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New Jersey Judiciary Plea Form

County _____
Prosecutor File Number _____

Defendant's Name: _____
before Judge: _____

1. List the charges to which you are pleading guilty:

Indictment/ Accusation/ Complaint Number	Count	Nature of Offense	Degree	Statutory Maximum			VCCO Assessment*
				Time	Fine		
_____	_____	_____	_____	Max	_____	_____	_____
_____	_____	_____	_____	Max	_____	_____	_____
_____	_____	_____	_____	Max	_____	_____	_____
_____	_____	_____	_____	Max	_____	_____	_____
_____	_____	_____	_____	Max	_____	_____	_____
Your total exposure as the result of this plea is:				Total	_____	_____	_____

Please Circle Appropriate Answer

2. a. Did you commit the offense(s) to which you are pleading guilty? ☐ Yes ☐ No
- b. Do you understand that before the judge can find you guilty, you will have to tell the judge what you did that makes you guilty of the particular offense(s)? ☐ Yes ☐ No
3. Do you understand what the charges mean? ☐ Yes ☐ No
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
- a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? ☐ Yes ☐ No
- b. The right to remain silent? ☐ Yes ☐ No
- c. The right to confront the witnesses against you? ☐ Yes ☐ No
- d. Do you understand that by pleading guilty **you are not waiving** your right to appeal (1) the denial of a motion to suppress physical evidence (*R. 3:5-7(d)*) or (2) the denial of acceptance into a pretrial intervention program (PTI) (*R. 3:28-6(d)*)? ☐ Yes ☐ No

*Victims of Crime Compensation Office Assessment

4. e. Do you further understand that by pleading guilty **you are waiving** your right to appeal the denial of all other pretrial motions except the following: ☐ Yes ☐ No

5. Do you understand that if you plead guilty:

- a. You will have a criminal record? ☐ Yes ☐ No
- b. Unless the plea agreement provides otherwise, you could be sentenced to serve the maximum time in confinement, to pay the maximum fine and to pay the maximum Victims of Crime Compensation Office Assessment? ☐ Yes ☐ No
- c. You must pay a minimum Victims of Crime Compensation Office assessment of \$50 (\$100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty? (Penalty is \$30 if offense occurred between January 9, 1986 and December 22, 1991 inclusive. \$25 if offense occurred before January 1, 1986.) ☐ Yes ☐ No
- d. If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and you are being sentenced to probation or a State correctional facility, you must pay a transaction fee of up to \$1.00 for each occasion when a payment or installment payment is made? If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, you must pay a transaction fee of up to \$2.00 for each occasion when a payment or installment payment is made? ☐ Yes ☐ No
- e. If the offense occurred on or after August 2, 1993 you must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction? ☐ Yes ☐ No
- f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation? ☐ Yes ☐ No
- g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30? ☐ Yes ☐ No
- h. You will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing? ☐ Yes ☐ No

5. i. Computer Crime Prevention Fund Penalty, N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). If the crime involves a violation of N.J.S.A. 2C:24-4b(3) (causes or permits child to engage in sexual act that is to be photographed or exhibited), if the crime was committed on or after February 1, 2018, N.J.S.A. 2C:24-4b(4) (photographs or films a child in sexual act), if the crime was committed on or after February 1, 2018, N.J.S.A. 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography), N.J.S.A. 2C:24-4.1 (leader of a child pornography network), if the crime was committed on or after February 1, 2018, N.J.S.A. 2C:34-3 (selling, distributing or exhibiting obscene material to a person under age 18) or an offense involving computer criminal activity in violation of any provision of Title 2C, chapter 20, you will be assessed a mandatory penalty as listed below for each offense for which you pled guilty?
- (1) \$2,000 in the case of a 1st degree crime
(2) \$1,000 in the case of a 2nd degree crime
(3) \$ 750 in the case of a 3rd degree crime
(4) \$ 500 in the case of a 4th degree crime
(5) \$ 250 in the case of a disorderly persons or petty disorderly persons offense
- Total CCPF Penalty \$ _____
6. Do you understand that **the court could**, in its discretion, impose a minimum time in confinement to be served before you become eligible for parole, which period could be as long as one half of the period of the custodial sentence imposed? ☐ Yes ☐ No
7. Did you enter a plea of guilty to any charges **that require** a mandatory period of parole ineligibility or a mandatory extended term? ☐ Yes ☐ No
- a. If you are pleading guilty to such a charge, the minimum mandatory period of parole ineligibility is ____ years and ____ months (fill in the number of years/months) and the maximum period of parole ineligibility can be ____ years and ____ months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.
- b. If you are pleading guilty to such a charge, the minimum mandatory extended term is ____ years and ____ months (fill in the number of years/months) and the maximum mandatory extended term can be ____ years and ____ months (fill in the number of years/months).
8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that it is almost certain that you will go to state prison? ☐ Yes ☐ No
9. Are you presently on probation or parole? ☐ Yes ☐ No
- a. Do you realize that a guilty plea may result in a violation of your probation or parole? ☐ Yes ☐ No ☐ NA
10. Are you presently serving a custodial sentence on another charge? ☐ Yes ☐ No
- a. Do you understand that a guilty plea may affect your parole eligibility? ☐ Yes ☐ No ☐ NA

