

## **New Plea Form: Additional Questions for Certain Drug and Weapons Offenses Committed on or After June 24, 1998**

Directive #5-99  
Issued by:

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Acting Administrative Director

As recently amended, *N.J.S.A.* 2C:39-4.1 provides that the sentence for a weapons conviction is to be served consecutively to that imposed for a conviction of certain CDS offenses. The Supreme Court, at its Administrative Conference on March 1, 1999, approved the Criminal Practice Committee's recommendation to promulgate a new plea form, *Additional Questions for Certain Drug and Weapons Offenses Committed on or after June 24, 1998.* A copy of the new plea form is attached.

### **EDITOR'S NOTE**

No change has been made to the original text.

**ADDITIONAL QUESTIONS FOR CERTAIN DRUG AND WEAPONS  
OFFENSES COMMITTED ON OR AFTER JUNE 24, 1998**

The following questions need to be answered if you are pleading guilty to certain drug offenses and also are pleading guilty to possession of a firearm or other weapon while committing, attempting to commit or conspiring to commit any of the following offenses. If a firearm was possessed, answer questions 1 a, b and c. If a firearm was not possessed, mark question 1a not applicable [NA] and answer questions 1b and c.

1. Do you understand that if you plead guilty to any of the following offenses: leader of a narcotics trafficking network (2C:35-3); operating a controlled dangerous substance production facility (2C:35-4); manufacturing a controlled dangerous substance (2C:35-5) distribution, possession or manufacture of gamma hydroxybutyrate (2C:35-5.2); distribution, possession or manufacture of flunitrazepam (2C:35-5.3); employing a juvenile in drug distribution (2C:35-6); distributing, dispensing or possessing with intent to distribute a controlled dangerous substance within 1,000 feet of school property (2C:35-7); distributing, dispensing or possessing a controlled dangerous substance within 500 feet of a public housing facility, park or building (2C:35-7.1); or distribution, possession or manufacture of an imitation controlled dangerous substance (2C:35-11) **AND**

- a. you also plead guilty to possessing a firearm while committing, attempting to commit or conspiring to commit any of these offenses you will receive a consecutive sentence for possessing the weapon? [YES] [NO] [NA]

**OR**

- b. you also plead guilty to possessing a weapon, other than a firearm, for an unlawful purpose while committing, attempting to commit or conspiring to commit any of these offenses you will receive a consecutive sentence for possessing the weapon for an unlawful purpose? [YES] [NO] [NA]

**OR**

- c. you also plead guilty to possessing a weapon, other than a firearm, under circumstances not manifestly appropriate for lawful use of the weapon while committing, attempting to commit or conspiring to commit any of these offenses you will receive a consecutive sentence for possessing the weapon? [YES] [NO] [NA]

Date\_\_\_\_\_

Defendant\_\_\_\_\_

Defense Attorney\_\_\_\_\_

Prosecutor\_\_\_\_\_