

APPENDIX G TO MINN. R. CRIM. P. 15

State of Minnesota

District Court

County

Judicial District: _____

Court File Number: _____

Case Type:

Criminal

State of Minnesota,

Plaintiff

Alford Addendum to

Petition to Enter Plea of

vs.

Guilty Pursuant to Rule 15

_____,

Defendant

TO THE ABOVE-NAMED COURT:

When a defendant tenders a guilty plea while maintaining innocence, the following language replaces paragraphs 24 and 25 of the Petition to Enter Plea of Guilty in Felony Case Pursuant to Rule 15. The district court and parties must ensure that an adequate factual basis is established on the record. See North Carolina v. Alford, 400 U.S. 25, 38, 91 S. Ct. 160, 168 (1970); State v. Theis, 742 N.W.2d 643, 649 (Minn. 2007); State v. Goulette, 258 N.W.2d 758, 761 (Minn. 1977).

I, _____, Defendant in the above-entitled action, do respectfully represent and state as follows:

My attorney has told me and I understand that a judge generally will not accept a plea of guilty from someone who claims to be innocent. However, I understand that the judge may accept my *Alford* guilty plea despite my claim of innocence, so long as I agree the state's evidence is sufficient for a jury to find me guilty, beyond a reasonable doubt, if I have a trial. With this principle in mind, I acknowledge that:

- a. I have reviewed the evidence that the state will offer against me if I have a trial.
- b. I believe that there is a substantial likelihood that I will be found guilty, beyond a reasonable doubt, of the offense to which I am pleading if the state's evidence is presented against me at trial.
- c. If the judge accepts my *Alford* guilty plea, I will be convicted of the offense to which I am pleading, and I will be considered just as guilty as I would be if I had admitted my guilt. My claim of innocence will not have any impact on the terms and conditions of my sentence, my probation (if any), or any collateral consequences stemming from my conviction, including civil commitment for treatment.
- d. I may be required to successfully complete treatment for my conduct underlying the offense to which I am pleading. If I am required to successfully complete such treatment and I refuse to admit my guilt in treatment, I may be discharged from treatment. Failure to complete such treatment may result in my incarceration, civil commitment for treatment, or both.

MINNESOTA COURT RULES

CRIMINAL PROCEDURE

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Dated: _____

Signature of Defendant

Name: _____

Street Address: _____

City/State/Zip: _____

E-mail address: _____

(Added effective October 1, 2017.)