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Directive # 10-18
(Supersedes Directive # 10-10)

Questions or comments may be
directed to 609-815-2900, ext. 55350

TO: Assignment Judges
Family Presiding Judges

FROM: Glenn A. Grant, J.A.D.

SUBJ: Family – Confidential Juvenile Plea Form (CN 11144); Addendum to Juvenile Plea Agreement - Mandated Questions for Certain Sexual Offenses (CN 11425); Notification of Right to Seek Legal Advice Regarding Immigration Status Consequences Form (CN 11629); and Protocol for Informing Juveniles of Potential Immigration Consequences

DATE: July 27, 2018

This Directive supersedes Directive #10-10, as recommended by the Judicial Council and approved by the Supreme Court. It promulgates the following attached documents:

- (1) a revised Confidential Juvenile Plea Form (Plea Form) (CN 11144),
- (2) a revised Addendum to Juvenile Plea Agreement - Mandated Questions for Certain Sexual Offenses (Sex Offense Addendum) (CN 11425),
- (3) a new form entitled the Notification of Right to Seek Legal Advice Regarding Immigration Status Consequences (Notification Form) (CN 11629), and

A. Mandatory Use of Revised Juvenile Plea Form

The Supreme Court has issued an order making use of the revised Confidential Juvenile Plea Form (CN 11144) **mandatory in all matters in which the court accepts a plea**. That order, a copy of which also is attached, is effective September 1, 2018 and until the adoption of conforming rule amendments.

B. New Form -- Notification of Right to Seek Legal Advice Regarding Immigration Status Consequences Form (CN11629) (Notification Form)

The United States Supreme Court and the New Jersey Supreme Court have addressed the importance of informing noncitizen defendants of potential deportation and immigration consequences of pleading guilty to specified crimes. In Padilla v. Kentucky, 130 S.Ct. 1473 (2010), the Supreme Court held counsel must inform a client whether his plea carries a risk of deportation. Deportation is an integral part of the penalty that may be imposed on a noncitizen defendant who pleads guilty to specified crimes. In State v. Nunez-Valdez, 200 N.J. 129, 131 (2009), the New Jersey Supreme Court held that there was sufficient credible evidence for the trial court to conclude the defendant was misinformed by counsel, and the defendant would not have pled guilty if he had received accurate information his plea would result in deportation. The Court directed the Administrative Director and Criminal Practice Committee to revise the Criminal plea form consistent with the decision. Following that decision, the Conference of Family Presiding Judges considered its applicability to juvenile matters and recommended the revisions set forth in this Directive.

The Notification Form shall be used for all juvenile delinquency proceedings. Prior to the start of any first hearing in the case, the Notification Form shall be provided to the juvenile and the juvenile's parent/guardian for completion and signature. The Notification Form confirms the juvenile and parent/guardian have been advised of the right to seek counsel to discuss the impact certain conduct or acts of delinquency may have on the juvenile's immigration status. Whether the hearing proceeds will depend on the juvenile's and parents' responses to the questions on the form. The Notification Form shall not be mailed to the juvenile and parent/guardian. It must be reviewed with the juvenile and parent/guardian in person at the first hearing.

C. Notification Form Protocol

1. Counsel Mandatory Proceedings Before a Judge

At the first hearing and prior to any plea hearing, the defense attorney will review the completed Notification Form with the juvenile and the parent/guardian. The judge then will review the Notification Form with the attorney, juvenile and parent on the record. Following that review, the juvenile and juvenile's parents/guardians and the judge will sign the form.

If after the review of the Notification Form, the juvenile wishes to proceed, the judge may proceed with taking a plea.

If the juvenile has indicated he or she would like the opportunity to seek advice from an attorney about immigration consequences, the proceeding will be adjourned and rescheduled.

2. Other Proceedings -- Counsel Non-Mandatory Proceeding Before a Judge, Juvenile Referee Proceeding, Intake Services Conference (ISC), Juvenile Conference Committee (JCC)

For other proceedings – counsel non-mandatory matters before a judge, juvenile referees, ISCs and JCCs -- the review of the Notification Form will be conducted at the first hearing. The juvenile and the parent/guardian will be provided with the Notification Form, which the judge or court official (e.g., juvenile referee, JCC Coordinator or ISC staff) will review with the juvenile and parent. After review of each question, the Notification Form will be completed and signed by the judge or court official, the juvenile and the juvenile's parent/guardian.

