**IN THE CITY COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, STATE OF MONTANA**

*(County)*

|  |  |
| --- | --- |
| State of Montana  vs.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Defendant. | Docket No: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ INITIAL APPEARANCE **RIGHTS FORM** |

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ IS YOUR NAME \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_? YES NO

ARE YOU CURRENTLY UNDER THE INFLUENCE OF ALCOHOL OR DRUGS? YES NO

YOU HAVE BEEN CHARGED WITH: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COMMITTED ON \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

THE MAXIMUM PENALTY FOR THIS (THESE) CHARGE(S) IS (ARE) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AND THE MINIMUM IS (ARE) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DO YOU UNDERSTAND THE CHARGE(S) AND THE POSSIBLE PENALTIES AGAINST YOU? YES NO

YOU HAVE THE RIGHT TO REMAIN SILENT. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW. YOU HAVE A RIGHT TO HAVE AN ATTORNEY PRESENT BEFORE YOU MAKE ANY STATEMENTS, ANSWER ANY QUESTIONS, OR MAKE A PLEA OFGUILTY OR NOT GUILTY. IF YOU HAVE NO MONEY OR ASSETS AND YOU QUALIFY, AN ATTORNEY CAN BE APPOINTED FOR YOU BY THE COURT.

DO YOU UNDERSTAND THESE RIGHTS? YES NO

DO YOU WISH TO SPEAK WITH AN ATTORNEY? YES NO

DO YOU WISH TO HAVE AN ADEQUATE TIME TO THINK

ABOUT THE CHARGES BEFORE YOU MAKE A PLEA? YES NO

IF YOU PLEAD GUILTY, DO YOU UNDERSTAND YOU WILL

GIVE UP YOUR RIGHT TO A JURY TRIAL AND APPEAL? YES NO

TO CROSS EXAMINE WITNESSES? YES NO

TO CALL WITNESSES ON YOUR OWN BEHALF? YES NO

IF YOU PLEAD NOT GUILTY, YOU HAVE A RIGHT TO HAVE

THE STATE PROVE THE CHARGE(S) BEYOND A REASONABLE DOUBT. YES NO

HOW THEN DO YOU WISH TO PLEAD TO THE ABOVE CHARGE(S)? GUILTY NOT GUILTY

MY SIGNATURE ATTESTS THAT I HAVE BEEN ADVISED OF MY RIGHT TO COUNSEL AND HEREBY WAIVE THAT RIGHT AND MAKE MY PLEA TO THE ABOVE CHARGE(S) KNOWINGLY, WILLFULLY, AND INTELLIGENTLY.

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DEFENDANT

THIS COURT FINDS A FACTUAL BASIS FOR WHICH TO ACCEPT THE PLEA.

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JUDGE