

IN THE COUNTY COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

State of Florida vs.

Case No. _____

PLEA OF GUILTY OR NO CONTEST TO CRIMINAL CHARGES IN COUNTY COURT

I have appeared on the below-listed date in County Court, Broward County, Florida, was advised by the Judge of the criminal charge(s) against me, and have entered a plea of GUILTY or NO CONTEST to the charge(s) before the Judge. **I swear under oath before the Judge that I understand the following:**

1. The nature of the charge(s);
2. The difference between the pleas of Guilty, No Contest, and Not Guilty, and the effect of each plea;
3. The right to a trial before a Judge or jury;
4. The right to be represented by an attorney at every stage of the proceedings, including during this plea or trial, and the right to have an attorney appointed if I cannot afford one;
5. The right to plead not guilty or to persist in that plea if it has already been made;
6. The right to have the presumption of innocence until or unless the State proves my guilt beyond a reasonable doubt;
7. The right to question, confront and cross-examine the witnesses against me at trial;
8. The right to call witnesses of my own to testify at trial and have those witnesses compelled to appear by the Court;
9. The right not to testify and remain silent and not to have that fact considered by the Judge or jury at trial;
10. The right to testify at trial, and have my testimony considered by the same standards as other witnesses;
11. The right to have a court reporter make a complete record of the proceedings;
12. The right to appeal to a higher court;
13. The minimum and maximum sentences involved listed on the form titled "Minimum and Maximum Sentences and Other Fees and Costs for Misdemeanor Charges," and the requirement to pay restitution, if applicable;

By pleading Guilty or No Contest, I swear under oath before the Judge the following:

1. I wish to give up all of the above-listed rights, including my right to trial, and I wish to have the Judge now impose the sentence the Judge deems appropriate or as negotiated with the State;
2. I am not under the influence of any alcohol or drugs at this time, do not suffer from any severe mental illness, and I fully understand the Judge's instructions and what my rights are. No one has threatened, coerced, nor promised me anything to enter this plea;
3. I understand that I have the right to speak to the Judge concerning sentencing before sentencing;
4. I understand that I have the right to appeal the legality of my sentence and/or the voluntariness of my plea in writing within thirty (30) days of the date of my plea;
5. I understand that as a result of my plea here today, I may be subject to greater penalties if I am ever charged again or if I am found to be a Habitual Traffic Offender or a Habitual Misdemeanor Offender;
6. I understand that if the offense I am charged with is one for which automatic, mandatory driver's license suspension or revocation is required, that this plea will serve as a basis for such and it will be imposed by the Department of Highway Safety & Motor Vehicles and/or this Court; In addition, this plea may cause me to be declared a Habitual Traffic Offender;
7. I understand that if I am on probation, community control, parole or any other type of supervision, a plea here today may result in a violation of that supervision.
8. I understand if I am not a United States citizen, I ^{will} ~~may~~ be subject to deportation, suffer further negative immigration consequences, and/or be denied citizenship as a result of this plea, and if I am represented by an attorney, I specifically spoke to my attorney about these consequences;
9. I understand that if the offense to which I am pleading is a sexually violent offense or a sexually motivated offense, or I have been previously convicted of such an offense, this plea may subject me to involuntary civil commitment as a sexually violent predator upon completion of my sentence.
10. I understand if I have received the services of a court appointed attorney, this Court will order a judgment/lien as per the Order titled "Judgment/Lien for Attorney's Fees and Costs" unless I request a hearing in writing within thirty (30) days;
11. I am _____ years old; the furthest that I went in school was _____ grade. I have read this entire form or it was read to me.

ATTORNEY _____

BAR # _____

DEFENDANT X _____

Sworn to, by the above-named Defendant, before me on this _____ day of _____, 20____. I find this plea to be by a Defendant who appears alert, intelligent, and understands the nature of the charge(s) and the consequences of entering a plea of Guilty or No Contest, and who has hereby made an informed and voluntary waiver of rights described above, and if doing so without an attorney, waives such right, understanding the advantages of having an attorney and disadvantages of self-representation described on the reverse side of this form.

