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Acting Administrative Director of the Courts

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TO: ASSIGNMENT JUDGES
CRIMINAL PRESIDING JUDGES

FROM: GLENN A. GRANT, J.A.D. 

SUBJ: CRIMINAL – REVISED MAIN PLEA FORM

DATE: DECEMBER 31, 2019

Supplement to Directive # 01-18[SUPERSEDES ATTACHMENT 1
OF DIRECTIVE # 01-18]

This promulgates for use as soon as practicable a revised Main Plea Form as recommended by the Supreme Court Criminal Practice Committee. The attached plea form supersedes the Main Plea Form that was appended to Directive #01-18 as Attachment 1. All other attachments to Directive #01-18 (Attachments 2 through 13) remain in effect as issued.

Specifically, the modifications to the Main Plea Form are as follows: (1) Question 4(d) has been updated to include a citation to R. 3:28-6(d) ("Appeal After Judgment of Conviction") for an appeal of the denial of acceptance into the pretrial intervention program (PTI), and (2) Questions 18(a) and (b) have been amended to include defendants residing outside New Jersey who are pleading guilty as a condition of admission into PTI because their supervision in the PTI program must be transferred pursuant to the rules of the Interstate Compact for Adult Offender Supervision (ICAOS).

The revised Main Plea Form will be posted at <https://www.njcourts.gov/selfhelp/catalog.html>. In addition to the English version, the English-Spanish, English-Haitian, English-Polish, English-Korean, and English-Portuguese versions of the revised Main Plea Form also are attached.

Questions or comments regarding this Directive Supplement may be directed to Assistant Director Sue Callaghan at (609) 815-2900, Ext. 55300. Information on the Interstate Compact can be found on the Interstate Commission for Adult Offender Supervision webpage at <https://www.interstatecompact.org/>.

Attachments (Revised Main Plea Form (6 versions))

cc: Chief Justice Stuart Rabner
Attorney General Gurbir S. Grewal
Public Defender Joseph E. Krakora
Criminal Division Judges
Veronica Allende, Director, Div. of Crim. Justice
County Prosecutors
Steven D. Bonville, Chief of Staff

AOC Directors and Assistant Directors
Special Assistants to the Admin. Director
Trial Court Administrators
Criminal Division Managers and Assistants
Maria Pogue, Chief, Criminal Practice
Candice M. Alfonso, Assistant Chief, Probation Services

Attachments
Main Plea Form

English, English-Spanish, English-Haitian,
English-Polish, English-Korean, and
English-Portuguese Versions

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.



New Jersey Judiciary Plea Form

County _____

Prosecutor File Number _____

Defendant's Name: _____

before Judge: _____

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum		
				Time	Fine	VCCO Assmt*
_____	_____	_____	_____	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]
 - 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]

* Victims of Crime Compensation Office Assessment

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]
- 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? [Yes] [No]
- (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:

Ind./Acc./Compl.#	Count	Nature of Offense and Degree
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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]
 - 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. a. Are you a citizen of the United States? [Yes] [No]
- If you have answered "No" to this question, you must answer Questions 17b – 17f. If you have answered "Yes" to this question, proceed to Question 18
- b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States? [Yes] [No]
 - c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes] [No]
 - d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f. [Yes] [No]
 - e. Would you like the opportunity to do so? [Yes] [No]
 - f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish 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 [Yes] [No] [NA] guilty to for which you cannot be given a separate sentence?

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 [Yes] [No] order to cause you to plead guilty?

23. a. Do you understand that the judge is not bound by any promises or recommendations of [Yes] [No] 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?

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

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

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.

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

AVISO: Este es un documento público, lo cual significa que el documento tal como se presente estará a la disposición del público cuando se solicite. Por lo tanto, no anote en el mismo ningún identificador personal, como por ejemplo: el número de Seguridad Social, el número de la licencia de conducir, el número de la matrícula del vehículo, el número de la póliza del seguro, el número de una cuenta financiera activa, o el número de una tarjeta de crédito activa.

Las demandas, pedimentos y demás papeles presentados al tribunal deben estar en inglés.
Complaints, motions and other papers submitted to the court should be in English



New Jersey Judiciary
Poder Judicial de Nueva Jersey

County _____
Condado _____

Prosecutor File Number _____
Número de archivo del fiscal _____

Plea Form
Formulario de Declaración de Culpabilidad (Spanish)

Defendant's Name: _____
Nombre del acusado: _____
before Judge: _____
ante el Juez _____

1. List the charges to which you are pleading guilty:
Enumere los cargos a los que usted se declara culpable:

Ind./Acc./Comp.# No. de Ac. Formal / Ac./Denuncia.	Count Cargo	Nature of Offense Naturaleza de la infracción	Degree Grado	Statutory Maximum/Penalidades legales máximas		
				Time Tiempo	Fine Multa	VCCO Assmt* Multa de la VCCO*
_____	_____	_____	_____	Max/Máximo	_____	_____
_____	_____	_____	_____	Max/Máximo	_____	_____
_____	_____	_____	_____	Max/Máximo	_____	_____
_____	_____	_____	_____	Max/Máximo	_____	_____
_____	_____	_____	_____	Max/Máximo	_____	_____
Your total exposure as the result of this plea is: Su exposición total como resultado de esta declaración de culpabilidad es:				Total/Total	_____	_____

Please Circle Appropriate
Answer/Sírvase marcar la
respuesta apropiada con un círculo
[Yes/Sí] [No/No]

2. a. Did you commit the offense(s) to which you are pleading guilty?
¿Cometió usted la infracción (las infracciones) a las que se declara culpable? [Yes/Sí] [No/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)?
¿Entiende que antes de que el juez pueda determinar que usted es culpable, tendrá que decirle al juez qué es lo que usted hizo que lo hace culpable de la infracción particular (de las infracciones particulares)? [Yes/Sí] [No/No]
3. Do you understand what the charges mean?
¿Entiende lo que significan los cargos? [Yes/Sí] [No/No]
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
¿Entiende que al declararse culpable, usted renuncia a ciertos derechos? Entre los cuales están:
- a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt?
El derecho a un juicio con jurado en que el Estado tiene que probar su culpabilidad fuera de duda razonable? [Yes/Sí] [No/No]
- b. The right to remain silent?
El derecho a guardar silencio? [Yes/Sí] [No/No]

*Victims of Crime Compensation Office Assessment/Multa de la Oficina de Compensación a Víctimas de Delitos

Revised Form Promulgated by 12/31/2019 Supplement to Directive #01-18, CN 10079-Spanish
Formulario revisado promulgado para el 12/31/2019, Suplemento a la Directiva #01-18, CN 10079- Spanish

Defendant's Initials _____
Iniciales del acusado _____
page 1 of 7/página 1 de 7

4. c. The right to confront the witnesses against you? [Yes/Sí] [No/No]
El derecho a carearse con los testigos en su contra?
- 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(d))? [Yes/Sí] [No/No]
¿Entiende que al declararse culpable **usted no renuncia** a su derecho a apelar (1) la denegación de un pedimento para excluir pruebas físicas (R. 3:5-7(d)) ni (2) la denegación de admisión a un programa de intervención antes del juicio (PTI) (R. 3:28(d))?
- 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/Sí] [No/No]
¿Entiende, además, que al declararse culpable **usted renuncia a** su derecho a apelar la denegación de todos los demás pedimentos previos al juicio excepto los siguientes:

5. Do you understand that if you plead guilty:
¿Entiende que si usted se declara culpable:
- a. You will have a criminal record? [Yes/Sí] [No/No]
Tendrá antecedentes penales?
- 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/Sí] [No/No]
A menos que el convenio declaratorio estipule otra cosa, se le podría sentenciar a cumplir el tiempo máximo de reclusión, a pagar la multa máxima y a pagar la multa máxima de la Oficina de Compensación a Víctimas de Delitos?
- 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/Sí] [No/No]
Tendrá que pagar una multa mínima de la Oficina de Compensación a Víctimas de Delitos de \$50 dólares (un mínimo de \$100 dólares si se le condena por un delito violento) por cada cargo al que usted se declare culpable? (La multa es \$30 dólares si la infracción ocurrió entre el 9 de enero de 1986 y el 22 de diciembre de 1991; \$25 dólares si la infracción ocurrió antes del primero de enero de 1986.)
- 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/Sí] [No/No]
Si la infracción ocurrió el primero de febrero de 1993 o después de dicha fecha, pero antes del 13 de marzo de 1995 y se le está sentenciando a libertad a prueba o a una institución correccional del estado, usted tendrá que pagar un gasto de transacción de hasta \$1.00 dólar en cada ocasión en que se haga un pago o se abone una cuota? Si la infracción ocurrió el 13 de marzo de 1995 o después de esa fecha, y se le sentencia a libertad a prueba, o si la sentencia por otro motivo requiere pagos de obligaciones financieras a la división de libertad a prueba, usted tendrá que pagar un gasto de transacción de hasta \$2.00 dólares en cada ocasión en que se haga un pago o se abone una cuota?
- 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/Sí] [No/No]
Si la infracción ocurrió el 2 de Agosto de 1993 o después de esa fecha, tiene que pagar una contribución obligatoria de \$75.00 al Fondo de Servicios para una Comunidad Segura (Safe Neighborhood Services Fund) por cada sentencia condenatoria?

5. f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, [Yes/Sí] [No/No]
you must pay a fee of up to \$25 per month for the term of probation?

Si la infracción ocurrió el 5 de enero de 1994 o después de esa fecha y se le está sentenciando a libertad a prueba, usted tendrá que pagar un cargo de un máximo de \$25 dólares por mes durante el término de la libertad a prueba?

- 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/Sí] [No/No]

Si el delito ocurrió el 9 de enero de 1997 o después de esa fecha, usted tendrá que pagar una multa de \$30 dólares al Fondo de Capacitación y Equipo de Oficiales del Orden Público?

- 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/Sí] [No/No]

Se requerirá que usted suministre una muestra de su ADN y que pague el costo de analizarla, la cual podría ser usada por las autoridades del orden público en la investigación de actividades delictivas?

- 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? [Yes/Sí] [No/No]

- (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 \$ _____

Multa del Fondo de Prevención de Delitos con una Computadora (Computer Crime Prevention Fund Penalty (CCPF)), N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). Si el delito tiene que ver con una infracción de N.J.S.A. 2C:24-4b(3) (causar o permitir que un/una menor participe en un acto sexual al que se le va a tomar fotografías o se va a exhibir) si el delito se cometió el 1 de febrero de 2018 o después de esa fecha, N.J.S.A. 2C:24-4b(4) (tomar fotografías o películas de un/una menor en un acto sexual) si el delito se cometió el 1 de febrero de 2018 o después de esa fecha, N.J.S.A. 2C:24-4b (5)(b) (poseer a sabiendas o mirar a sabiendas pornografía infantil), N.J.S.A. 2C 24-4.1 (ser dirigente de una red de pornografía infantil) si el delito se cometió el 1 de febrero de 2018 o después de esa fecha, N.J.S.A. 2C:34-3 (vender, distribuir o exhibir material obsceno a una persona menor de 18 años) o una infracción que envuelva una actividad delictiva en la computadora que infringe cualquier disposición del Título 2C, capítulo 20, se le fijará una multa obligatoria de acuerdo con la lista que sigue a continuación para cada infracción de la cual se haya declarado culpable?