If the juvenile waives the right to seek the advice of immigration counsel by selecting "Yes" on question #3 of the Notification Form, the judge or court official will sign the Notification Form to confirm it has been reviewed with the parties, and the hearing will proceed on that date.

If, however, the juvenile has indicated he or she would like the opportunity to consult with an immigration attorney, the proceeding will be adjourned and rescheduled.

D. Notification Form Policy for All Proceedings

1. At no point in the proceedings shall a judge, juvenile referee, ISC staff person or JCC advise the juvenile on the immigration consequences of a plea or entry into diversion. The court's responsibility is limited to informing the juvenile that: (1) engaging in certain conduct or acts of delinquency or an admission of guilt may result in negative immigration consequences; and (2) the juvenile has the right to seek advice from an attorney regarding the potential immigration consequences. The court is not responsible for appointing an immigration attorney for the juvenile.

2. Additional adjournment requests beyond the request for an adjournment to seek advice from an immigration attorney shall be addressed within the court's discretion.

3. A copy of the completed and signed Notification Form shall be retained in the juvenile's court file.

E. Attorney Responsibility

In cases where a juvenile is represented by counsel in the juvenile delinquency case, the defense attorney is responsible for reviewing a plea agreement with the juvenile to ensure the juvenile understands the consequences of pleading guilty to an offense. The defense attorney is responsible for executing and submitting the Plea Form, Sex Offense Addendum and Notification Form to the court. When accepting the plea, the judge should ask the juvenile's attorney on the record whether the attorney reviewed the Plea Form, Sex Offense Addendum and Notification Form with the juvenile and answered all of the juvenile's questions. Defense attorneys must also ensure juveniles are informed of their right to seek the advice of separate counsel regarding the potential immigration consequences of a plea or diversion. Defense counsel is not expected to be an expert in immigration law. A signed Notification Form shall be retained in the juvenile's court file.

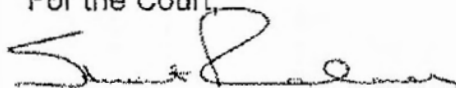
Attachments

cc: Chief Justice Stuart Rabner
Attorney General Gurbir S. Grewal
Public Defender Joseph E. Krakora
Steven D. Bonville, Judiciary Chief of Staff
Veronica Aliende, Director, Div of Criminal Justice
Clerks of Court
AOC Directors and Assistant Directors
County Prosecutors
Regional Deputy Public Defenders
Trial Court Administrators
Melaney S. Payne, Special Assistant
Ann Marie Fleury, Special Assistant
Jessica Lewis Kelly, Special Assistant
David Tang, Chief, Family Practice
Family Division Managers
Assistant Family Division Managers

SUPREME COURT OF NEW JERSEY

IT IS ORDERED, pursuant to N.J. Const. (1947), Art. VI, sec. 2, par. 3, that effective September 1, 2018 and until further order, Rule 5:21A of the Rules Governing the Courts of the State of New Jersey is supplemented and relaxed so as to require use of the Confidential Juvenile Plea Form (CN 11144) in all juvenile delinquency cases in which the judge accepts a plea. This rule relaxation shall be in effect until conforming rule amendments have been adopted.

For the Court,

A handwritten signature in black ink, appearing to be "S. R. ...", written over a horizontal line.

Chief Justice

Dated: July 17, 2018



New Jersey Judiciary Confidential Juvenile Plea Form

Juvenile's Name _____ County _____

Before Judge _____

I. List the charges before the court

Docket. #	Ct.#	Guilty	Not Guilty	Nature of Offense	Deg.	Time	Fine	VCCO
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								
FJ-								

Total

Maximum sentence terms, pursuant to N.J.S.A. 2A:4A-44d (for what would constitute the following crimes if committed by an adult):

- | | |
|--|----------|
| (a) Murder under 2C:11-3a(1) or (2) | 20 years |
| (b) Murder under 2C:11-3a(3) | 10 years |
| (c) Crime of the first degree, except murder | 4 years |
| (d) Crime of the second degree | 3 years |
| (e) Crime of the third degree | 2 years |
| (f) Crime of the fourth degree | 1 year |
| (g) Disorderly persons offense | 6 months |

- ☐ The Prosecutor is seeking an **extended term of incarceration**, beyond the maximum term.
Indicate the **amount** of extended term _____, and the reason for the extension _____.

