

IN THE INTEREST OF:

IN THE CIRCUIT COURT IN AND FOR
ST. LUCIE COUNTY, FLORIDA

_____, a child

Case Number(s) _____

PLEA OF GUILTY, NOLO CONTENDERE, OR ADMISSION OF VIOLATION OF PROBATION

MY TRUE NAME IS: _____

I am _____ years old and I have completed the _____ grade in school.

- I can read, write and understand the English language.
- I cannot read, write or understand English. However, this document has been read and explained to me word for word by _____.
- I cannot read or understand English; however, an interpreter speaking my language has read this document to me word for word.
- I am not currently under the influence of drugs, alcohol, or medication that would affect my understanding of this plea form and my change of plea.

I am represented by an attorney whose name is _____.

1. I understand that I can enter any of the following pleas:
 - a. NOT GUILTY, and deny that I committed the crime(s), or
 - b. GUILTY, and admit that I committed the crime(s), or
 - c. NOLO CONTENDERE OR NO CONTEST, where, I am not admitting that I committed the crime(s) but I am stating that it is my best interest to enter this plea, or to not contest the evidence that the state might have against me. I understand that the Court will proceed to the disposition or sentencing of the case and will treat me as if I had committed the crime.
 - d. DENY a Violation of Probation (if this is a violation of probation matter)
 - e. ADMIT the violation of Probation (if this is a violation of probation matter).

2. By signing this form I understand that I am entering a plea of:

- GUILTY
- NOLO CONTENDERE OR NO CONTEST
- ADMITTING TO VIOLATING MY PROBATION/SUPERVISION

BY ENTERING THIS PLEA I UNDERSTAND THERE WILL BE NO TRIAL.

3. Prior to the entry of this plea, I have been informed of the crime(s) charged against me and understand that if I am found guilty of the charge(s) the Court could place me on probation or commit me to the Department of Juvenile Justice.
 - a. If I am placed in a probation program, and adjudication of delinquency is withheld, I understand that the length of time will be for an indeterminate period, but shall not go past my 19th birthday. If I am placed in a probation program, and am adjudicated delinquent, I understand that the length of time will be the maximum term of imprisonment an adult may serve for each count I am sentenced on, which is six months for any second degree misdemeanor, one year for any first degree misdemeanor, five years for any third degree felony, fifteen years for any second degree felony and thirty years for any first degree felony or first degree felony punishable by life; but in any case would not exceed my 19th birthday.
 - b. If committed to a program with the Department of Juvenile Justice, there must be an adjudication of delinquency. I understand that the length of commitment to the program will be for an indeterminate period of time, but shall not go past my 21st birthday or the maximum term of imprisonment an adult may serve for each count sentenced, whichever comes first. The maximum term of commitment is sixty

days for any second degree misdemeanor, one year for any first degree misdemeanor, five years for any third degree felony, fifteen years for any second degree felony and thirty years for any first degree felony or first degree felony punishable by life.

4. I understand that I have the right to have a lawyer give me advice and represent me in Court at every stage of this case, including a trial. If I cannot afford a lawyer, the Court will appoint a lawyer for me. If a lawyer is appointed and if I am found guilty of the charge(s), a fee may be assessed for the services of the court-appointed lawyer.
5. I understand that I have the right to plead Not Guilty and the right to an adjudicatory hearing or trial where the State of Florida will present evidence to the judge in an attempt to prove that I am guilty beyond a reasonable doubt by admissible evidence. At that hearing, or trial, I have the right to assistance of counsel, the right to require witnesses to appear before the judge on my behalf, the right to confront, question and cross-examine witnesses against me, and the right to testify in my own defense and have the judge consider that testimony no different than any other evidence or to remain silent, knowing that my remaining silent would not be held against me.
6. I also understand that by pleading GUILTY or NOLO CONTENDERE / NO CONTEST or ADMITTING of to a Violation of Probation that I will waive all of my rights to appeal anything other than an illegal disposition (sentence) or an involuntary plea.
7. I understand that if I enter a guilty, nolo contendere/no contest plea or admission that the court may ask me questions about the offense to which I have pled, and if those questions are answered under oath, on record, the answers may be later used against me in a prosecution for perjury.
8. I understand the complete terms of this plea agreement as written including the specific obligations I will be required to do as a result of the plea. This includes all community based sanctions that will be requested of me.
9. I understand that if I am sentenced for certain sex offense that I may have to register as a sexual offender and that my name, address, photograph, and other personal information may be posted on the Internet and in other public places as part of a community notification of where I am living and working. I have discussed what sex offenses might apply to my case with my attorney.
10. I understand if I am entering a plea to any "sexually violent offense" or a "sexually motivated offense" the Jimmy Ryce Act will apply to me, and I can be held in involuntary civil confinement indefinitely after any commitment program ends. I also understand that even if the offense I am entering a plea to is not a "sexually violent offense" or a "sexually motivated offense," I can still be held in involuntary civil confinement indefinitely after my commitment ends if it is determined later that I have been convicted previously of a qualifying offense.
11. I know of no physical, or DNA evidence, that would show that I am not the person who committed this crime(s).
12. I understand that if I plead guilty or nolo contendere and I am not a United States citizen, the facts underlying the plea and court action taken on my plea may subject me to deportation pursuant to the laws and regulations governing the United States Citizenship and Immigration Services.

