

Superior Court of California, County of Contra Costa

MARTINEZ PITTSBURG RICHMOND

PLAINTIFF:

PEOPLE OF THE STATE OF CALIFORNIA

DEFENDANT:

ADVISEMENT OF RIGHTS, WAIVER, AND PLEA FORM
Deferred Entry of Judgment (Penal Code §1000 et seq.)

CASE NUMBER:

Fill out this form in addition to a change of plea form, if you wish to plead guilty to the charges against you in order to participate in the Deferred Entry of Judgment Program (DEJ Program). If you successfully complete the requirements of the DEJ Program as directed by the Court, your case will be dismissed. If you do not successfully complete these requirements, the Court will enter judgment based on your guilty plea and the sentence will be imposed in your case.

NATURE OF THE CHARGES (Complete all items you are charged with.)

1. I understand that I am charged with the following offense(s):

 TYPE OF OFFENSE(S) AND SECTION NUMBER(S)

2. If applicable - I understand that I am also charged with having the following prior convictions(s): _____

 LIST OFFENSE(S), CASE NUMBER(S) and DATE(S)

3. I understand the charge(s) against me.

PARTICIPATION IN DEFERRED ENTRY OF JUDGMENT (DEJ) PROGRAM

4. I understand that as part of the DEJ Program, I will be required to successfully complete a drug program for a period of at least 18 months. I will also be required to pay a drug program fee, depending on my ability to pay.

5. I understand that the Court will order me to pay a diversion-deferred entry of judgment restitution fee.

6. I understand that I may be required to undergo urine analysis to test for the presence of drugs, but the results will not be admissible as the basis of any new criminal prosecution or proceeding.

7. I understand that if I successfully complete the DEJ Program, my guilty plea will not constitute a conviction for any purpose, unless a judgment of guilty is entered as specified in number 8 below.

8. I understand that the Court may, after notice to me, schedule a hearing for sentencing and, thereafter, enter judgment if: (1) I perform unsatisfactorily in the DEJ Program; or (2) I am convicted of any felony; or (3) I am convicted of any misdemeanor indicating a propensity for violence; or (4) I engage in any other criminal conduct rendering me unsuitable for deferred entry of judgment.

9. I understand that I have a right to wait from 6 hours to 5 days prior to the pronouncement of the judgment for a misdemeanor, and to wait up to a maximum of 20 judicial days for a felony. I give up this right in order to participate in the DEJ Program.

CONSEQUENCES OF TERMINATION OF PARTICIPATION IN DEJ PROGRAM

10. I understand that my entry of a plea or pleas under this program will constitute a conviction for purposes of Federal immigration laws which may result in the consequences set forth in #24 on the felony Adversment of Rights form and #13 on the misdemeanor Adversment of Rights form attached hereto.

INITIALS

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

Continued on reverse