- (1) \$2,000 en el caso de un delito de primer grado
- (2) \$1,000 en el caso de un delito de segundo grado
- (3) \$750 en el caso de un delito de tercer grado
- (4) \$500 en el caso de un delito de cuarto grado
- (5) \$250 en el caso de un delito contra la moral pública o una infracción menor contra la moral pública

Multa total del CCPF \$ _____

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/Sí] [No/No]

¿Entiende que usando su poder discrecional, **el juez podría** imponerle un tiempo mínimo de reclusión que tendrá que cumplir antes de que pueda ser apto para la libertad condicional, y que ese período podría ser tan largo como la mitad del período de la sentencia de privación de libertad que se le haya impuesto?

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/Sí] [No/No]

¿Presentó usted una declaración de culpabilidad a algún cargo **que requiera** un período obligatorio sin posibilidades de libertad condicional o un término obligatorio prolongado?

- 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.

Si usted se está declarando culpable de tal cargo, el período mínimo obligatorio sin posibilidades de libertad condicional es de _____ años y _____ meses (llene la cantidad de años/meses) y el período máximo sin posibilidades de libertad condicional podrá ser de _____ años y _____ meses (llene la cantidad de años/meses) y este período no se podrá reducir por créditos por buen comportamiento, trabajo o custodia mínima.

- 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).

Si usted se está declarando culpable de tal cargo, el período obligatorio prolongado mínimo es de _____ años y _____ meses (llene la cantidad de años/meses), y el término obligatorio prolongado máximo puede ser de _____ años y _____ meses (llene la cantidad de años/meses).

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/Sí] [No/No]

¿Se declara usted culpable de un delito que conlleva la presunción de encarcelamiento, lo cual quiere decir que es casi seguro que usted irá a una prisión estatal?

9. Are you presently on probation or parole? [Yes/Sí] [No/No]

¿Actualmente se encuentra usted bajo libertad a prueba o libertad condicional?

- a. Do you realize that a guilty plea may result in a violation of your probation or parole? [Yes/Sí] [No/No] [NA/No aplica]

¿Se da usted cuenta que una declaración de culpabilidad podrá tener como resultado un incumplimiento de su libertad a prueba o libertad bajo palabra?

10. Are you presently serving a custodial sentence on another charge? [Yes/Sí] [No/No]

¿Actualmente está cumpliendo usted una sentencia privativa de libertad por otro cargo?

- a. Do you understand that a guilty plea may affect your parole eligibility? [Yes/Sí] [No/No] [NA/No aplica]

¿Entiende usted que una declaración de culpabilidad podría afectar su idoneidad para obtener la libertad condicional?

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/Sí] [No/No] [NA/No aplica]

¿Entiende usted que si se ha declarado culpable de otros cargos, o lo han encontrado culpable de otros cargos, o si actualmente está cumpliendo un término de privación de libertad y el convenio declaratorio no menciona el tema, el juez puede requerir que todas las sentencias sean consecutivas?

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

Enumere los cargos que el fiscal haya acordado recomendar que se desestimen:

Ind./Acc./Compl.# No. de Ac. Formal/Ac./Denun.	Count Cargo	Nature of Offense and Degree Naturaleza y grado de la infracción
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Especifique cualquier sentencia que el fiscal haya acordado recomendar:

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

¿Ha prometido el fiscal que él o ella NO:

- a. Speak at sentencing? [Yes/Sí] [No/No]
Hablará cuando le sentencien?
- b. Seek an extended term of confinement? [Yes/Sí] [No/No]
Tratará de obtener un término prolongado de reclusión?
- c. Seek a stipulation of parole ineligibility? [Yes/Sí] [No/No]
Tratará de obtener la estipulación de que usted no reunirá las condiciones para la libertad condicional?

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/Sí] [No/No] [NA/No aplica]

¿Sabe usted que si el juez determina que existe una víctima que ha sufrido una pérdida y, si el juez determina que usted puede ahora o podrá en el futuro pagar una restitución, tendrá que pagar una restitución?

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/Sí] [No/No] [NA/No aplica]

¿Entiende usted que si ocupa un cargo público o si es un empleado público, se podrá requerir que renuncie a su cargo o empleo en virtud de su declaración de culpabilidad?

17. a. Are you a citizen of the United States? [Yes/Sí] [No/No]
¿Es usted ciudadano de los Estados Unidos?

If you have answered "No" to this question, you must answer Questions 17b – 17f. If you have answered "Yes" to this question, proceed to Question 18.

Si ha contestado que "no" a esta pregunta, debe contestar las Preguntas 17b a 17F. Si ha contestado que "sí" a esta pregunta, pase a la pregunta 18.

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States? [Yes/Sí] [No/No]

¿Entiende que si usted no es ciudadano de los Estados Unidos, esta declaración de culpabilidad puede tener como resultado su expulsión de los Estados Unidos y/o que se le impida que pueda entrar o volver a entrar legalmente en los Estados Unidos?

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes/Sí] [No/No]

¿Entiende que usted tiene el derecho de buscar el consejo individualizado de un abogado sobre el efecto que su declaración de culpabilidad tendrá sobre su situación como inmigrante?

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f. [Yes/Sí] [No/No]

¿Ha hablado con un abogado sobre las posibles consecuencias de inmigración como resultado de su declaración de culpabilidad? Si su respuesta es "No," pase a la pregunta 17e. Si la respuesta es "Sí," pase a la pregunta 17f.

e. Would you like the opportunity to do so? [Yes/Sí] [No/No]
¿Le gustaría tener la oportunidad de hacerlo?

17. f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty? [Yes/Sí] [No/No]

Después de haber sido informado de las posibles consecuencias de inmigración para usted y de su derecho a tratar de obtener consejos legales individualizados con respecto a esas consecuencias de inmigración ¿todavía quiere declararse culpable?

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/Sí] [No/No]

¿Entiende que, conforme a las reglas del Acuerdo Interestatal de Supervisión de Infractores Adultos, si usted reside fuera del estado de Nueva Jersey en el momento de ser sentenciado, o al declararse culpable si una declaración de culpabilidad es una condición para su admisión al Programa de Intervención Antes del Juicio, su regreso a su residencia podría demorarse hasta que su estado de residencia acepte la transferencia de su supervisión?

- 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/Sí] [No/No]

¿Entiende también que, conforme al mismo Acuerdo Interestatal, un estado puede denegar o restringir la transferencia de su supervisión a ese estado en cualquier momento después de que haya sido sentenciado, o al declararse culpable si una declaración de culpabilidad es una condición para la admisión al Programa de Intervención Antes del Juicio, si ese estado determina que se requiere que usted se registre como delincuente sexual en ese estado o si Nueva Jersey ha requerido que se registre como delincuente sexual?

19. Have you discussed with your attorney the legal doctrine of merger? [Yes/Sí] [No/No] [NA/No]
¿Ha hablado usted con su abogado sobre la doctrina legal de fusión?

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/Sí] [No/No] [NA/No aplica]

¿Renuncia usted a su derecho a alegar en el momento en que lo sentencien que hay cargos a los cuales se declaró culpable y por los cuales no se le puede imponer una condena aparte?

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:

Enumere cualquier otra promesa o representación que haya hecho usted, el fiscal, su abogado defensor, o cualquier otra persona como parte de esta declaración de culpabilidad:

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/Sí] [No/No]

¿Se le ha hecho alguna otra promesa aparte de las que se han mencionado en este formulario, o se le han hecho algunas amenazas, para hacer que usted se declare culpable?

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/Sí] [No/No]

¿Entiende que el juez no está obligado por ninguna promesa ni recomendación del fiscal y que el juez tiene derecho a rechazar la declaración antes de sentenciarlo y derecho a imponerle una condena más severa?

23. 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/Sí] [No/No]

¿Entiende que si el juez decide imponerle una sentencia más severa que la recomendada por el fiscal, usted podrá retractar su declaración de culpabilidad?

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/Sí] [No/No]

¿Entiende que si se permite que usted retracte su declaración de culpabilidad debido a la sentencia impuesta por el juez, cualquier cosa que usted diga para apoyar su declaración de culpabilidad no se podrá usar en su contra en el juicio?

24. Are you satisfied with the advice you have received from your lawyer? [Yes/Sí] [No/No]

¿Está usted conforme con los consejos que ha recibido de su abogado?

25. Do you have any questions concerning this plea? [Yes/Sí] [No/No]

¿Tiene usted alguna pregunta con respecto a esta declaración de culpabilidad?

Date/Fecha _____ Defendant/Acusado _____

Defense Attorney/Abogado(a) defensor(a) _____

Prosecutor/Fiscal _____

[] 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.

Esta declaración de culpabilidad es el resultado de las indicaciones condicionales del juez en cuanto a la sentencia máxima que él o ella impondría independientemente de la recomendación del fiscal. Por consiguiente, se ha completado el "Formulario Suplementario para Declaraciones de Culpabilidad No Negociadas".

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

AVI: Sa se yon dokiman piblik. Pa mete okenn enfòmasyon idantifikasyon pèsonèl sou li, kankou nimewo Sosyal, nimewo Lisans pou kondwi, oswa nimewo kont an bank ak kat kredi aktif yo. Dokiman sa a ap disponib ba piblik la sou demann jan li soumèt la.

Tout plent, petisyon ak lòt papye ki soumèt ba tribinal la fèt pou an angle.
Complaints, motions and other papers submitted to the court should be in English



New Jersey Judiciary
Sistèm Jidisyè New Jersey

Plea Form
Fòm Pledwaye (Haitian Creole)

County _____
Konte _____

Prosecutor File Number _____
Nimewo Dosye Komisè Gouvènman _____

Defendant's Name: _____

Non Akize a: _____

before Judge: _____

Devan Jij: _____

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

Enimere akizasyon pou ki wap plede koupab la:

Ind./Acc./Comp.# Chèf Akizasyon/ Akizasyon/Plent	Count Akizasyon	Nature of Offense Tip Enfraksyon	Degree Klasifikasyon	Statutory Maximum/Maksimòm dapre Lalwa		
				Time Tan	Fine Amann	VCCO Assmt* Frè VCCO*
_____	_____	_____	_____	Max/Maksimòm	_____	_____
_____	_____	_____	_____	Max/Maksimòm	_____	_____
_____	_____	_____	_____	Max/Maksimòm	_____	_____
_____	_____	_____	_____	Max/Maksimòm	_____	_____
_____	_____	_____	_____	Max/Maksimòm	_____	_____
Your total exposure as the result of this plea is:				Total/Total	_____	_____

Pa konsekans de deklarasyon koupab sa a w ekspoze a yon total de:

Please Circle Appropriate Answer/Tanpri Make a yon won repons ki koresponn la

2. a. Did you commit the offense(s) to which you are pleading guilty?
Èske w komèt enfraksyon a (yo) pou ki w plede koupab la? [Yes/Wi] [No/Non]

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)?
Èske ou konprann anvan Jij la deklare w koupab, wap bije di jij la ki sa w te fè ki fè w koupab de enfraksyon oswa enfraksyon yo an patikilye? [Yes/Wi] [No/Non]