- | | | Please Circle
Appropriate Answer | |
|----|--|-------------------------------------|------|
| | | [Yes] | [No] |
| 2. | a. Did you commit the offense(s) to which you are pleading guilty? | | |
| | 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)? | | |
| 3. | Do you understand what the charges mean? | | |
| 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? | | |
| | b. The right to remain silent? | | |
| | c. The right to confront the witnesses against you? | | |

Confidential Juvenile Plea Form

5. Do you understand that if you plead guilty:
- a. You will have a juvenile 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 Violent Crimes Compensation Office Assessment? [Yes] [No]
 - c. You must pay the minimum Violent Crimes Compensation Office assessment of \$30 for each offense to which you plead guilty? [Yes] [No]
 - d. If you are pleading guilty to a crime of the first, second, third or fourth degree, do you understand that when you are sentenced for the above charges, you will be required to pay a fee of \$15 to the Law Enforcement Trust Fund? [Yes] [No]
 - e. Do you understand that if you plead guilty to a crime of the first, second, third or fourth degree, you will be required to provide a DNA sample which could be used by law enforcement for the investigation of criminal activities and to pay for the costs of testing? [Yes] [No]
 - f. Do you understand if you currently live out of state or plan to relocate to another state for a period of time exceeding ninety (90) consecutive days in any twelve (12) month period, your probation supervision transfer falls under the authority of the Rules of the Interstate Compact for Juveniles (ICJ)? [Yes] [No]
 - g. Do you understand that while you are under probation supervision, if you are living out of state in one of the 51 other jurisdictions but not living with your parent, legal guardian, or custodian, the Rules of the ICJ may prohibit your attendance at an out of state school? [Yes] [No]
 - h. Do you understand under the other 51 jurisdictions, even if you are not required to register as a sex offender in New Jersey, upon acceptance of your supervision in another state, you may be required to register as a sex offender in any one of the other 51 jurisdictions in which you may desire to live. [Yes] [No]
 - i. Do you understand under the ICJ, if you are required to register as a sex offender in any of the other 51 jurisdictions, there may be restrictions on where you can live (e.g. residing near a school, daycare center and/or playground)? [Yes] [No]
 - j. Do you understand under the ICJ if you are accepted for supervision by another state and you violate the terms and conditions of probation supervision of either New Jersey or the other jurisdictions in which you live, you may be subject to return to New Jersey for a Violation of Probation? [Yes] [No]

For more information on the ICJ sexual offender laws of each state, please access that respective state's ICJ page at www.juvenilecompact.org.

6. Do you understand that if you are pleading guilty pursuant to an offense under *N.J.S.A. 2C:35-1 et. seq.*, or *N.J.S.A. 2C:36-1 et. seq.* the following mandatory penalties apply?
- a. You will be required to forfeit your driver's license for a period of time from 6 to 24 months? [Yes] [No]
 - b. You will be required to pay a forensic laboratory fee of \$25 for each offense for which you plead guilty? [Yes] [No]
 - c. You will be required to pay a mandatory drug enforcement and demand reduction (DEDR) penalty as listed below for each offense for which you plead guilty? [Yes] [No]
- The mandatory penalties are as follows:
- | | | | | | | | |
|---|---|-------|---|----|-------|-------|-------|
| (1) \$3,000 in the case of a 1st Degree | x | _____ | + | \$ | _____ | Lab = | _____ |
| (2) \$2,000 in the case of a 2nd Degree | x | _____ | + | \$ | _____ | Lab = | _____ |
| (3) \$1,000 in the case of a 3rd Degree | x | _____ | + | \$ | _____ | Lab = | _____ |
| (4) \$ 750 in the case of a 4th Degree | x | _____ | + | \$ | _____ | Lab = | _____ |
| (5) \$ 500 in the case of a DP or PDP | x | _____ | + | \$ | _____ | Lab = | _____ |
- d. If you are applying for a conditional discharge on any count, you will be required to pay the following: [NA] [Yes] [No]
\$500 DEDR, \$25 lab fee, \$75 conditional discharge fee; and that the court may suspend your driver's license for a period of time from 6 to 24 months?
7. Are you presently on probation or parole? [Yes] [No]
- a. If yes, do you understand that the rules of the Interstate Compact for Juveniles (ICJ) apply? [Yes] [No]
 - b. Do you realize that a guilty plea may result in a violation of your probation or parole? [NA] [Yes] [No]
8. 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? [NA] [Yes] [No]