11. Do you understand that if you have plead guilty to, or have been found guilty on other charges, or are presently serving a custodial term and the plea agreement is silent on the issue, the court may require that all sentences be made to run consecutively? ☐ Yes ☐ No ☐ NA

12. List any charges the prosecutor has agreed to recommend for dismissal:

Indictment/Accusation/

Complaint Number

Count

Nature of Offense and Degree

13. Specify any sentence the prosecutor has agreed to recommend:

14. Has the prosecutor promised that he or she will **NOT**:

a. Speak at sentencing?

☐ Yes ☐ No

b. Seek an extended term of confinement?

☐ Yes ☐ No

If yes, was this promise or agreement part of a negotiated plea where the prosecutor represents you are otherwise eligible to receive a mandatory extended term for repeat drug offenders and the prosecutor has agreed to request a period of incarceration or parole ineligibility that is less than what would be required for an extended term?

☐ Yes ☐ No

c. Seek a stipulation of parole ineligibility?

☐ Yes ☐ No

15. Are you aware that you must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution?

☐ Yes ☐ No ☐ NA

16. Do you understand that if you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty?

☐ Yes ☐ No ☐ NA

- 17.** If you are not a citizen of the United States, this guilty plea may have serious immigration consequences. Please answer the following questions regardless of your immigration status.
- a.** If you are not a citizen of the United States, pleading guilty to this offense could result in your removal or deportation from the United States, denial of naturalization, denial of re-entry, or exclusion from admission – now or in the future – even if you are lawfully present or have lived in the United States for many years. Do you understand that? ☐ Yes ☐ No
 - b.** Do you understand that you have the right to seek advice from an attorney whether and how your citizenship or immigration status could be affected by your plea, conviction, or sentence? ☐ Yes ☐ No
 - c.** Have you discussed with your attorney the potential immigration consequences of your plea? If yes, proceed to question 17(e). If no, proceed to question 17(d). ☐ Yes ☐ No
 - d.** Would you like the opportunity to do so? ☐ Yes ☐ No
 - e.** Having been advised of any possible immigration consequences of a guilty plea, and your right to get legal advice about those consequences, do you still want to plead guilty? ☐ Yes ☐ No
- 18. a.** Do you understand that pursuant to the rules of the Interstate Compact for Adult Offender Supervision if you are residing outside the State of New Jersey at the time of sentencing, or upon entry of a guilty plea if a guilty plea is a condition of admission to the Pretrial Intervention Program, that return to your residence may be delayed pending acceptance of the transfer of your supervision by your state of residence? ☐ Yes ☐ No
- b.** Do you also understand that pursuant to the same Interstate Compact transfer of your supervision to another state may be denied or restricted by that state at any time after sentencing, or upon entry of a guilty plea if a guilty plea is a condition of admission to the Pretrial Intervention Program, if that state determines you are required to register as a sex offender in that state or if New Jersey has required you to register as a sex offender? ☐ Yes ☐ No
- 19.** Have you discussed with your attorney the legal doctrine of merger? ☐ Yes ☐ No ☐ NA
- 20.** Are you giving up your right at sentence to argue that there are charges you pleaded guilty to for which you cannot be given a separate sentence? ☐ Yes ☐ No ☐ NA

21. List any other promises or representations that have been made by you, the prosecutor, your defense attorney, or anyone else as a part of this plea of guilty:

22. Have any promises other than those mentioned on this form, or any threats, been made in order to cause you to plead guilty? ☐ Yes ☐ No

23. a. Do you understand that the judge is not bound by any promises or recommendations of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence? ☐ Yes ☐ No

b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, that you may take back your plea? ☐ Yes ☐ No

c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, that anything you say in furtherance of the guilty plea cannot be used against you at trial? ☐ Yes ☐ No

24. Are you satisfied with the advice you have received from your lawyer? ☐ Yes ☐ No

25. Do you have any questions concerning this plea? ☐ Yes ☐ No

Date _____ Defendant _____

Defense Attorney _____

Prosecutor _____

☐ This plea is the result of the judge's conditional indications of the maximum sentence he or she would impose independent of the prosecutor's recommendation. Accordingly, the "Supplemental Plea Form for Non-Negotiated Pleas" has been completed.