida del título de propiedad de mi vehículo en el futuro si yo lo manejo en violación de cualquiera de las secciones ya mencionadas.

Entiendo que una declaración de no me opongo ("no contest") es lo mismo que una declaración de culpable excepto que en casos de delitos menores no podrá ser usada en mi contra en una acción civil por separado; sin embargo, sí puede usarse para suspender o revocar cualquier licencia para ejercer una profesión o un negocio.

Renuncio a mi derecho de ser sentenciado no menos de 6 horas ni más de 5 días después de mi declaración.

Si tengo un abogado, lo autorizo a presentar mi declaración y aceptar mi sentencia.

Declaro bajo pena de perjurio, conforme a las leyes del Estado de California, que HE LEIDO Y ENTENDIDO COMPLETAMENTE lo anterior y que lo arriba indicado es cierto y correcto.

Fecha: _____

Acusado(a)

I declare that I am the attorney of record for the above named Defendant. I have reviewed this form with my client. We have thoroughly discussed each of the above rights, the elements of the offense(s), the facts of the case, any possible defenses and the consequences of this plea. I have answered all of my client's questions. My client appeared to understand everything I explained, and I believe that my client's plea is knowing, understanding, intelligent, free and voluntary. If my client is not present, I am authorized to enter this plea and accept sentence for him/her.

Dated: _____

Attorney for Defendant

Court's Finding & Order: The Court finds that the Defendant understands the above constitutional rights and has expressly, knowingly and intelligently waived those rights. The Court finds that the Defendant's plea(s) and admission(s) are freely and voluntarily made with understanding of the consequences thereof. The Court accepts the Defendant's plea(s) and admission(s), and enters the judgment of conviction. This form shall be filed and incorporated in the docket by reference as though fully set forth therein.

Dated: _____

Judge/Commissioner of the Superior Court