3. Do you understand what the charges mean?
Èske w konprann sa akizasyon yo vle di? [Yes/Wi] [No/Non]

4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
Èske w konprann ke di fèt ke ou deklare w koupab wap renonse a sèten dwa? Pami dwa sa yo, ou gen:

a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt?
Dwa pou prezante nan pwosè devan jiri epi se Leta ki pou pwouve w koupab depase tout dout rezonab? [Yes/Wi] [No/Non]

b. The right to remain silent?
Dwa pou fè silans? [Yes/Wi] [No/Non]

*Victims of Crime Compensation Office Assessment/Biwo Frè Konpasasyon pou Viktim Zak

4. c. The right to confront the witnesses against you? [Yes/Wi] [No/Non]
Dwa pou konfwonte temwen ki vin deklare kont ou?
- 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(d))? [Yes/Wi] [No/Non]
Èske w konprann ke le fèt ke w plede koupab **pa vle di ou renonse** a dwa pou konteste an apèl (1) refi yo te bay petisyon pou siprime prèv fizik la (R.3:5-7(d)) oswa (2) le fèt ke yo te refize aksepte w nan yon pwogram entèvansyon anvan pwosè a (PTI) (R. 3:28(d))?
- 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/Wi] [No/Non]
Answit, èske w konprann ke di moman ou deklare w koupab **ou renonse** a dwa pou konteste an apèl tout refi tout lòt petisyon ki te prezante anvan pwosè a eksepte sa ki swiv yo:
-
-
-
5. Do you understand that if you plead guilty:
Èske w konprann ke si w plede koupab:
- a. You will have a criminal record? [Yes/Wi] [No/Non]
Wap gen dosye kriminèl?
- 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/Wi] [No/Non]
Amwens ke antant la te prevwa le kontrè, yo kab kondane w pou pije tan maksimòm nan prizon, peye amann maksimòm la ak peye frè maksimòm ba Biwo Konpansasyon Viktim Krim la/Victims of Crime Compensation?
- 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/Wi] [No/Non]
Ou oblije peye yon frè minimòm de \$50 ba Biwo Konpansasyon Viktim Krim la (\$100 minimòm si yo kondane w de yon zak vyolans) pou chak chèf akizasyon ke ou plede koupab la? (Yon amann \$30 si enfraksyon an te fèt le 9 janvye, 1986 ak fini nan dat 22 desanm, 1991 la. \$25 si enfraksyon an te fèt anvan le 1ye janvye, 1986.)
- 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/Wi] [No/Non]
Si enfraksyon an te fèt swa le 1ye fevriye 1993 ou te fèt anvan le 13 mas 1995, epi yo kondane w a libète kondisyonèl oswa yo kondane w nan yon enstiti penitansye leta, wap oblije peye yon frè tranzaksyon de jiska \$1.00 a chak fwa yon pèyman oswa vèsman sou pèyman fèt? Si enfraksyon an fèt le 13 mas 1995 oubyen aprè epi sanksyon an se libète kondisyonèl, oswa santans la mande pou fè pèyman anvè responsabiltè finansye ba depatman libète kondisyonèl la, wap oblije peye yon frè de jiska \$2.00 a chak fwa yon pèyman oswa vèsman sou pèyman fèt?
- 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/Wi] [No/Non]
Si enfraksyon an fèt le 2 awout 1993 ou aprè, wap oblije vèse yon frè \$75 ba Fon Sèvis pou Sekirite Katye/Safe Neighborhood Services Fund pou chak sanksyon?

5. f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, [Yes/Wi] [No/Non]
you must pay a fee of up to \$25 per month for the term of probation?

Si enfraksyon an fèt le 5 janvyè 1994 oswa aprè epi yo kondane w a libète kondisyonèl, wap oblije peye yon frè de jiska \$25 pa mwa pandan tout tèm libète kondisyonèl la?

- 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/Wi] [No/Non]

Si zak la te fèt le 9 janvyè 1997 oswa aprè epi yo kondane w a libète kondisyonèl, wap oblije peye yon amann de \$30 ba Fon Fòmasyon ak Ekipman Fòsdelòd (Law Enforcement Officers Training and Equipment Fund)?

- 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/Wi] [No/Non]

Yap egzije w bay echantiyon ADN ke otorite yo takab itilize pou envestige aktivite kriminel, epi wap bije peye pou frè analiz la?

- 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? [Yes/Wi] [No/Non]

- (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 \$ _____

Amann pou Fon Prevansyon kont Zak Enfòmatrik/Computer Crime Prevention Fund Penalty (CCPF) N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). Si zak la gen pou wè ak vyolasyon, N.J.S.A. 2C:24-4b(3) (ta koze oubyen pèmèt timoun angaje nan zak seksyèl ke yo ta fotografye oswa ekspoze), si zak la te komèt le ou parè le 1ye fevriye 2018, N.J.S.A. 2C:24-4b(4) (foto oswa fim timoun kap fè zak seksyèl), si zak la te komèt swa le ou aprè le 1ye fevriye 2018, N.J.S.A. 2C:24-4b(5)(b) (pou gen posesyon ak tout konsepsyon de kòz oswa pou gade ponògrafi timoun), N.J.S.A. 2C:24-4.1 (ou se lidè yon rezon ponògrafi timoun), si zak la te komèt swa le ou aprè le 1ye fevriye 2018, N.J.S.A. 2C:34-3 (vann, distribye, oswa ekspoze materyèl endesan ba moun ki pako gen 18 an) oswa yon enfraksyon ki gen rapò ak aktivite kriminel enfòmatrik an kontravansyon ak nenpòt nan dispozisyon Tit 2C a, chapit 20, yap enpoze yon amann egzijib jan li enimerè anba a pou chak enfraksyon ke ou plede koupab?

- (1) \$2,000 nan ka yon zak klasifye 1ye degre
- (2) \$1,000 nan ka yon zak klasifye 2yèm degre
- (3) \$ 750 nan ka yon zak klasifye 3yèm degre
- (4) \$ 500 nan ka yon zak klasifye 4yèm degre
- (5) \$ 250 nan ka yon zak moun kap simen dezòd oswa moun kap fè ti dezòd

Total Sanksyon (CCPF) \$ _____

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/Wi] [No/Non]

Èske w konprann ke tribinal la gen diskresyon pou li ta enpoze yon peryòd tan minimòm nan prizon pou pije anvan menm ou kalifye pou libète kondisyonèl, peryòd tan sa a kab osi long ke la mwaye peryòd santans nan prizon yo enpoze a?

7. Did you enter a plea of guilty to any charges **that require** a mandatory period of parole [Yes/Wi] [No/Non]
ineligibility or a mandatory extended term?

Èske w plede koupab de nenpòt ki akizasyon ki mande yon peryòd egzijib kote w pa elijib pou libète kondisyonèl
oswa yon tèm egzijib pwolonje?

- 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.

Si se plede wap plede koupab de tip akizasyon sa a, ou pap elijib pandan yon peryòd minimòm de _____ ane
ak _____ mwa (ranpli kantite ane yo/mwa yo) epi peryòd maksimòm ke w pap elijib kab de _____ ane ak
_____ mwa (ranpli kantite ane yo/mwa yo) peryòd sa pap jwenn kredi pou bon konpòtman, travay, oswa kredi
pou minimòm tan ou fè an detansyon an.

- 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).

Si se plede wap plede koupab de tip akizasyon sa a, minimòm egzijib pou tèm pwolonje a se _____ ane ak
_____ mwa (ranpli kantite ane yo/mwa yo) epi maksimòm egzijib pou tèm pwolonje a kab _____ ane ak
_____ mwa (ranpli kantite ane yo/mwa yo).

8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that [Yes/Wi] [No/Non]
it is almost certain that you will go to state prison?

Èske wap plede koupab de yon zak ki mande prizon, ki vle di ke w pi si si yap voye w nan prizon leta a?

9. Are you presently on probation or parole? [Yes/Wi] [No/Non]

Aktyèlman, èske w sou libète siveye oswa libète kondisyonèl?

- a. Do you realize that a guilty plea may result in a violation of your probation or [Yes/Wi] [No/Non] [NA/pa aplikab]
parole?

Èske w reyalize ke yon deklarasyon koupab takab anpyete libète siveye oswa libète
kondisyonèl ou an?

10. Are you presently serving a custodial sentence on another charge? [Yes/Wi] [No/Non]

Èske aktyèlman wap pije yon penn nan prizon pou kèk lòt akizasyon?

- a. Do you understand that a guilty plea may affect your parole eligibility? [Yes/Wi] [No/Non] [NA/pa aplikab]

Èske w konprann ke yon deklarasyon koupab ta kab afekte elijibilite w pou al nan libète
kondisyonèl?

11. Do you understand that if you have plead guilty to, or have been found guilty on [Yes/Wi] [No/Non] [NA/pa aplikab]
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?

Èske w konprann ke si w deja plede koupab, oswa yo dekarè w koupab de lòt akizasyon, oswa wap
pije yon tèm prizon aktyèlman, epi antant la pa mansyone kesyon sa a ditou, tribinal la ta kab
mande pou pije santans yo youn aprè lòt?

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

Enimere nenpòt nan chèf akizasyon yo ke komisè gouvènman an dakò pou rekòmande ke yo elimine:

Ind./Acc./Compl.# Chèf Akizasyon/Akizasyon/Plent	Count Akizasyon	Nature of Offense and Degree Tip Akizasyon ak Klasifikasyon
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Presize nenpòt ki santans komisè gouvènman a dakò pou rekomande:

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

Èske komisè gouvènman a pwomèt ke li **PAP**:

- a. Speak at sentencing? [Yes/Wi] [No/Non]
Pale jou yap pwononse santans la?
- b. Seek an extended term of confinement? [Yes/Wi] [No/Non]
Mande yo pwolonje tèm prizon a?
- c. Seek a stipulation of parole ineligibility? [Yes/Wi] [No/Non]
Mande pou yo dakò mande pou pa elijib pou libète kondisyonèl?

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/Wi] [No/Non] [NA/pa aplikab]

Èske w okouran ke w oblije peye restitasyon si tribinal la ta detèmine ke te gen yon viktim ki souffri pèt ak si tribinal la ta detèmine ke w gen kapasite oswa wap gen kapasite pou peye restitasyon nan lavni?

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/Wi] [No/Non] [NA/pa aplikab]

Èske w konprann ke si w se yon fonksyonè piblik oswa anplwaye piblik, yo kab mande w renonse a pòs la oswa travay la jis poutèt ou plede koupab la?

17. a. Are you a citizen of the United States? [Yes/Wi] [No/Non]

Èske w se sitwayen Ameriken?

If you have answered "No" to this question, you must answer Questions 17b – 17f. If you have answered "Yes" to this question, proceed to Question 18.

Si repons ou a kesyon an se "Non", wap oblije reponn tout kesyon de 17b a 17f. Si repons ou se "Wi" a kesyon sa a, ale nan kesyon 18 la.

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States? [Yes/Wi] [No/Non]

Èske w konprann ke si w pa sitwayen Lèzetazini, deklarasyon koupab sa a kab koze depòtasyon w Dèzetazini ak/oswa anpeche w rantrè oubyen re-rantrè Ozetazini legalman?

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes/Wi] [No/Non]

Èske w konprann ke w gendwa pou chache konsèy endividyèl nan men yon avoka konsènan enpak deklarasyon koupab ou an kab genyen sou stati imigrasyon ou an?