Confidential Juvenile Plea Form

9. 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 recommendation is silent on the issue, the court may require that all sentences be made to run consecutively? [NA] [Yes] [No]
10. Specify any sentence the prosecutor has agreed to recommend:
-
-
-
11. 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]
12. 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? [NA] [Yes] [No]
13. Are you a citizen of the United States? [Yes] [No]
- a. Do you understand that pursuant to federal law, if you are not a United States citizen, your admission of guilt may result in the following: [Yes] [No]
- It may result in your removal from the United States;**
- It may stop you from being able to legally enter or re-enter the United States;**
- It may prevent you from ever becoming a naturalized American citizen;**
- It could affect your eligibility for Special Immigrant Juvenile Status.**
- b. I certify that I have signed a *Notification of Right to Seek Legal Advice Regarding Immigration Status Consequences Form*. [Yes] [No]
- Note: The signed *Notification Form* should be attached to the plea form.
- c. Having been advised of the possible immigration consequences and of your right to seek advice from an attorney, do you still wish to admit to the offense? [Yes] [No]
14. Have you discussed with your attorney the legal doctrine of merger? [NA] [Yes] [No]
15. Are you giving up your right at sentencing to argue that there are charges you pleaded guilty to for which you cannot be given a separate sentence? [NA] [Yes] [No]
16. 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:
-
-
-
17. Have any promises, other than those mentioned on this form, or any threats been made in order to cause you to plead guilty? [Yes] [No]
18. a. Do you understand that the judge is not bound by any promises or recommendation of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence? [Yes] [No]
- b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, you may take back your plea? [Yes] [No]
- c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, anything you say in furtherance of the guilty plea cannot be used against you at trial? [Yes] [No]
19. Are you satisfied with the advice you have received from your lawyer? [Yes] [No]
20. Do you have any questions concerning this plea? [Yes] [No]
21. Has your attorney discussed the disposition of your case with you, including any required terms of incarceration? [Yes] [No]

Confidential Juvenile Plea Form

22. Do you understand that if the disposition of your case includes a term of incarceration, pursuant to N.J.S.A. 2A:4A-44d(5) [Yes] [No]
it will also include an additional term of post-incarceration supervision equivalent to 1/3 of that term of incarceration?

Juvenile

Date

Parent or Guardian

Date

Defense Attorney

Date

Prosecutor

Date



New Jersey Judiciary
Addendum to Juvenile Plea Agreement
Mandated Questions for Certain Sexual Offenses

Please Circle
Appropriate Answer

Registration Requirement:

- | | | |
|---|-------|------|
| 1. Do you understand that you must register with certain public agencies if you are admitting to any of the following offenses? (<i>N.J.S.A. 2C:7-2(a)(1)</i>). | [Yes] | [No] |
| <ul style="list-style-type: none">• aggravated sexual assault;• sexual assault;• aggravated criminal sexual contact;• kidnapping under <i>N.J.S.A. 2C:13-1(c)(2)</i>;• endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child under <i>N.J.S.A. 2C:24-4(a)</i>;• endangering the welfare of a child under <i>N.J.S.A. 2C:24-4(b)(3)</i>, -4(b)(4) or -4(b)(5)(a);• luring or enticing under <i>N.J.S.A. 2C:13-6</i>;• criminal sexual contact under <i>N.J.S.A. 2C:14-3.b</i> if the victim is a minor;• kidnapping under <i>N.J.S.A. 2C:13-1</i> if the victim is a minor and the offender is not the parent of the victim;• criminal restraint under <i>N.J.S.A. 2C:13-2</i> if the victim is a minor and the offender is not the parent of the victim;• false imprisonment under <i>N.J.S.A. 2C:13-3</i> if the victim is a minor and the offender is not the parent of the victim;• knowingly promoting prostitution of a child under <i>N.J.S.A. 2C:34-1(b)(3)</i> or -1(b)(4); or• an attempt to commit any of these enumerated offenses. | | |
| 2. If you are incarcerated, do you understand that upon your release from incarceration you must register with the chief law enforcement officer of the municipality in which you reside or, if the municipality does not have a local police force, the Superintendent of State Police (if you are not incarcerated, you must register with the appropriate law enforcement officer immediately)? (<i>N.J.S.A. 2C:7-2(c)(2)</i>). | [Yes] | [No] |
| 3. Do you understand that if you fail to register or re-register you may be charged with an offense? (<i>N.J.S.A. 2C:7-2(a)(3)</i>). | [Yes] | [No] |
| 4. Do you understand that if you move and return to New Jersey from another jurisdiction, you shall register with the chief law enforcement officer of the municipality in which you will reside or, if the municipality does not have a local police force, the Superintendent of State Police within 10 days of returning to a municipality in New Jersey? (<i>N.J.S.A. 2C:7-2(c)(3)</i>). | [Yes] | [No] |

