

THIS FORM MUST BE FILLED IN COMPLETELY

**VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF NORFOLK
FOURTH JUDICIAL CIRCUIT**

COMMONWEALTH OF VIRGINIA

v.

DOCKET NO.: CR _____ - _____
(complete)

Defendant

ADVICE TO DEFENDANTS PLEADING GUILTY

I am the Defendant in this matter and am represented by attorney_____
I understand that before accepting my plea of guilty the court must be sure that I understand what I am doing and that I understand the rights that are being given up by me.

1. My **full** name is: _____
 First Middle Last
2. My date of birth is: _____
3. My social security number is: _____
4. The last grade in school I finished was: _____
5. I ___ have/ ___ do not have a high school diploma or GED (circle which one).
6. I ___ have/ ___ do not have education past high school. If you have post high school education describe: _____

7. I ___ can/ ___ cannot read and write.
8. I am pleading guilty to the following crime(s):
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
9. I fully understand the charges against me. I have talked about these charges and their elements with my lawyer, and I understand what the Commonwealth must prove before I can be found guilty of these charges.

Defendant's initials

10. My lawyer and I have had enough time to talk about any possible defenses I may have to these charges.
11. My lawyer and I have talked about whether I should plead guilty or not guilty. I decided for myself to plead guilty.
12. I am entering my plea of guilty both freely and voluntarily.
- a. I am pleading guilty because I am in fact guilty of this/these crime(s).
- b. I am pleading guilty because the Commonwealth has substantial evidence of guilt and I do not wish to risk trial. (*Alford* plea).
13. No one connected with my arrest or prosecution, such as a prosecuting attorney or police officer, or any other person, whether connected with my arrest and prosecution or not, has threatened me or forced me to plead guilty, including my attorney.
14. Other than what may be contained in my plea agreement, no one has made any promises to me in return for my plea of guilty.
15. I understand that the maximum possible sentence for this/these crimes(s) is as follows, in addition to all court costs and up to three years of post release supervision, pursuant to Va. Code §19.2-295.2: (BOTH terms of imprisonment *and* fines are to be inserted, where applicable)
- a. _____ (x): a term of ___ years of imprisonment and a fine of \$ _____
(charge)
- b. _____ (x): a term of ___ years of imprisonment and a fine of \$ _____
(charge)
- c. _____ (x): a term of ___ years of imprisonment and a fine of \$ _____
(charge)
- d. _____ (x): a term of ___ years of imprisonment and a fine of \$ _____
(charge)
16. I have discussed the sentencing guidelines with my attorney, if applicable, and understand that the court is not required to follow the guidelines, unless my plea agreement contains a provision requiring the court to do so and the court accepts the plea agreement.
17. I understand that by virtue of my guilty plea to certain charges that I am required to serve a mandatory minimum sentence of _____. (if inapplicable, write "n/a").
18. I understand that post-release supervision, pursuant to Va. Code §19.2-295.2, also applies to any plea agreement into which I have entered with the Commonwealth.

Defendant's initials

19. I understand that by pleading guilty I give up my right to a jury trial.
20. I understand the procedural and legal differences between jury and bench trials and my attorney and I have discussed the advantages and disadvantages of having a jury trial versus a bench trial.
21. I understand that by pleading guilty I give up my right to refuse to testify and may be required to testify.
22. I understand that by pleading guilty I give up my right to have the witnesses against me testify in open court.
23. I understand that by pleading guilty I give up my right to defend myself against this/these charge(s).
24. I understand that by pleading guilty I give up my right to appeal the decision of the court and waive all preceding non-jurisdictional defects, including constitutional claims.
25. IF I AM ON PROBATION OR PAROLE, I understand that a conviction for this/these charge(s) could cause my probation to be revoked. I could be ordered to serve all or a portion of any suspended sentence I may have.
26. IF I AM IN PRISON, I understand that a conviction for this/these charge(s) could affect my right to parole.
27. IF I AM UNDER A SUSPENDED SENTENCE TO THE JAIL/PENITENTIARY, I understand that a conviction for this/these charge(s) could result in me being ordered to serve all or a portion of that any suspended sentence.
28. IF I AM NOT A CITIZEN OF THE UNITED STATES OF AMERICA, I understand that a conviction for this/these charge(s) could result in my detention and deportation by the United States Immigration and Naturalization Service.
29. I understand that the criminal conviction(s) that may result from this plea may, in addition to confinement and/or a fine, carry a variety of other consequences, including but not limited to, civil commitment, civil forfeiture, loss of the right to vote, disqualification from public benefits, ineligibility to possess firearms, dishonorable discharge from the Armed Services, loss of driving privileges, and loss of business licenses.
30. I understand that a person convicted of a felony must submit to DNA testing.
31. I have had sufficient time and opportunity to discuss my case in detail with my attorney.
32. I am entirely satisfied with the services of my attorney.

Defendant's initials

33. I am not under any undue mental pressures and am not under the influence of any alcohol or drugs.

34. I have read every item in this document, line by line, or if I am unable to read, my attorney has read it to me, line by line. My attorney and I have discussed every item in this document and I fully understand its content. All of my answers are truthful.

Date: _____
_____ Defendant

ATTORNEY'S CERTIFICATION

I CERTIFY that I have discussed the contents of this document, line by line, with my client, who is the defendant in this case. I FURTHER CERTIFY that I am satisfied that my client understands the contents of this document and the implications of this guilty plea and that my client's plea is voluntarily and intelligently made.

Date: _____
_____ Attorney for the Defendant