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f. [Yes/Wi] [No/Non]

Èske w deja pale ak yon avoka sou konsekans posib deklarasyon ou la ka genyen sou stati imigrasyon ou? Si repons la se "Non," kontinye al nan kesyon 17e. Si repons la se "Wi," ale nan kesyon 17f.

e. Would you like the opportunity to do so? [Yes/Wi] [No/Non]

Èske w ta renmen gen opòtinite pou fè sa?

17. f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty? [Yes/Wi] [No/Non]

Aprè yo fin deja eksplike w konsekans posib sou stati imigrasyon ansanm ak dwa w pou chache konsèy legal endividyèl konsènan tout konsekans sou imigrasyon yo, èske w vle plede koupab toujou?

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/Wi] [No/Non]

Èske w konprann ke konfòm ak règleman Akò Sipèvizyon Delenkan Granmoun ant Eta yo/the Interstate Compact for Adult Offender Supervision si w abite andeyò leta New Jersey omoman yo pwononse santans la, oswa osito yo afime pledwari kilpabilite w an se youn nan kondisyon admisyon nan Pwogram Entèkansyon anvan Jijman, w kab gen yon ti reta pou tounnen lakay w annatandan eta kote w abite a aksepte fè transfè sipèvizyon ou?

- 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/Wi] [No/Non]

Èske w konprann tou, ke dapre menm akò transfè ki rele Interstate Compact la transfè sipèvizyon ou a yon lòt eta kab jwenn refi oswa restriksyon pa leta sa a, a nenpòt ki moman aprè yo fin pwononse santans la oswa osito yo afime pledwari kilpabilite w an se youn nan kondisyon admisyon nan Pwogram Entèkansyon anvan Jijman si leta sa a ta detèmine ke w oblije enskri w antan ke delenkan seksyèl nan leta sa a oubyen si New Jersey mande w pou enskri w antan ke delenkan seksyèl?

19. Have you discussed with your attorney the legal doctrine of merger? [Yes/Wi] [No/Non] [NA/pa aplikab]
Èske w pale ak avoka w de doktrin legal fizyon an?

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/Wi] [No/Non] [NA/pa aplikab]
Èske w renonse a dwa w lè yap pwononse santans ou pou konteste ke gen akizasyon kote w te plede koupab ki entèdi yo enpoze santans separe?

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:
Enimere nenpòt ki lòt pwomès oswa reprezantasyon komisè gouvènman fè w, avoka ladefans te fè, oswa nenpòt ki lòt moun ki fè pati deklarasyon koupab sa a:

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/Wi] [No/Non]
Apa de pwomès ki mansyone sou fòm sa a, èske yo fè w kèk pwomès, oswa menas pou fòse w deklare w koupab?

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/Wi] [No/Non]
Èske w konprann ke jij la gen obligasyon swiv okenn nan pwomès oswa rekomandasyon komisè gouvènman an fè. Epi tou, jij la gendwa rejte deklarasyon koupab la anvan li pwononse santans la epi li gendwa enpoze yon santans pi estrik?

23. 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/Wi] [No/Non]
Èske w konprann ke si jij la ta deside enponze yon santans pli estrik ke sa komisè gouvènman an te rekomande a, ou kab anile deklarasyon koupab ou an?

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/Wi] [No/Non]
Èske w konprann ke si yo pèmèt ou anile deklarasyon koupab ou an poutèt santans jij la pwononse a, ke kelkeswa sa w ta di pou kontinye ak deklarasyon koupab ou an yo pap kab sèvi avèl kont ou nan pwosè a?

24. Are you satisfied with the advice you have received from your lawyer? [Yes/Wi] [No/Non]
Èske w satisfè avèk konsèy w resevwa nan men avoka w an?

25. Do you have any questions concerning this plea? [Yes/Wi] [No/Non]
Èske w gen kèk kesyon konsènan deklarasyon koupab sa a?

Date/Dat _____ Defendant/Akize a _____

Defense Attorney/Avoka LaDefans _____

Prosecutor/Komisè Gouvènman _____

[] 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.

Deklarasyon koupab sa a se rezilta endikasyon kondisyonèl jij la de santans maksimòm li ta enpoze endepandaman de rekomandasyon Komisè Gouvènman a. Pa konsekans, "Fòm Sipleman pou Deklarasyon Koupab ki fèt san Negosyasyon" konplè.

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

UWAGA: Niniejszy dokument jest dokumentem publicznym, co oznacza, że na żądanie może on zostać udostępniony do wglądu publicznego w przedłożonej formie. Z tego względu nie należy podawać w nim osobistych identyfikatorów, takich jak numer ubezpieczenia społecznego (social security), numer prawa jazdy, numer tablicy rejestracyjnej pojazdu, numer polisy ubezpieczeniowej, numery aktywnych kont bankowych lub kart kredytowych.

Pozwy, wnioski oraz wszelkie inne dokumenty składane w sądzie należy złożyć w języku angielskim
Complaints, motions and other papers submitted to the court should be in English



New Jersey Judiciary
Sądownictwo w New Jersey

County _____
Hrabstwo _____

Plea Form

Prosecutor File Number _____
Sygn. akt prokuratury _____

Formularz oświadczenia w odpowiedzi na zarzuty (Polish)

Defendant's Name: _____

Imię i nazwisko oskarżonego: _____

before Judge: _____
przed sędzią: _____

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

Proszę wymienić zarzuty, do których się Pan(i) przyznaje:

Ind./Acc./Comp.# Akt osk./okraz./ powództwo	Count Zarzut	Nature of Offense Charakter przestępstwa/wykroczenia	Degree Stopień	Statutory Maximum/Maksimum ustawowe		
				Time Czas	Fine Grzywna	VCCO Assmt* Nawiązka VCCO*
_____	_____	_____	_____	Max/Maksimum	_____	_____
_____	_____	_____	_____	Max/Maksimum	_____	_____
_____	_____	_____	_____	Max/Maksimum	_____	_____
_____	_____	_____	_____	Max/Maksimum	_____	_____
_____	_____	_____	_____	Max/Maksimum	_____	_____
Your total exposure as the result of this plea is:				Total/Ogółem	_____	_____

Kary grożące w wyniku przyznania się do winy – łącznie:

Please Circle Appropriate Answer/
Proszę zakreślić właściwą
odповідь

2. a. Did you commit the offense(s) to which you are pleading guilty? [Yes/Tak] [No/Nie]
Czy popełnił(a) Pan(i) przestępstwo, do którego się Pan(i) przyznaje?

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/Tak] [No/Nie]
Czy rozumie Pan(i), że zanim sędzia uzna Pana(i) winę, będzie Pan(i) musiał(a) powiedzieć sędziemu, co Pan(i) zrobił(a), co powoduje, że jest Pan(i) winny(a) tego przestępstwa/wykroczenia?

3. Do you understand what the charges mean? [Yes/Tak] [No/Nie]
Czy rozumie Pan(i) znaczenie postawionych zarzutów?

4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
Czy rozumie Pan(i), że przyznając się do winy zrzeka się Pan(i) niektórych praw? Prawa te to między innymi:

a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? [Yes/Tak] [No/Nie]
Prawo do procesu z udziałem ławy przysięgłych, w którym stan musi udowodnić Pana(i) winę ponad zasadną wątpliwość?

b. The right to remain silent? [Yes/Tak] [No/Nie]
Prawo do odmowy odpowiedzi na pytania?

*Victims of Crime Compensation Office Assessment/Nawiązka na rzecz Biura Odszkodowań dla Ofiar Przestępstw

Revised Form Promulgated by 12/31/2019 Supplement to Directive #01-18, CN 10079-Polish
Skorygowany formularz opublikowany 31.12.2019r. w suplemencie do Dyrektywy #01-18, CN 10079-Polish

Defendant's Initials _____
Inicjały oskarżonego _____
page 1 of 7/strona 1 z 7

4. c. The right to confront the witnesses against you? [Yes/Tak] [No/Nie]
Prawo do skonfrontowania świadków oskarżenia występujących przeciwko Panu(i)?
- 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(d))? [Yes/Tak] [No/Nie]
Czy rozumie Pan(i), że przyznając się do winy **nie zrzeka się Pan(i)** prawa do odwołania od (1) odrzucenia wniosku o wyłączenie dowodu rzeczowego (R. 3:5-7(d)) lub (2) odmowy przyjęcia do przedprocesowego programu interwencyjnego (PTI) (R. 3:28(d))?
- 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/Tak] [No/Nie]
Czy rozumie Pan(i) ponadto, że przyznając się do winy **zrzeka się Pan(i)** prawa do odwołania od odrzucenia wszystkich przedprocesowych wniosków z wyjątkiem tych wymienionych poniżej:
-
-
-
5. Do you understand that if you plead guilty:
Czy rozumie Pan(i), że po przyznaniu się do winy:
- a. You will have a criminal record? [Yes/Tak] [No/Nie]
Będzie Pan(i) wpisany do rejestru karnego?
- 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/Tak] [No/Nie]
Może Pan(i) zostać skazany(a) na maksymalny okres pozbawienia wolności, opłatę maksymalnej grzywny lub maksymalnej nawiązki na rzecz Biura Odszkodowań dla Ofiar Przestępstw (VCCO), chyba że w porozumieniu z prokuratorem ustalono inaczej?
- 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/Tak] [No/Nie]
Będzie Pan(i) musiał(a) zapłacić minimalną nawiązkę na VCCO w kwocie 50 USD (minimalnie 100 USD w przypadku skazania za przestępstwo z użyciem przemocy) za każdy zarzut, do którego się Pan(i) przyznaje? (Jeśli przestępstwo miało miejsce między 9 stycznia 1986 r. a 22 grudnia 1991 r. włącznie, kwota ta wynosi 30 USD. Jeśli przestępstwo miało miejsce przed 1 stycznia 1986 r., kwota wynosi 25 USD).
- 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/Tak] [No/Nie]
Jeśli przestępstwo miało miejsce po 31 stycznia 1993 r., ale przed 13 marca 1995 r., a Pan(i) został(a) skazany(a) na nadzór kuratora sądowego lub na karę pozbawienia wolności w więzieniu stanowym, musi Pan(i) wnieść opłatę transakcyjną w maksymalnej kwocie 1,00 USD należną przy wpłacie każdej kwoty lub raty? Jeśli przestępstwo miało miejsce 13 marca 1995 r. lub później, a wyrok nakazuje nadzór kuratora lub z innych względów wymaga zapłaty należności finansowych na rzecz wydziału nadzoru, musi Pan(i) wnieść opłatę transakcyjną w maksymalnej kwocie 2,00 USD należną przy wpłacie każdej kwoty lub raty?
- 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/Tak] [No/Nie]
Jeśli przestępstwo miało miejsce po 1 sierpnia 1993, musi Pan(i) zapłacić 75 USD na Fundusz Usług na rzecz Bezpieczeństwa Sąsiedzkiego za każdy wyrok?