Addendum to Juvenile Plea Agreement Mandated Questions for Certain Sexual Offenses

5. Do you understand that if you work or attend school in another State, but remain a New Jersey resident, you must still register in the State where you are employed or attend school if there is such a registration requirement in that State? This out of state registration is in addition to the registration in your home town, and does not change your obligation to register where you live in New Jersey. [Yes] [No]
6. Do you understand that if you enroll or work at an institution of higher education or other post-secondary school in New Jersey, you must register within 10 days of commencement of such attendance or employment with the law enforcement unit of the educational institution, if any? (*N.J.S.A. 2C:7-2(c)(7)*). [Yes] [No]
7. Do you understand that, once you have registered, you must notify the law enforcement agency where you are registered in person of any change of employment or school enrollment status within 5 days of such change? (*N.J.S.A. 2C:7-2(d)(1)*). [Yes] [No]

Change of Address:

8. a. Do you understand that if you move to another state, you will be subject to any and all laws governing sex offender registration for that State? [Yes] [No]
- b. Do you understand that under legal definitions of the Interstate Compact for Juveniles (ICJ), a juvenile sex offender is defined as a juvenile who has been adjudicated for an offense involving sex or an offense that is sexual in nature as determined by New Jersey. [Yes] [No]
- c. Do you understand that you may be required to register as a sexual offender in any one of the 51 jurisdictions outside the State of New Jersey in which you desire to reside. [Yes] [No]
9. Do you understand that if you move to another state, you must notify the law enforcement agency where you are currently registered within 10 days before moving in order to be removed from the New Jersey State Police Sex Offender Registry? [Yes] [No]
10. Do you understand that if you change your address within the State you must notify the law enforcement agency where you are registered, and must re-register with the chief law enforcement officer of the municipality in which you will reside, or the Superintendent of the State Police if the municipality does not have a chief law enforcement officer or agency, no less than 10 days before you move to the new address? (*N.J.S.A. 2C:7-2(d)(1)*). [Yes] [No]
11. Do you understand that if you fail to notify the appropriate law enforcement agency of a change of address, employment or school enrollment status, you may be charged with an offense? (*N.J.S.A. 2C:7-2(d)(1)*). [Yes] [No]

Addendum to Juvenile Plea Agreement Mandated Questions for Certain Sexual Offenses

Address Verification:

12. Do you understand that you must verify your address with the appropriate law enforcement agency, and this verification must occur annually? [Yes] [No]
13. Do you understand that if you provide false information concerning your residence or fail to verify your address you may be charged with an offense? [Yes] [No]
(*N.J.S.A. 2C: 7-2(e)*).

Community Notification:

14. Do you understand that the requirement of registration will result in notification to law enforcement, and possibly to community organizations and the public at large, of your release from incarceration and your presence in the community? [Yes] [No]
(*N.J.S.A. 2C:7-6*).

Internet Posting:

15. Do you understand that your name, age, race, gender, date of birth, height, weight, eye color, any distinguishing scars or tattoos you have, your photograph, the make, model, color, year and license plate number of any vehicle you operate, your street address, zip code, municipality and county in which you reside and a description of the offense to which you are admitting, may be publicly available on the Internet? [Yes] [No]
(*N.J.S.A. 2C:7-13*).

Use of Internet:

16. Do you understand that you must provide the appropriate law enforcement agency with information as to whether you have routine access to or use of a computer or device with Internet capability? [N/A] [Yes] [No]
(*N.J.S.A. 2C:7-2(d)(2)*).
This law applies if the offense was committed on or after February 25, 2008.
17. Do you understand that if you fail to notify the appropriate law enforcement agency as to whether you have routine access to or use of a computer or device with Internet capability or a change in such use or access, you may be charged with an offense? [N/A] [Yes] [No]
(*N.J.S.A. 2C:7-2(d)(2)*).
This law applies if the offense was committed on or after February 25, 2008.
18. Do you understand that your computer or any other device with Internet capability may be subject to periodic unannounced examination, if ordered by the court? [Yes] [No]
(*N.J.S.A. 2C:43-6.6*).

Eligibility to Terminate Registration:

19. Do you understand that if you were under the age of 14 when the offense was committed, you can apply to the court to terminate your registration obligation at age 18? [Yes] [No]
(*In re Registrant J.G.*, 169 N.J. 304 (2001)).

