

POST-DISPOSITIONAL RIGHTS COLLOQUY

In re _____ : Docket # _____
(Juvenile) :
: Delinquent Act(s): _____
: _____
: _____
: _____

POST-DISPOSITIONAL RIGHTS COLLOQUY

- 1) You can disagree with the court's decisions. You have the right to file a motion. It must be in writing. It must be filed within 10 days from today. You can ask your lawyer to file a motion to:
 - a) ask the court to change or review its decision finding you delinquent;
 - b) ask the court to change or review its decision to place you in a program or on probation; or
 - c) ask the court to change or review its decision to make you to do things on probation (such as paying money, doing community service, taking drug tests, etc.).

In other words, you can ask the court to change or review any decision that it has made in your case with which you do not agree.

Do you understand this? Yes No

- 2) You have the right to have a lawyer help you file your motion. If your lawyer (who is helping you today) cannot or will not file the motion for you, the court will appoint a new lawyer to help you.

Do you understand this? Yes No

- 3) Here's what could happen if you file a motion:

- a) the court could disagree with the motion without having a hearing;
- b) the court could agree with the motion without having a hearing; or

c) the court could hold a hearing and then agree or disagree with the motion.

Do you understand this? Yes No

- 4) If the court disagrees with your motion, you have the right to ask a higher court to look at your case. The higher court would decide if the juvenile court made any mistakes or abused its responsibility when it disagreed with your motion. This is called taking an appeal.

Do you understand this? Yes No

- 5) You must file your request or appeal in writing. You have 30 days from when the court disagrees with your motion to file it.

Do you understand this? Yes No

- 6) You have the right to have a lawyer to help you with your appeal. If your lawyer (who is helping you today) cannot or will not file your appeal for you, the court will appoint a new lawyer to help you.

Do you understand this? Yes No

- 7) You may decide that you would like to take an appeal but do not wish to file a motion. This is called taking a direct appeal. In your direct appeal, you may ask the higher court to decide if the juvenile court was right or wrong in finding you guilty (including what the juvenile judge was or was not allowed to hear) or if the juvenile court made any mistakes or abused its responsibility in anything that the court ordered as your consequences.

Do you understand this? Yes No

- 8) If you wish to take a direct appeal (without filing a motion first) you must file your appeal within 30 days from today (or 30 days from the day that the court decides your consequences).

Do you understand this? Yes No

- 9) If you admitted to any of the charges, you can only ask the higher court to look at the following issues:

- a) whether your admission was voluntary (you made your own decision to admit to a charge. No one forced you to do this. You understood what you were doing, including the consequences.);

- b) whether the court was the correct court to hear your case (the court had the authority over your case); or
- c) whether the court abused its responsibility or made any mistakes in the things that were ordered as your consequences.

Do you understand this? Yes No

10) It is important that you remember that you have certain time periods to file a motion or an appeal. These are the time periods:

- a) You must file your motion within 10 days from today (or the date that the court decides your consequences).
- b) You have 30 days from the date that the court disagreed with your motion to file your appeal with the higher court.
- c) If you do not file a motion, you must file your appeal to the higher court within 30 days from today (or the date that the court decides your consequences).

Do you understand this? Yes No

I promise that I have read this whole form or someone has read this form to me. I understand it. The signature below and on each page of this form are mine.

Juvenile

Date

I, _____, lawyer for the juvenile, have reviewed this form with my client. My client has told me that he or she understands this form.

Lawyer for Juvenile

Date