5. f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, [Yes/Tak] [No/Nie]
you must pay a fee of up to \$25 per month for the term of probation?
Jeśli przestępstwo miało miejsce po 4 stycznia 1994 r. i został(a) Pan(i) skazany(a) na nadzór kuratora sądowego, musi Pan(i) płacić maksymalnie 25 USD miesięcznie przez cały okres tego nadzoru?
- g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers [Yes/Tak] [No/Nie]
Training and Equipment Fund penalty of \$30?
Jeśli przestępstwo miało miejsce po 8 stycznia 1997 r., musi Pan(i) zapłacić kwotę 30 USD na Fundusz na rzecz Szkoleń i Sprzętu dla Funkcjonariuszy Organów Ścigania?
- h. You will be required to provide a DNA sample, which could be used by law enforcement for [Yes/Tak] [No/Nie]
the investigation of criminal activity, and pay for the cost of testing?
Będzie Pan(i) musiał(a) dostarczyć próbkę DNA, która może zostać wykorzystana przez organy ścigania w prowadzeniu dochodzeń dotyczących działalności przestępczej, a także pokryć koszty badań tej próbki?
- i. Computer Crime Prevention Fund Penalty, N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). If the [Yes/Tak] [No/Nie]
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 \$ _____

Kara na Fundusz Zapobiegania Przestępstwom Komputerowym (CCPF), N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). Jeśli przestępstwo wiązało się z naruszeniem N.J.S.A. 2C:24-4b(3) (powodowanie lub zezwalanie dziecku na angażowanie się w czynności seksualne, które mają być fotografowane lub eksponowane), jeśli przestępstwo miało miejsce 1 lutego 2018 lub później, N.J.S.A. 2C:24-4b(4) (fotografowanie lub filmowanie dziecka zaangażowanego w czynności seksualne), jeśli przestępstwo miało miejsce 1 lutego 2018 r. lub później, N.J.S.A. 2C:24-4b(5)(b) (świadome posiadanie lub świadome oglądanie pornografii dziecięcej), N.J.S.A. 2C:24-4.1 (prowadzenie sieci pornografii dziecięcej), jeśli przestępstwo miało miejsce 1 lutego 2018 lub później, N.J.S.A. 2C:34-3 (sprzedaż, dystrybucja lub pokazywanie nieprzyzwoitych materiałów osobie poniżej 18. roku życia) lub jeśli przestępstwo związane z przestępczością komputerową stanowiło naruszenie któregośkolwiek z przepisów Tytułu 2C, rozdział 20, zostanie na Pana(ią) nałożona obowiązkowa kara za każde przestępstwo, do którego się Pan(i) przyznał(a) zgodnie z poniższą listą?

- (1) 2000 USD w przypadku przestępstwa 1. stopnia
- (2) 1000 USD w przypadku przestępstwa 2. stopnia
- (3) 750 USD w przypadku przestępstwa 3. stopnia
- (4) 500 USD w przypadku przestępstwa 4. stopnia
- (5) 250 USD w przypadku wykroczenia naruszenia porządku publicznego lub drobnego naruszenia porządku publicznego

Kara na CCPF, łącznie \$ _____

6. Do you understand that **the court could**, in its discretion, impose a minimum time in [Yes/Tak] [No/Nie]
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?

Czy rozumie Pan(i), że **sąd może** według własnego uznania nałożyć minimalną karę pozbawienia wolności, którą będzie Pan(i) musiał(a) odbyć obowiązkowo, zanim przysługiwać będzie Panu(i) możliwość zwolnienia warunkowego, a okres ten może wynosić nawet połowę orzeczonego okresu pozbawienia wolności?

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/Tak] [No/Nie]

Czy przyznał(a) się Pan(i) do jakiegokolwiek zarzutu, **który wymaga** odbycia obowiązkowego okresu kary bez prawa zwolnienia warunkowego lub obowiązkowego okresu wydłużonego?

- 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.

Jeśli przyznaje się Pan(i) do takiego zarzutu, minimalny obowiązkowy okres bez prawa do ubiegania się o zwolnienie warunkowe wynosi _____ lat i _____ miesięcy (należy wpisać liczbę lat i miesięcy), a maksymalny obowiązkowy okres bez prawa do ubiegania się o zwolnienie warunkowe wynosi _____ lat i _____ miesięcy (należy wpisać liczbę lat i miesięcy); okres ten nie może zostać skrócony za dobre sprawowanie, pracę lub o minimalną ilość dni naliczanych dodatkowo za każdy miesiąc pozbawienia wolności.

- 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).

Jeśli przyznaje się Pan(i) do tego rodzaju zarzutu, minimalny obowiązkowy wydłużony okres wynosi _____ lat i _____ miesięcy (należy wpisać liczbę lat i miesięcy), a maksymalny obowiązkowy wydłużony okres może wynieść _____ lat i _____ miesięcy (należy wpisać liczbę lat i miesięcy).

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/Tak] [No/Nie]

Czy przyznaje się Pan(i) do przestępstwa domyślnie zagrożonego karą pozbawienia wolności, co oznacza niemal całkowitą pewność, że pójdzie Pan(i) do więzienia stanowego?

9. Are you presently on probation or parole? [Yes/Tak] [No/Nie]

Czy obecnie jest Pan(i) pod nadzorem kuratora sądowego lub na zwolnieniu warunkowym?

- a. Do you realize that a guilty plea may result in a violation of your probation or parole? [Yes/Tak] [No/Nie] [NA/Nie dotyczy]

Czy zdaje Pan(i) sobie sprawę, że przyznanie się do winy może pociągać za sobą naruszenie warunków nadzoru kuratora lub zwolnienia warunkowego?

10. Are you presently serving a custodial sentence on another charge? [Yes/Tak] [No/Nie]

Czy odbywa Pan(i) obecnie karę pozbawienia wolności w związku z innymi zarzutami?

- a. Do you understand that a guilty plea may affect your parole eligibility? [Yes/Tak] [No/Nie] [NA/Nie dotyczy]

Czy rozumie Pan(i), że przyznanie się do winy może mieć wpływ na możliwość ubiegania się o zwolnienie warunkowe?

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/Tak] [No/Nie] [NA/Nie dotyczy]

Czy rozumie Pan(i), że jeśli przyzna się Pan(i) do winy lub zostanie uznany(a) winnym/winną w związku z innymi zarzutami lub jeśli obecnie odbywa Pan(i) wyrok pozbawienia wolności, a porozumienie z prokuratorem nie porusza tej kwestii, sąd może wymagać odbycia każdego z wyroków kolejno?

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

Proszę podać zarzuty, które prokurator zgodził się zalecić do oddalenia:

Ind./Acc./Compl.# Akt osk./okrarz./powództwo	Count Zarzut	Nature of Offense and Degree Charakter i stopień przestępstwa/wykroczenia
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Proszę podać, jaki wyrok prokurator zgodził się zalecić:

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

Czy prokurator obiecał, że **NIE** będzie:

- a. Speak at sentencing? [Yes/Tak] [No/Nie]
Zabierać głosu podczas orzekania o wymiarze kary?
- b. Seek an extended term of confinement? [Yes/Tak] [No/Nie]
Domagać się wydłużonego okresu pozbawienia wolności?
- c. Seek a stipulation of parole ineligibility? [Yes/Tak] [No/Nie]
Domagać się zastrzeżenia dotyczącego niekwalifikowania się do zwolnienia warunkowego?

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/Tak] [No/Nie] [NA/Nie dotyczy]

Czy zdaje Pan(i) sobie sprawę, że będzie Pan(i) musiał(a) zapłacić odszkodowanie jeśli sąd stwierdzi, że osoba pokrzywdzona poniosła straty, a Pan(i) jest lub będzie w stanie wypłacić odszkodowanie?

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/Tak] [No/Nie] [NA/Nie dotyczy]

Czy rozumie Pan(i), że jeśli pełni Pan(i) funkcję publiczną lub jest pracownikiem urzędu publicznego, może Pan(i) być zmuszony(a) do rezygnacji z tej funkcji lub pracy w związku z przyznaniem się do winy?

17. a. Are you a citizen of the United States? [Yes/Tak] [No/Nie]
Czy jest Pan(i) obywatelem/obywatelką Stanów Zjednoczonych?

If you have answered "No" to this question, you must answer Questions 17b – 17f. If you have answered "Yes" to this question, proceed to Question 18.

Jeśli odpowiedź na to pytanie brzmi „nie”, proszę odpowiedzieć na pytania 17b–17f. Jeśli odpowiedział(a) Pan(i) „tak”, proszę przejść do pytania 18.

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States? [Yes/Tak] [No/Nie]

Czy rozumie Pan(i), że jeśli nie jest Pan(i) obywatelem/obywatelką Stanów Zjednoczonych, przyznanie się do winy może spowodować wydalenie ze Stanów Zjednoczonych lub zakaz legalnego wjazdu lub powrotu na terytorium Stanów Zjednoczonych?

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes/Tak] [No/Nie]

Czy rozumie Pan(i), że ma Pan(i) prawo do skorzystania z indywidualnej konsultacji z adwokatem w sprawie wpływu przyznania się do winy na Pana(i) status imigracyjny?

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f. [Yes/Tak] [No/Nie]

Czy omówił(a) Pan(i) z adwokatem potencjalne konsekwencje imigracyjne przyznania się do winy? Jeśli odpowiedź brzmi „nie”, proszę przejść do pytania 17e. Jeśli odpowiedział(a) Pan(i) „tak”, proszę przejść do pytania 17f.

e. Would you like the opportunity to do so? [Yes/Tak] [No/Nie]
Czy chce Pan(i) skorzystać z takiej możliwości?

17. f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty? [Yes/Tak] [No/Nie]

Czy po uzyskaniu informacji dotyczących możliwych konsekwencji imigracyjnych i przysługującego Panu(i) prawa do uzyskania indywidualnej porady prawnej na temat takich konsekwencji nadal chce Pan(i) przyznać się do winy?

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/Tak] [No/Nie]

Czy rozumie Pan(i), że zgodnie z zasadami Międzystanowego Porozumienia w sprawie Nadzoru nad Dorosłymi Przestępcami, jeśli w czasie wydania wyroku lub po złożeniu oświadczenia o winie, jeśli złożenie tego oświadczenia stanowi warunek przyjęcia do Programu Interwencji Przedprocesowej, mieszka Pan(i) poza stanem New Jersey, powrót do miejsca Pana(i) zamieszkania może zostać opóźniony z powodu oczekiwania na zgodę na przeniesienie nadzoru do stanu, w którym znajduje się miejsce zamieszkania?

- 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/Tak] [No/Nie]

Czy rozumie Pan(i) również, że zgodnie z tym samym Międzystanowym Porozumieniem przeniesienie nadzoru do innego stanu może zostać odrzucone lub ograniczone przez ten stan w dowolnym momencie po wydaniu wyroku, lub po złożeniu oświadczenia o winie, jeśli złożenie tego oświadczenia stanowi warunek przyjęcia do Programu Interwencji Przedprocesowej, jeśli stan ten ustali, że musi Pan(i) zarejestrować się jako przestępca seksualny w tym stanie lub jeśli stan New Jersey wymaga Pana(i) rejestracji jako przestępcy seksualnego?

19. Have you discussed with your attorney the legal doctrine of merger? [Yes/Tak] [No/Nie] [NA/Nie dotyczy]
Czy omówił(a) Pan(i) z adwokatem doktrynę prawną zbiegu przestępstw?

