

**Form 9. Statement of Rights: Juvenile Petty Offender Proceedings****STATEMENT OF RIGHTS****JUVENILE PETTY OFFENDER PROCEEDINGS**

You have been charged with a petty offense by a document filed in Juvenile Court. You are presumed innocent of the charge(s) unless and until the state is able to prove guilt beyond a reasonable doubt. You have the following rights:

1. The right to understand the charge(s) against you.
2. The right to be represented by an attorney that you hire. You do not have a right to appointment of a public defender or other counsel at public expense. If you wish to be represented by an attorney, you or your parent(s), legal guardian(s), or legal custodian(s) must hire one and pay the cost. You may not be represented in court by anyone who is not an attorney, even if that person is your parent.
3. The right to plead guilty, plead not guilty, or remain silent. If you remain silent, the judge will enter a not guilty plea for you and the case will go to trial.
4. If you plead not guilty, you have additional rights including:
  - a. The right to a trial before a judge;
  - b. The right to require the state to prove beyond a reasonable doubt that you committed the offense(s);
  - c. The right to cross-examine witnesses called by the state;
  - d. The right to subpoena witnesses and present evidence on your own behalf; and
  - e. The right not to testify or to give an explanation of your actions.
5. If you plead guilty, you give up the rights listed in paragraph 4. The judge will ask you what you did. The judge cannot accept your plea unless you admit doing something that is an offense.
6. Your guilty plea must be made freely and voluntarily, without threats or promises by anyone, with the exception of any plea agreement.
7. If you plead guilty or the judge finds you guilty of an offense, the judge may:
  - a. Require you to pay a fine of up to \$100;
  - b. Require you to take part in a community service project;
  - c. Require you to participate in a drug awareness program;
  - d. Place you on probation for up to six months;
  - e. Order you to undergo a chemical dependency evaluation and participate in an outpatient treatment program;
  - f. Order restitution for any damage to person(s) and/or property; and/or
  - g. Order you to perform other activities or participate in other outpatient treatment programs deemed appropriate by the judge.
8. If you plead guilty or the judge finds you guilty of a second or subsequent juvenile alcohol or controlled substance offense, in addition to the above penalties, the judge may:

# MINNESOTA COURT RULES

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- a. Send your driver's license or driving permit to the Commissioner of Public Safety who shall revoke it for one year or until your 18th birthday, whichever is longer.
  - b. Suspend your driver's license or driving permit for up to 90 days, but allow you to travel to work.
  - c. If you do not have a driver's license or driving permit, the judge may order denial of your driving privileges for one year or until your 18th birthday, whichever is longer.
9. If you plead guilty to, or the judge finds you committed a third juvenile alcohol or controlled substance offense, and a chemical dependency evaluation recommends inpatient treatment, you have a right to appointment of a public defender or other counsel at public expense.
10. Your parent(s), legal guardian(s), or legal custodian(s) may not participate in the hearing until you have either pled guilty or the judge finds you guilty of the offense. At that time, your parent(s), legal guardian(s), or legal custodian(s) has the right to present information to the judge and may be represented by an attorney.

IF YOU HAVE ANY QUESTIONS ABOUT YOUR RIGHTS, ASK YOUR ATTORNEY BEFORE THE HEARING. IF YOU DO NOT HAVE AN ATTORNEY, ASK THE JUDGE DURING YOUR HEARING.

DATE: \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Child)

DATE: \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Parent, Legal Guardian, or Legal Custodian)

(11/02)