

YOLO SUPERIOR COURT
DEPARTMENT 10 – JUVENILE TRAFFIC

JUVENILE ADVISEMENT OF RIGHTS
(TO BE COMPLETED BY THE MINOR, NOT THE PARENT)

If you have been charged with an infraction or a misdemeanor, you have the following rights:

1. The right to have **an attorney** present at all stages of the proceedings (If you are charged with a misdemeanor and cannot afford an attorney, the Court, on your request, will appoint an attorney to represent you. The Public Defender's office will charge you at the rate of \$125.00 per hour if they determine that you can afford that amount.);
2. The right to a **speedy trial** by the Court;
3. The right to **confront and cross-examine** witnesses;
4. The right to use the **subpoena powers** of the Court to bring evidence and witnesses to Court on your behalf; and
5. The right **against self-incrimination** (you cannot be forced to testify against yourself).

If you are not a citizen of the United States, an admission or no contest plea could result in you being deported, denied admission to the United States or denied naturalization as a United States citizen.

The maximum penalty (including penalty assessments) for MOST infractions is \$350.00 for the first offense; \$690.00 for the second offense within one year; \$860.00 for the third offense in one year. In addition, you will be charged \$27.00 for each prior "conviction" that shows on your driving record.

Several infractions have higher fine amounts than listed above. For example, a registration violation has a maximum fine of \$860.00 and a MANDATORY minimum fine of \$ 180.00; an insurance violation has a maximum fine of \$ 690.00 and a MANDATORY minimum fine of \$ 350.00; driving at a speed in excess of 100 MPH has a maximum fine of \$ 1,710.00 and, in addition, the Court will suspend your privilege to drive; unlawfully passing a school bus has a maximum fine of \$ 860.00 with a MANDATORY minimum fine of \$ 520.00 for the first offense.

The maximum penalty for MOST misdemeanors is 6 months confinement time and/or a fine of \$ 1,720.00.

**The possible pleas you may enter are:
ADMIT or DENY or NO CONTEST.**

If you admit the charge(s) or plead no contest, both of those pleas will result in a "conviction" and will show on your driving record. (Bicycle, pedestrian and non-alcohol related boating citations do not show on your driving record). A plea of no contest cannot be used against you in a civil lawsuit; however, an admission can.

All offenses will be sentenced immediately, unless you wish to postpone sentencing for not less than six (6) hours and not more than five (5) days. If you wish to postpone sentencing, please immediately tell the Court.

If you are charged with an alcohol related offense, in most cases the Court must suspend your privilege to drive for 1 year if you admit to the charge, plead no contest or have a trial and the allegation is sustained (you are found "guilty"). If your license is suspended, you may not drive. If you do, you can be arrested and if "convicted", the maximum penalty is 6 months confinement time and a fine of \$ 3,420.00. After your license has been suspended, if you feel that you have a critical need to drive (defined as to and from work, school and/or medical appointments), you may petition the court for a restricted rather than a suspended license. The form for that petition is available at the front counter.

If you cannot pay your fine in full at the time of sentencing, you may make payments. **A \$35.00 Accounts Receivable Fee is added to your fine amount when you request time payments.**

If you are choosing the option of traffic school, the fine plus the \$39.00 Court Administrative fee must be paid in one lump sum. You will be given a maximum of two months to pay the entire amount (there is no \$35.00 fee for the two-month extension). In addition to the fine that you pay to the Court for traffic school, each traffic school will charge a "tuition" for the class, which usually ranges from \$ 19.00 to \$ 45.00. Traffic school may be done as a classroom course, a home study course, or on the Internet. If you have not paid your traffic school fee by the due date, you will not be able to attend traffic school and the offense will show as a "conviction" on your record.

I declare under penalty of perjury that I have read this document (or that it has been read to me) and that I understand its contents.

Date: _____ Signature: _____

Print your name here: _____

-----**MINORS DO NOT WRITE BELOW THIS LINE**-----

I, having been sworn or having a written oath on file, certify that I truly translated this for to the minor in the language indicated below. The minor stated that s/he understood the contents of the form and the s/he signed and dated the form.

INTERPRETER'S Signature: _____

Print **INTERPRETER'S** name and language: _____