In entering this plea, I am telling the Court the following is true:

No one has made me or put pressure on me to plead GUILTY, NO CONTEST, or ADMIT THE VIOLATION, and I am entering my plea because I want to, of my own free will.

Other than that the recommendation below, nobody has promised me anything, guaranteed me anything, or said that I would get something in return for entering my plea. I understand that if any such promise or representation was made, it has no effect and the only representations before the court are those in this plea form.

I understand that once the judge accepts my plea of GUILTY, NOLO CONTENDERE / NO CONTEST, or my ADMISSION TO THE VIOLATION, **I cannot come back later and change my plea to NOT GUILTY.**

I understand, the Assistant State Attorney, my attorney and I have agreed to recommend the following to the court:

- Adjudication; Withhold of Adjudication; No agreement on Adjudication
- State to stand silent on the issue of adjudication;
- PDR Waived. PDR requested, PDR AND COMPREHENSIVE EVALUATION requested,
- PDR, COMPREHENSIVE EVALUATION and COMMITMENT STAFFING requested,

- PLEA TO COURT (WITH NO PROMISE AS TO DISPOSITION/SENTENCE)**
- COMMITMENT to DJJ** _____ ;
Commitment is Concurrent; Consecutive, _____
 Followed by Conditional Release and Post Commitment Probation, with the following conditions;
 Direct Discharge, no Post Commitment conditions;

- PROBATION** with recommendations as listed below and any recommendations made in court;

I also understand that it is an express condition of this plea that I attend the Disposition (sentencing) Hearing as ordered and not commit any new crimes or violations while awaiting my disposition. If I willfully fail to appear for the Disposition Hearing, or if there is probable cause to believe that I committed any new crime, Violation of Home Detention or Violation of Probation while awaiting my disposition, I understand that the State is not required to make the same sentencing recommendation that is contained in this plea agreement at disposition.

PLEA TO THE CHARGE(S)

Having been advised of my rights above and the plea above, I want to plead:

GUILTY, or; NOLO CONTENDRE / NO CONTEST; or ADMIT the VOP to:

Assistant State Attorney's signature: _____ Date: _____

Authority of Court Over Parents or Guardians; Pursuant to Section 985.513(2) Florida Statutes, the natural parents/legal custodian/guardian may, upon order of the court, be required to participate in family counseling and other professional counseling activities deemed necessary for the rehabilitation of the child or to enhance their ability to provide the child with adequate support, guidance, and supervision. Additionally, the parent/custodian/guardian shall support the child and participate with the child in fulfilling all court-imposed sanctions. Failure to comply with the Court's disposition (sentence) order shall subject the parent/custodian/guardian to the contempt powers of the court.

The Parents/Legal Custodian/Guardians who are supporting the child and participating with the child in fulfilling all court-imposed sanctions are (List all Parents/Legal Custodians/Guardians even if they are not present):

1. _____ Parent Legal Custodian/Guardian _____
Print Name – and check box Date

_____ Parents/Legal Custodian/Guardian not present at disposition.
Sign Name

2. _____ Parent Legal Custodian/Guardian _____
Print Name – and check box Date

_____ Parents/Legal Custodian/Guardian not present at disposition.
Sign Name

Child

Date

The undersigned counsel for the Child testifies that the above plea form has been explained to the Child, and the Child understands all the rights listed above, the nature of the charge and possible dispositions available to the court as well as the complete terms of the plea agreement including all obligations the child will incur as a result of the plea agreement and disposition (sentencing).

Attorney for Child

Date

The Court determines that the plea is made freely and voluntarily, upon a knowing and intelligent waiver of the Child's rights, and with a full understanding of the nature of the allegations/charges herein and the possible consequences of the plea, and that there is a factual basis for the Court to accept the plea to the charge(s) based on the facts contained in the arrest, complaint or violation of probation affidavit filed with the court. The child is not under the influence of any substance that would impair or interfere with the child's understanding of these proceedings or the entry of this plea. The plea is hereby accepted.

DONE AND ORDERED on this _____ day of _____, 20_____.

Circuit Judge