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/Tak] [No/Nie] [NA/Nie dotyczy]

Czy rezygnuje Pan(i) z prawa do przedstawienia argumentu podczas wydawania wyroku, że istnieją zarzuty, do których Pan(i) się już przyznał(a), za które nie może Pan(i) otrzymać osobnego wyroku?

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:

Proszę wymienić inne obietnice lub oświadczenia złożone przez Pana(ią), prokuratora, adwokata prowadzącego obronę lub przez inną osobę w związku z tym przyznaniem się do winy:

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/Tak] [No/Nie]

Czy przedstawiono Panu(i) jakiekolwiek inne obietnice poza tymi zawartymi w niniejszym formularzu lub czy grożono Panu(i) w celu nakłonienia Pana(i) do przyznania się do winy?

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/Tak] [No/Nie]

Czy rozumie Pan(i), że sędzia nie jest związany jakimikolwiek obietnicami lub zaleceniami prokuratora i ma prawo odrzucenia oświadczenia o winie przed wydaniem wyroku, a także ma prawo do wydania surowszego wyroku?

23. 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/Tak] [No/Nie]

Czy rozumie Pan(i), że jeśli sędzia zdecyduje o wydaniu surowszego wyroku niż wyrok zalecony przez prokuratora, może Pan(i) wycofać swoje oświadczenie o przyznaniu się do winy?

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/Tak] [No/Nie]

Czy rozumie Pan(i), że jeśli uzyska Pan(i) pozwolenie na wycofanie przyznania się do winy ze względu na wyrok wydany przez sędziego, wtedy Pana(i) wypowiedzi związane z przyznaniem się do winy nie będą mogły być wykorzystane przeciwko Panu(i) podczas procesu?

24. Are you satisfied with the advice you have received from your lawyer? [Yes/Tak] [No/Nie]

Czy jest Pan(i) zadowolony(a) z porad udzielonych Panu(i) przez prawnika?

25. Do you have any questions concerning this plea? [Yes/Tak] [No/Nie]

Czy ma Pan(i) jakiegokolwiek pytania dotyczące tego oświadczenia o przyznaniu się do winy?

Date/Data _____ Defendant/Oskarżony _____

Defense Attorney/Adwokat obrony _____

Prosecutor/Prokurator _____

[] 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.

Niniejsze przyznanie się do winy jest wynikiem warunkowych wskazań sędziego dotyczących maksymalnego wyroku, jaki sędzia ten wydałby niezależnie od zaleceń prokuratora. W związku z tym wypełniono „Uzupełniający formularz oświadczenia o przyznaniu się do winy dotyczący zarzutów w przypadkach niewynegocjowanych oświadczeń o przyznaniu się do winy”.

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

고지: 이 양식은 공개되는 문서이므로, 요청이 있으면 제출된 상태로 대중에게 제공됩니다. 그러므로, 이 문서에 소셜 시큐리티 번호, 운전면허증 번호, 차량 번호판 번호, 보험증권 번호, 사용 중인 금융계좌 번호, 또는 사용 중인 신용카드 번호 등 개인의 신원을 확인할 수 있는 정보를 기재하지 마십시오.

법원에 제출하는 고소장, 신청 및 모든 서류들은 영어로 작성해야 합니다
Complaints, motions and other papers submitted to the court should be in English



New Jersey Judiciary

뉴저지 주 사법부

Plea Form

유죄 인정 합의서 (Korean)

County _____
카운티

Prosecutor File Number _____
검사 파일 번호

Defendant's Name: _____

피고인 성명:

before Judge: _____

담당 판사:

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

귀하가 유죄를 인정하는 죄목들을 열거하십시오:

Ind./Acc./Comp.# 기소/고발/고소 #	Count 조항	Nature of Offense 범죄의 종류	Degree 등급	Statutory Maximum/법정 최고 형량			VCCO Assmt* VCCO 책정금*
				Time 수감 기간	Fine 벌금		
				Max/최고			
				Max/최고			
				Max/최고			
				Max/최고			
				Max/최고			
				Total/합계			

Your total exposure as the result of this plea is:

유죄 인정의 결과로 귀하가 받을 수 있는 총 최고 형량은:

Please Circle Appropriate Answer/
맞는 답에 동그라미를
치십시오.

2. a. Did you commit the offense(s) to which you are pleading guilty?

귀하는 유죄를 인정하는 범행을 했습니까?

[Yes/예] [No/아니요]

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)?

판사가 귀하에게 유죄를 선고하기 전에, 귀하는 판사에게 무엇을 했기에 이 특정 범행(들)에 대해 유죄를 인정하는지 말해야 하는 것임을 아십니까?

[Yes/예] [No/아니요]

3. Do you understand what the charges mean?

귀하는 무슨 혐의를 받고 있는지 아십니까?

[Yes/예] [No/아니요]

4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:

귀하가 유죄를 인정하면 귀하는 특정한 권리를 포기하는 것을 아십니까? 포기하는 권리들 가운데는 다음과 같은 것들이 포함됩니다. 즉:

a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? [Yes/예] [No/아니요]

배심원들 앞에서 검사는 귀하가 합리적인 의심의 여지 없이 유죄임을 입증해야 하는 재판을 받을 권리가 있는 것을 아십니까?

b. The right to remain silent?

묵비권을 행사할 권리가 있는 것을 아십니까?

[Yes/예] [No/아니요]

*Victims of Crime Compensation Office Assessment/범죄 피해자 배상 사무국 책정

Revised Form Promulgated by 12/31/2019 Supplement to Directive #01-18, CN 10079-Korean

2019 년 12 월 31 일자 보충 지령 제 01-18 호에 의하여 공포된 수정 양식, CN 10079-Korean

Defendant's Initials _____

피고인의 이니셜 _____

page 1 of 7/페이지 1/7

4. c. The right to confront the witnesses against you? [Yes/예] [No/아니요]
 귀하에게 불리한 증인을 대질할 수 있는 권리가 있는 것을 아십니까?
- 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(d))? [Yes/예] [No/아니요]
 귀하가 유죄를 인정해도 (1)물적 증거 삭제 요청 거부에 대한 항소권 (R. 3:5-7(d)) 또는 (2) 재판 전 중재 프로그램 참여 승인거부에 대한 항소권 (PTI) (R. 3:28(d))을 포기하는 것은 아니라는 것을 아십니까?
- 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/예] [No/아니요]
 또한 귀하가 유죄를 인정하면 아래 명기된 사항을 제외한 모든 재판 전 요청사항들이 거부된 것에 대한 항소권을 포기한다는 것을 아십니까?
-
-
-
5. Do you understand that if you plead guilty:
 귀하가 유죄를 인정하면 다음과 같은 결과가 발생하는 것을 아십니까? 즉:
- a. You will have a criminal record? [Yes/예] [No/아니요]
 귀하에게 범죄 기록이 생긴다는 것을 아십니까?
- 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/예] [No/아니요]
 유죄 인정 합의서에 다르게 약정되어 있지 않는 한, 귀하는 최장기간 동안 구금되고, 최고 벌금과 최고 금액의 범죄피해자 보상비를 지불하라는 선고를 받게 될 수도 있다는 것을 아십니까?
- 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/예] [No/아니요]
 귀하는 귀하가 유죄를 인정하는 각 죄목에 대해 범죄피해자 보상비의 최저액인 \$50(폭행죄로 유죄확정 되었을 경우에는 최저액 \$100)을 지불해야 하는 것을 알고 있습니까? (만약 범죄가 1986 년 1 월 9 일부터 1991 년 12 월 22 일 사이에 발생했으면 벌금 \$30. 범죄가 1986 년 1 월 1 일 전에 발생했으면 벌금 \$25.)
- 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/예] [No/아니요]
 범죄가 1993 년 2 월 1 일 이후, 1995 년 3 월 13 일 이전에 발생했고, 귀하가 보호관찰에 처하거나, 또는 주 교도시설에서 복역하라는 선고를 받은 경우, 벌금을 지불 또는 분납지불을 할 때마다 최대 \$1.00 까지의 업무처리비를 지불해야 하는 것을 아십니까? 범죄가 1995 년 3 월 13 일 이후에 발생했고 보호관찰에 처하거나, 또는 보호관찰부에 벌금을 지불해야 하는 별도의 선고를 받았을 경우에는 벌금을 지불 또는 분납지불을 할 때마다 최대 \$2.00 까지의 업무처리비를 지불 해야 하는 것을 알고 있습니까?
- 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/예] [No/아니요]
 범죄가 1993 년 8 월 2 일 이후에 발생했을 경우, 유죄가 확정된 각 죄목마다 귀하는 안전 이웃 봉사기금으로 책정된 금액 \$75 을 지불해야 하는 것을 아십니까?

5. f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, [Yes/예] [No/아니요]
you must pay a fee of up to \$25 per month for the term of probation?
범죄가 1994년 1월 5일 이후 발생했고 귀하가 보호관찰형을 받는다면, 보호관찰 기간 동안 매월 \$25까지의 수수료를 지불해야 하는 것을 아십니까?
- 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/예] [No/아니요]
범죄가 1997년 1월 9일 이후 발생했으면 법 시행관 훈련 및 장비 기금에 벌금 \$35을 지불해야 하는 것을 아십니까?
- 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/예] [No/아니요]
귀하는 법 시행기관이 범죄 활동을 수사하는 데 사용될 수도 있는 유전자 시료를 제공해야 하고 그 검사비용을 지불해야 되는 것을 아십니까?
- 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? [Yes/예] [No/아니요]
- (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 \$ _____

컴퓨터 범죄 예방기금 벌금 (CCPF), N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). 범죄가 N.J.S.A. 2C:24-4b(3) (아동이 사진을 찍거나 전시할 성적 행위를 하도록 유발 또는 허용)의 위반과 관련되며 2018년 2월 이후에 저질러진 경우, 범죄가 N.J.S.A. 2C:24-4b(4) (아동의 성적 행위를 사진 찍거나 촬영)의 위반과 관련되며 2018년 2월 이후에 저질러진 경우, 범죄가 N.J.S.A. 2C:24-4b(5)(b) (아동 음란물의 고의적 소지 또는 고의적 시청)의 위반과 관련된 경우, 범죄가 N.J.S.A. 2C:24-4.1 (아동 음란물 조직 당의 두목)의 위반과 관련되며 2018년 2월 이후에 저질러진 경우, 범죄가 N.J.S.A. 2C:34-3 (18세 미만의 미성년자에게 음란물 판매, 유포 또는 전시) 또는 [연방법] Title 2C, chapter 20 중 어떤 조항이라도 위반하는 컴퓨터 관련 범죄인 경우, 귀하는 유죄를 인정한 죄목에 대해서 각각 아래와 같이 의무적 벌금이 부과된다는 것을 아십니까?

- (1) 1급 범죄인 경우, \$2,000
- (2) 2급 범죄인 경우, \$1,000
- (3) 3급 범죄인 경우, \$750
- (4) 4급 범죄인 경우, \$500
- (5) 풍기문란자 죄 또는 경미한 풍기문란자 죄인 경우, \$250

총 CCPF 벌금 \$ _____

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/예] [No/아니요]

판사는 자신의 재량으로 귀하에게 가석방 자격이 될 때까지 복역해야 하는 법정 최단기 수감기간을 선고할 수 있으며, 그 기간은 선고 받은 수감 기간의 절반 정도가 될 수도 있다는 것을 아십니까?