JILL K LEUY

WAIVER OF RIGHT TO PRIVATE AND/OR COURT APPOINTED ATTORNEY

In addition to what is indicated on the reverse side of this form, I swear under oath before the Judge that I understand the following:

I have been informed that I have been charged with a criminal offense(s) punishable by a potential jail sentence and/or probation, and that this sentence can be imposed upon me if I enter a plea of Guilty or No Contest, proceed to trial and am found guilty, or if I violate any probation which may be imposed. As indicated on the reverse side of this form, I wish to plea GUILTY or NO CONTEST and for the Judge to impose the sentence the Judge deems appropriate or as negotiated with the State WITHOUT THE REPRESENTATION OR ASSISTANCE OF AN ATTORNEY (ALSO KNOWN AS A LAWYER).

I understand that I do have the right to an attorney at every stage of the proceedings. I understand that it may be in my best interest and to my advantage to be represented by an attorney, and I may be at a severe disadvantage if I proceed without an attorney. I understand the ADVANTAGES of having an attorney represent me include, but are not limited to, the following:

1. Prior to trial, an attorney, using legal knowledge and experience, may:
 - a. Take measures to favorably affect bail or pre-trial release possibilities;
 - b. Advise me whether entering a plea is in my best interest;
 - c. Assist me in obtaining different terms of the sentence that I am offered;
 - d. Obtain information about the case through skillful use of discovery devices;
 - e. Uncover potential violations of constitutional, statutory and/or procedural rights and take effective measures to address them, including moving for suppression of some or all of the evidence in the case, or for dismissal or reduction of the charges;
 - f. Ensure compliance with speedy trial and statute of limitations provisions; and
 - g. Identify and secure favorable evidence or impeachment evidence to be introduced later at trial on my behalf;
2. At trial, an attorney, using legal knowledge and experience of the entire process, may:
 - a. Argue for my side during the entire trial and present the best legal argument for my defense;
 - b. Enhance the jury selection process on my behalf;
 - c. Call witnesses for me, question the witnesses against me, and present evidence on my behalf;
 - d. Advise me on whether or not I should testify, the consequences of that decision, and what I have a right not to say;
 - e. Based on the attorney's knowledge of the rules of evidence, know what evidence can or cannot come into my trial and make the proper objections accordingly;
 - f. Provide assistance in ensuring that the jury is given complete and accurate jury instructions by the Court, may make effective closing arguments on my behalf, and may prevent improper arguments by the prosecutors; and
 - g. Ensure that any errors committed during trial are properly preserved for appellate review later by a higher court.
3. After trial, if I am convicted, an attorney, using legal knowledge and experience may:
 - a. Assist in preparing for sentencing, ensuring that favorable facts are brought to the attention of the Court, that the Court is advised of all legally available favorable dispositions, and that the sentence is lawfully imposed; and
 - b. Assist in filing an appeal and in seeking release on bail pending the appeal.

I understand that it is almost always unwise to represent myself in Court and the DISADVANTAGES AND DANGERS of NOT having an attorney represent me include, but are not limited to the following:

1. I will not get any special treatment from the Court just because I am representing myself;
2. I will not be entitled to a continuance simply because I wish to represent myself;
3. If I am in custody, I will be limited to the legal resources that are available to me while in custody. I will not be entitled to any additional library privileges just because I am representing myself. An attorney has fewer restrictions in researching my defense;
4. Although I am not required to possess the legal knowledge or skills of an attorney to represent myself, I will be required to abide by the rules of criminal law and courtroom procedure. These laws took attorneys years to learn and abide by. If I demonstrate an unwillingness to abide by these rules, the judge may terminate my self-representation;
5. If I am disruptive in the courtroom, the judge can terminate my self-representation and remove me from the courtroom, in which case the trial would continue without my presence;
6. My access to the prosecutor who is prosecuting me, who I understand does not represent me, will be severely reduced as compared to an attorney who could easily contact the prosecutor;
7. The prosecutor will not go easier on me or give me any special treatment because I am representing myself, and will present the case against me as if I was an experienced attorney;
8. If I am convicted, I cannot claim on appeal that my own lack of legal knowledge or skill constitutes a basis for a new trial. In other words, I cannot claim that I received ineffective assistance of counsel based on the fact that I decided to represent myself.

Having been advised of my right to an attorney, the advantages of having an attorney, and the disadvantages and dangers of proceeding without an attorney, I still wish to waive my right to an attorney and do not want to hire or have an attorney appointed to represent me.

DATE: _____

DEFENDANT X