Addendum to Juvenile Plea Agreement Mandated Questions for Certain Sexual Offenses

20. Do you understand that if you were age 14 or older when the offense was committed, you can apply to the court to terminate your registration obligation 15 years after adjudication or release from a correctional facility, whichever is later? (*N.J.S.A. 2C:7-2(f)*). [Yes] [No]

AIDS/HIV Testing:

21. Do you understand that if you are admitting to aggravated sexual assault or sexual assault under *N.J.S.A. 2C:14-2.a* or *N.J.S.A. 2C:14-2.c*, you must submit to a test for acquired immune deficiency syndrome (AIDS), or infection with the human immunodeficiency virus (HIV), or related virus identified as a possible cause of AIDS? (*N.J.S.A. 2A:4A-43.1*). [N/A] [Yes] [No]

Civil Commitment:

22. Do you understand that if you are admitting to a sexually violent offense, you may upon completion of your term of incarceration, be civilly committed to another facility for up to life if the court finds, after a hearing, that you are in need of involuntary civil commitment? (A sexually violent offense is defined by the New Jersey Sexually Violent Predator Act, *N.J.S.A. 30:4-27.24, et seq.* Such offenses include: aggravated sexual assault; sexual assault; aggravated criminal sexual contact; kidnapping under *N.J.S.A. 2C:13-1(c)(2)(b)*; criminal sexual contact; felony murder under *N.J.S.A. 2C:11-3(a)(3)* if the underlying crime is sexual assault; an attempt to commit any of these offenses; or a criminal offense with substantially the same elements as any offense enumerated above, entered or imposed under the laws of the United States, this State or another state; or any offense for which the court makes a specific finding on the record that, based on the circumstances of the case, the offense should be considered a sexually violent offense.) [Yes] [No]

Sex Offender Supervision Fund Penalty:

23. Do you understand that, in addition to other penalties and fees required by law, if the offense was committed on or after July 1, 2014, as a result of your guilty plea you may be required to pay a monthly Sex Offender Supervision Penalty unless your income is below 149 percent of the federal poverty level? (*N.J.S.A. 30:4-123.97*) [Yes] [No]

Juvenile

Date

Parent or Guardian

Date

Defense Attorney

Date

Distribution:

☐ Juvenile/parent or guardian

☐ Prosecutor

☐ Defense Attorney

☐ County Probation Division



New Jersey Judiciary
Notification of Right to Seek Legal Advice Regarding
Immigration Status Consequences

Pursuant to federal law, if you are not a citizen of the United States, engaging in certain conduct or acts of delinquency may affect you in the following ways:

- It may result in your removal from the United States;
- It may stop you from being able to legally enter or re-enter the United States;
- It may prevent you from ever becoming a naturalized American citizen;
- It could affect your eligibility for Special Immigrant Juvenile Status.

If you are not a citizen or if you are not sure that you are a citizen, you have the right to seek advice from an attorney about the effect your alleged conduct or acts of delinquency and participation in this proceeding may have on your immigration status.

Juvenile Name:

Docket Number(s):

- | | | |
|---|------------------------------|-----------------------------|
| 1. Do you understand that you have the right to seek advice from an attorney about the impact certain conduct or acts of delinquency and this proceeding may have on your immigration status? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Would you like the opportunity to seek advice from an attorney regarding the impact certain conduct or acts of delinquency, and this proceeding, may have on your immigration status? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Having been advised of potential immigration consequences (in bold above) with regard to the impact of certain conduct and acts of delinquency, and having been advised of your right to seek legal advice from an attorney with regard to your possible immigration consequences, do you still wish to proceed? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

I certify that I have reviewed this document and understand that I have the right to seek advice from an attorney regarding the effect my alleged conduct or acts of delinquency and participation in this proceeding may have on my immigration status.

Printed Name of Juvenile

Signature of Juvenile

Date

I certify that I have reviewed this document and understand that my child has the right to seek advice from an attorney regarding the effect his/her alleged conduct or acts of delinquency and participation in this proceeding may have on his/her immigration status, and I am in agreement with the decisions as indicated by the answers to the questions above.

Printed Name of Parent/Guardian

Signature of Parent/Guardian

Date

First Hearing: The undersigned has reviewed this form with the juvenile, the juvenile's parent/guardian, and defense attorney (if juvenile is represented).

Printed Name of Judge/Court Official

Judge/Court Official's Signature

Date