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/예] [No/아니요]

귀하는 의무적 가석방 자격 불가능기간이나 의무적 연장 형량이 **요구되는** 죄목에 유죄를 인정 했습니까?

- 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.

만약 귀하가 그런 죄목에 유죄를 인정할 경우, 최저 의무적 가석방 불가능 기간은 _____ 년 _____ 개월이며 (년, 월 수를 기입할 것) 최장 가석방 불가능 기간은 _____ 년 _____ 개월 (년, 월 수를 기입할 것)이 될 수 있는 것입니다. 이 기간은 모범수의 감형, 작업 또는 최소 수감공제 크레딧에 의하여 단축될 수 없습니다.

- 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).

만약 귀하가 그런 죄목에 유죄를 인정하면 의무적 최하 연장기간은 _____ 년 _____ 개월이며 (년, 월 수를 기입할 것) 의무적 최장 연장기간은 _____ 년 _____ 개월 (년/월 수를 기재할 것)이 될 수 있습니다.

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/예] [No/아니요]

귀하는 지금 징역형을 받을 것으로 추정되는, 다시 말해서, 귀하가 주 형무소에 갈 것이 거의 확실한 범죄에 대해 유죄를 인정하고 있습니까?

9. Are you presently on probation or parole? [Yes/예] [No/아니요]

귀하는 현재 보호관찰을 받고 있거나 또는 가석방 중입니까?

- a. Do you realize that a guilty plea may result in a violation of your probation or parole? [Yes/예] [No/아니요] [NA/해당없음]

유죄 인정을 하면 귀하의 보호관찰 또는 가석방 조건을 위반하는 결과가 발생한다는 것을 아십니까?

10. Are you presently serving a custodial sentence on another charge? [Yes/예] [No/아니요]

귀하는 현재 다른 죄목으로 금고형을 복역하고 있는 중입니까?

- a. Do you understand that a guilty plea may affect your parole eligibility? [Yes/예] [No/아니요] [NA/해당없음]

귀하가 유죄를 인정하면 가석방 자격에 영향을 미칠 수도 있음을 아십니까?

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/예] [No/아니요] [NA/해당없음]

귀하가 다른 죄목에 유죄를 인정했거나, 유죄로 확정된 일이 있거나 또는 현재 복역 중이지만 유죄인정 합의서에는 이런 사항이 언급되어 있지 않은 경우, 판사는 모든 형량을 순차집행 하도록 선고할 수도 있다는 것을 아십니까?

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

검사가 기각을 권고하기로 동의한 죄목을 모두 열거하십시오:

Ind./Acc./Compl.# 기소/고발/고소 #	Count 조항	Nature of Offense and Degree 범죄의 종류 및 등급
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

검사가 권고하기로 동의한 선고형량이 있으면 모두 쓰십시오.

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

검사가 하지 않겠다고 약속한 것이 있습니까?

a. Speak at sentencing?

[Yes/예] [No/아니요]

선고 공판을 할 때 발언하지 않겠다고 했습니까?

b. Seek an extended term of confinement?

[Yes/예] [No/아니요]

수감기간 연장을 요청하지 않겠다고 했습니까?

c. Seek a stipulation of parole ineligibility?

[Yes/예] [No/아니요]

가석방 부적격문제에 관해 조건을 추구하지 않겠다고 했습니까?

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/예] [No/아니요] [NA/해당없음]

만약 손실을 본 피해자가 있고, 또한 장래에 귀하가 피해 보상금을 지불할 능력이 있다고 판사가 판단하면, 귀하는 피해 보상금을 지불해야 하는 것을 아십니까?

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/예] [No/아니요] [NA/해당없음]

귀하가 공직에 있거나 공무원인 경우, 유죄 인정으로 인하여 귀하의 직위 또는 직무를 박탈 당할 수 있음을 아십니까?

17. a. Are you a citizen of the United States?

[Yes/예] [No/아니요]

귀하는 미국 시민입니까?

If you have answered "No" to this question, you must answer Questions 17b – 17f. If you have answered "Yes" to this question, proceed to Question 18.

이 질문에 "아니요"라고 응답했으면 17b – 17f의 질문들에 응답해야 합니다. 이 질문에 "예"라고 응답할 경우에는 18 번 질문으로 넘어 가십시오.

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States? [Yes/예] [No/아니요]

귀하가 미국 시민이 아닌 경우, 이 유죄 인정의 결과로 미국에서 추방 될 수도 있고또한/또는 합법적인 미국 입국 또는 재 입국이 거부될 수도 있다는 것을 아십니까?

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes/예] [No/아니요]

귀하의 유죄 인정이 귀하의 이민 신분에 미칠 영향에 대해 변호사로부터 개인사정에 맞는 자문을 구할 권리가 있다는 것을 아십니까?

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f. [Yes/예] [No/아니요]

귀하의 유죄 인정으로 인해 귀하가 당면할 가능성이 있는 이민 문제에 대해 변호사와 상의했습니까? 만약 "아니요"이면 17e 번 질문으로 가고 "예"이면 17f로 넘어 가십시오.

e. Would you like the opportunity to do so?

[Yes/예] [No/아니요]

변호사와 의논할 기회를 갖기를 원하십니까?

17. f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty? [Yes/예] [No/아니요]

귀하가 당면할 가능성이 있는 이민 문제와 또한 귀하의 개인 사정에 맞는 이민 문제 관련 법률 자문을 추구할 권리가 있다는 조언을 받았음에도 불구하고, 귀하는 유죄를 인정하려 하십니까?

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/예] [No/아니요]

성인 범죄자 감독에 관한 주제협약에 따라, 형의 선고가 내려질 때 귀하가 뉴저지 주 밖에 거주하고 있을 경우 또는 유죄 인정 후, 인정 조건이 재판 전 개입 프로그램(Pretrial Intervention Program)을 받아들이는 경우, 귀하의 거주지의 이전은 귀하가 거주하는 주의 감독 이전 수락을 처리하는 기간 동안 지연될 수도 있는 것을 아십니까?

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/예] [No/아니요]

위의 주제협약에 따라 귀하의 감독을 다른 주로 이전하는 문제는 선고 이후 또는 유죄 인정 후, 인정 조건이 재판 전 개입 프로그램(Pretrial Intervention Program)을 받아들이는 경우, 만약 그 주가 그 주 내에서 귀하를 성범죄자로 등록하도록 결정하거나 또는 뉴저지 주가 귀하를 성범죄자로 등록하도록 규정했으면 언제라도 그 주로의 이전이 거부되거나 제한될 수 있다는 것을 알고 있습니까?

19. Have you discussed with your attorney the legal doctrine of merger? [Yes/예] [No/아니요] [NA/해당없음]
합병의 법적 원리에 관하여 변호사와 상의했습니까?

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/예] [No/아니요] [NA/해당없음]
선고 공판 시 귀하가 유죄를 인정한 죄목에 대해 별도의 선고를 할 수 없다고 주장하는 권리를 포기합니까?

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:
이 유죄 인정의 일부로 귀하나, 검사, 귀하의 변호사 또는 그 외 누군가가 해 준 다른 약속이나 의사표시를 모두 쓰십시오.

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/예] [No/아니요]
이 서식에 언급된 약속 이외에, 귀하가 유죄를 인정하게 만든 다른 약속이나 위협을 받았습니까?

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/예] [No/아니요]
검사의 어떤 약속이나 권고가 있어도 판사는 그에 구애되지 않으며, 판사는 선고를 하기 전에 유죄인정을 거부할 권한과 보다 더 엄한 형을 선고할 권한이 있다는 것을 아십니까?

23. 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/예] [No/아니요]
검사가 권고한 것보다 판사가 더 무거운 형을 내릴 경우, 귀하는 유죄 인정을 철회할 수 있다는 것을 아십니까?

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/예] [No/아니요]
판사의 선고로 인해 귀하의 유죄 인정을 철회하는 것이 허용되는 경우, 유죄를 인정 하기 위하여 귀하가 한 어떤 발언도 재판 시 귀하에게 불리하게 사용될 수 없다는 것을 아십니까?

24. Are you satisfied with the advice you have received from your lawyer? [Yes/예] [No/아니요]
귀하가 변호사에게서 받은 자문에 만족합니까?

25. Do you have any questions concerning this plea? [Yes/예] [No/아니요]
이 유죄 인정에 관련된 어떤 질문이라도 있습니까?

Date/날짜 _____ Defendant/피고인 _____
Defense Attorney/피고측 변호인 _____
Prosecutor/검사 _____

[] 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.
이 유죄 인정 합의는 검사의 권고와는 별개로 판사가 최고의 형량을 선고할 수 있다는 조건부 암시의 결과로 이루어진 것임. 따라서, 비 협상 유죄인정을 위한 보충 유죄인정 양식이 작성되었음.

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

AVISO: Este é um documento público, o que significa que o documento tal como apresentado estará disponível ao público mediante solicitação. Portanto, não inclua dados de identificação pessoal, tais como número de Social Security, número da carteira de motorista, número de placa do veículo, número de apólice de seguro, número de conta financeira ativa ou número de cartão de crédito ativo.

As ações, petições e outros documentos entregues ao tribunal deverão estar em inglês
Complaints, motions and other papers submitted to the court should be in English



New Jersey Judiciary
Poder Judiciário de Nova Jersey

County _____
Condado _____

Prosecutor File Number _____
Número do Processo da Promotoria _____

Plea Form
Formulário de Declaração Judicial (Portuguese)

Defendant's Name: _____

Nome do réu:

before Judge: _____

perante o juiz:

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

Listar as acusações pelas quais você está se declarando culpado:

Ind./Acc./Comp.# Nº da Denúncia/ Acusação/Processo	Count Acusação	Nature of Offense Natureza do crime	Degree Grau	Statutory Maximum/Pena máxima prevista		
				Time Tempo	Fine Multa	VCCO Assmt* Multa VCCO*
_____	_____	_____	_____	Max/Máx	_____	_____
_____	_____	_____	_____	Max/Máx	_____	_____
_____	_____	_____	_____	Max/Máx	_____	_____
_____	_____	_____	_____	Max/Máx	_____	_____
_____	_____	_____	_____	Max/Máx	_____	_____
Your total exposure as the result of this plea is:				Total/Total	_____	_____
Sua exposição total como resultado desta declaração judicial é:					_____	_____

Please Circle Appropriate Answer/
Favor circular a resposta
apropriada

2. a. Did you commit the offense(s) to which you are pleading guilty? [Yes/Sim] [No/Não]
Você cometeu o(s) crime(s) pelo(s) qual(is) está se declarando culpado?

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/Sim] [No/Não]
Você entende que antes de o juiz poder considerá-lo culpado você terá que dizer a ele(a) os atos que cometeu os quais o tornam culpado deste(s) crime(s) específico(s)?

3. Do you understand what the charges mean? [Yes/Sim] [No/Não]
Você entende o significado das acusações?

4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
Você entende que ao se declarar culpado você renunciará a certos direitos? Entre eles:

a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? [Yes/Sim] [No/Não]
O direito a um julgamento por um corpo de jurados no qual a promotoria terá que provar sua culpa acima de uma dúvida razoável?

b. The right to remain silent? [Yes/Sim] [No/Não]
O direito de permanecer em silêncio?

