Reset Form

You can fill out the form by tabbing to each item or you can move the mouse to each item. Start with case number.

STATE OF MICHIGAN 70TH DISTRICT COURT 111 S. Michigan Avenue Saginaw, Michigan 48602	**ADVICE OF RIGHTS** **NOT GUILTY PLEA** **WAIVER OF ARRAIGNMENT**	Case No. Offense date:

People of ☐ the State of Michigan

☐ _____

v.

Defendant's name, address, and telephone no.

TO THE DEFENDANT:

1. **Basic Rights**. You have the following basic rights:
   - to plead guilty or not guilty
   - to have a trial by judge or jury
   - to have the assistance of an attorney
   - to have an attorney appointed at public expense if you are indigent (without money to hire an attorney) and if (A) the offense charged requires on conviction a minimum jail sentence, or (B) the court determines that it may send you to jail

2. **Additional Rights**. If you have a trial, you have the following additional rights:
   - to call witnesses for your defense (and you may get an order requiring witnesses to come to court)
   - to cross-examine all witnesses called against you
   - to testify or to remain silent (without an inference being drawn from your silence)
   - to be presumed innocent until proven guilty beyond a reasonable doubt

3. **Effect of Guilty Plea**. If you plead guilty and your plea is accepted, you will not have a trial of any kind and you will give up the rights listed above. Also, if you are on probation or parole, a guilty plea may result in a violation of probation / parole.

4. **Offense(s) Charged**. *Count 1*:_____ *Count 2*:_____ *Count 3*:_____

5. **Maximum Penalty**. *Count 1*: $_____ and/or _____ days in jail *Count 2*: $_____ and/or _____ days in jail *Count 3*: $_____ and/or _____ days in jail.

6. **Minimum Penalty**. *Count 1*: $_____ and/or _____ days in jail *Count 2*: $_____ and/or _____ days in jail *Count 3*: $_____ and/or _____ days in jail.

7. **Additional Court Sanctions**. The court may also imposed the following sanctions for the indicated offenses:

   A. license suspension for use / possession of controlled substance:
      1st offense: 6 months (no restricted license for 30 days)
      2nd / subsequent offense*: 1 year
      (no restricted license for 60 days)

      [**Note**: *within 7 years]

   B. vehicle immobilization:
      DWLS / DWLR
      2nd offense*: permissive up to 180 days
      3rd / 4th offense*: mandatory 90 – 180 days
      5th offense*: 1 – 3 years
      OWI / OWVI / OWPD / child endangerment
      1st offense: permissive up to 180 days
      2nd offense*: mandatory 90 – 180 days

8. **Additional Secretary of State Licensing Sanctions**. Be advised that, if you plead guilty or no contest to OWI / OWPD / OWVI / minor with any BAC ("zero tolerance") / child endangerment, the maximum possible license sanctions that may be imposed by the Secretary of State (i.e. license suspension or revocation and/or vehicle forfeiture) will be based upon your master driving record maintained by the Secretary of State. Other offenses that are similarly subject to licensing sanctions by the Secretary of State include (A) reckless driving, (B) minor in possession of alcohol, (C) use of false ID to purchase alcohol, (D) open alcohol in motor vehicle, (E) minor transporting alcohol in motor vehicle, and (F) DWLS / DWLR.
   [**Note**: Secretary of State is responsible for administering restricted license requests for these offenses]

DEFENDANT'S PLEA. Understanding my rights, the charge(s), and the penalties / sanctions stated above, I waive arraignment in open court, and I PLEAD **NOT GUILTY**.

Date: _____

_____
Defendant's attorney Bar no.

_____
Address

_____
City / State / Zip Telephone no.

_____
Defendant's signature

_____
Address

_____
City / State / Zip Telephone no.

APPROVED: _____
Date District Court Judge Bar no.

NOTE: This form must be accompanied by the attorney's written Appearance.

NOTE: If the penalty is 93 days or more, the court must be provided with a self-addressed stamped return envelope (and, upon receipt of an Order for Fingerprints, the Defendant must be fingerprinted at the Saginaw County Sheriff Department).

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