*Victims of Crime Compensation Office Assessment/Multa do Gabinete de Compensação a Vítimas de Crime

Revised Form Promulgated by 12/31/2019 Supplement to Directive #01-18, CN 10079-Portuguese
Formulário Revisado Promulgado em 12/31/2019, Complementação à Diretriz no 01-18, CN 10079-Portuguese

Defendant's Initials _____
Iniciais do Réu _____
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5. f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, [Yes/Sim] [No/Não]
you must pay a fee of up to \$25 per month for the term of probation?

Se o crime ocorreu no dia 5 de janeiro de 1994 ou após esta data e você for condenado à suspensão condicional da pena, você terá que pagar uma taxa de até \$25 por mês durante o período da suspensão condicional da pena?

- 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/Sim] [No/Não]

Se o crime ocorreu no dia 9 de janeiro de 1997 ou após esta data, você terá que pagar uma multa de \$30 ao Fundo para Equipamento e Treinamento de Agentes Policiais?

- 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/Sim] [No/Não]

Você será obrigado a fornecer uma amostra de DNA, a qual poderá ser utilizada pela polícia na investigação de atividades criminais, e a pagar o custo do exame?

- 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? [Yes/Sim] [No/Não]

- (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 \$ _____

Multa do Fundo de Prevenção de Crimes de Informática (CCPF), N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). Se o crime envolve uma violação à lei N.J.S.A. 2C:24-4b(3) (causar ou permitir a participação de menor em ato sexual para fins de fotografia ou publicação), se o crime ocorreu no dia 1º de fevereiro de 2018 ou após esta data, N.J.S.A. 2C:24-4b(4) (fotografar ou filmar um menor em ato sexual), se o crime ocorreu no dia 1º de fevereiro de 2018 ou após esta data, N.J.S.A. 2C:24-4b(5)(b) (posse intencional ou visualização intencional de pornografia infantil), N.J.S.A. 2C:24-4.1 (líder de rede de pornografia infantil), se o crime ocorreu no dia 1º de fevereiro de 2018 ou após esta data, N.J.S.A. 2C:34-3 (venda, distribuição ou exposição de material obsceno a menores de 18 anos) ou se o crime envolve atividades informáticas ilícitas em violação a qualquer disposição do Estatuto 2C, capítulo 20, você deverá pagar uma multa obrigatória conforme listado abaixo por cada crime pelo qual se declara culpado?

- (1) \$2.000 para crimes de primeiro grau
- (2) \$1.000 para crimes de segundo grau
- (3) \$ 750 para crimes de terceiro grau
- (4) \$ 500 para crimes de quarto grau
- (5) \$ 250 para infratores da ordem pública ou das contravenções penais contra a ordem pública

Multa CCPF Total

\$ _____

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/Sim] [No/Não]

Você entende que o **juiz poderá**, a seu próprio critério, impor um tempo mínimo de reclusão a ser cumprido antes que esteja qualificado à liberdade condicional, período este que poderia ser tão longo quanto a metade do período da sentença de reclusão imposta?

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/Sim] [No/Não]

Você declarou-se culpado por algum crime **que exige** um período obrigatório de desqualificação à liberdade condicional ou um período prolongado obrigatório?

- 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.

Se você está se declarando culpado por tal crime, o período mínimo obrigatório sem possibilidade de obter a liberdade condicional é de _____ anos e _____ meses (inserir o número de anos/meses) e o período máximo de desqualificação à liberdade condicional pode ser de _____ anos e _____ meses (inserir o número de anos/meses) e este período não pode ser reduzido por créditos de bom comportamento, trabalho ou créditos mínimos de reclusão.

- 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).

Se você está se declarando culpado por tal crime, o período prolongado mínimo obrigatório é de _____ anos e _____ meses (inserir o número de anos/meses) e o período prolongado máximo obrigatório pode ser de _____ anos e _____ meses (inserir o número de anos/meses).

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/Sim] [No/Não]

Você está se declarando culpado por um crime que prevê a presunção de prisão, o que significa que é quase certo que você será encaminhado à prisão estadual?

9. Are you presently on probation or parole? [Yes/Sim] [No/Não]

Você está atualmente cumprindo suspensão condicional da pena ou liberdade condicional?

- a. Do you realize that a guilty plea may result in a violation of your probation or parole? [Yes/Sim] [No/Não] [NA/NC]

Você entende que a sua declaração de culpa pode resultar em uma violação da sua suspensão condicional da pena ou liberdade condicional?

10. Are you presently serving a custodial sentence on another charge? [Yes/Sim] [No/Não]

Você está atualmente cumprindo uma pena de reclusão por outro crime?

- a. Do you understand that a guilty plea may affect your parole eligibility? [Yes/Sim] [No/Não] [NA/NC]

Você entende que uma declaração de culpa pode afetar a possibilidade de obter a liberdade condicional?

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/Sim] [No/Não] [NA/NC]

Você entende que caso tenha se declarado culpado, ou tenha sido condenado por outros crimes, ou se estiver atualmente cumprindo uma pena de reclusão e esta questão não for mencionada no acordo de culpa, o juiz poderá exigir que todas as sentenças sejam cumpridas consecutivamente?

Você entende que caso tenha se declarado culpado, ou tenha sido condenado por outros crimes, ou se estiver atualmente cumprindo uma pena de reclusão e esta questão não for mencionada no acordo de culpa, o juiz poderá exigir que todas as sentenças sejam cumpridas consecutivamente?

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

Listar todas as acusações para as quais a promotoria concordou em recomendar a extinção:

Ind./Acc./Compl.# Nº Denúncia./Acus./Processo	Count Acusação	Nature of Offense and Degree Natureza e grau do crime
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Especificar todas as sentenças que a promotoria concordou em recomendar:

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

A promotoria prometeu que NÃO vai:

- a. **Speak at sentencing?** [Yes/Sim] [No/Não]
Se pronunciar na audiência de sentença?
- b. **Seek an extended term of confinement?** [Yes/Sim] [No/Não]
Solicitar um período de reclusão prolongado?
- c. **Seek a stipulation of parole ineligibility?** [Yes/Sim] [No/Não]
Solicitar uma cláusula de desqualificação à liberdade condicional?

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/Sim] [No/Não] [NA/NC]

Você está ciente de que terá que pagar uma restituição se o juiz concluir que há uma vítima que sofreu danos e se o juiz concluir que você é capaz ou será capaz no futuro de pagar a restituição?

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/Sim] [No/Não] [NA/NC]

Você entende que se você ocupa um cargo público ou se é funcionário público, você poderá ser obrigado a deixar seu cargo ou emprego em virtude da sua declaração de culpa?

17. a. Are you a citizen of the United States? [Yes/Sim] [No/Não]
Você é cidadão dos Estados Unidos?

If you have answered “No” to this question, you must answer Questions 17b – 17f. If you have answered “Yes” to this question, proceed to Question 18.

Se você respondeu “Não” a esta pergunta, você terá que responder às perguntas 17b a 17f. Se você respondeu “Sim” a esta pergunta, prossiga à pergunta 18.

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States? [Yes/Sim] [No/Não]

Você entende que se não for cidadão dos Estados Unidos, esta declaração de culpa pode resultar em sua remoção dos Estados Unidos e/ou impedi-lo de entrar ou reentrar legalmente nos Estados Unidos?

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes/Sim] [No/Não]

Você entende que tem o direito de procurar assessoria individualizada de um advogado para entender o impacto da declaração de culpa na sua condição imigratória?

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is “No,” proceed to question 17e. If the answer is “Yes,” proceed to question 17f. [Yes/Sim] [No/Não]

Você consultou um advogado sobre as possíveis consequências imigratórias da sua declaração de culpa? Se a resposta for “Não”, prossiga à pergunta 17e. Se a resposta for “Sim”, prossiga à pergunta 17f.

e. Would you like the opportunity to do so? [Yes/Sim] [No/Não]
Você gostaria de ter a oportunidade de consultar um advogado?

17. f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty? [Yes/Sim] [No/Não]

Tendo sido informado sobre as possíveis consequências imigratórias e sobre o direito de procurar assessoria jurídica individualizada para obter informações sobre as consequências imigratórias, você ainda deseja declarar-se culpado?

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/Sim] [No/Não]

Você entende que segundo as regras do Pacto Interestadual de Supervisão de Infratores Adultos, se estiver residindo fora do estado de Nova Jersey no momento da sentença, ou ao se declarar culpado se a declaração de culpa é uma condição de admissão ao Programa de Intervenção Pré-Julgamento, o retorno à sua residência pode ser adiado e estará sujeito à aprovação da transferência de sua supervisão pelo seu estado de residência?

- 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/Sim] [No/Não]

Você entende também que segundo este mesmo Pacto Interestadual a transferência da sua supervisão a outro estado pode ser negada ou restringida por aquele estado a qualquer momento após a sentença, ou ao se declarar culpado se a declaração de culpa é uma condição de admissão ao Programa de Intervenção Pré-Julgamento, se aquele estado determinar que você é obrigado a se registrar como agressor sexual naquele estado ou se o estado de Nova Jersey exigiu seu registro como agressor sexual?

19. Have you discussed with your attorney the legal doctrine of merger? [Yes/Sim] [No/Não] [NA/NC]
Você conversou com seu advogado sobre a doutrina legal da fusão?

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/Sim] [No/Não] [NA/NC]
Você está renunciando ao direito que teria na sentença de argumentar que você se declarou culpado por crimes para os quais você não pode receber uma sentença separada?

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:
Listar todas as outras promessas ou declarações feitas por você, pela promotoria, pelo seu advogado de defesa ou por qualquer outra pessoa como parte desta declaração de culpa:

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/Sim] [No/Não]
Você recebeu alguma outra promessa não mencionada neste formulário ou alguma ameaça que o levou a se declarar culpado?

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/Sim] [No/Não]

Você entende que o juiz não está vinculado a nenhuma promessa ou recomendação da promotoria e que o juiz tem o direito de rejeitar a declaração de culpa antes de sentenciá-lo e tem o direito de impor uma pena mais severa?

23. 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/Sim] [No/Não]

Você entende que se o juiz decidir impor uma sentença mais severa do que a recomendada pela promotoria você poderá retirar sua declaração de culpa?

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/Sim] [No/Não]

Você entende que se obtiver permissão para retirar sua declaração de culpa em razão da sentença do juiz, tudo o que disser para justificar a declaração de culpa não poderá ser usado contra você no julgamento?

24. Are you satisfied with the advice you have received from your lawyer? [Yes/Sim] [No/Não]

Você está satisfeito com a assessoria que recebeu do seu advogado?

25. Do you have any questions concerning this plea? [Yes/Sim] [No/Não]

Você tem alguma dúvida sobre esta declaração judicial?

Date/Data _____ Defendant/Réu _____

Defense Attorney/Advogado de defesa _____

Prosecutor/Promotor _____

[] 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.

Esta declaração judicial é o resultado das indicações condicionais dadas pelo juiz sobre a pena máxima que poderá ser imposta independentemente da recomendação da promotoria. Por conseguinte, o "Formulário Suplementar de Declaração Judicial Não Negociada" foi concluído.