Form 12. Waiver of Right to Contested Hearing in an Extended Jurisdiction Juvenile Case
STATE OF MINNESOTA
DISTRICT COURT - JUVENILE DIVISION

| COU | NTY OF | JUDICIAL DISTRICT |
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| In the Matter of the Welfare of: | | WAIVER OF RIGHT |
| | | TO CONTESTED HEARING IN AN EXTENDED JURISDICTION JUVENILE CASE |
| | Child | |
| | | Court File No. |
| I have | meen advised by my attorney and I understand the following rights: My full name is and I have been charged by Delinquency Petiti juvenile court with the offense(s) of: which be a felony if committed by an adult. This felony carries a presumptive sentence of the committed by an adult. | |
| | months in prison un [range] | nder the Minnesota Sentencing |
| | Guidelines and applicable statutes. | |
| 2. | The offense(s) is alleged to have occurre the time, having a date of birth of | ed on and I was at least 14 years old at |
| 3. | For the purpose of this waiver only, I sub the offense(s). | mit there is probable cause to believe I committed |
| 4. | I understand that I have a right to an atto | orney. |
| 5. | The prosecutor has brought a motion for | extended jurisdiction juvenile prosecution, and I |

- 5. The prosecutor has brought a motion for extended jurisdiction juvenile prosecution, and I understand I have a right to a hearing before a judge.
- 6. At that hearing, the prosecutor must show by clear and convincing evidence that designating the proceeding as an extended jurisdiction juvenile prosecution serves public safety. I have discussed the public safety factors with my attorney.
- 7. I understand I could present witnesses and evidence at that hearing.
- 8. I understand I could cross-examine all witnesses who testify for the state.
- 9. I understand I could present arguments against the extended jurisdiction juvenile prosecution.
- 10. I understand that by waiving my right to a hearing I agree that my case can proceed to a jury trial on the above-named offense(s). If I am found guilty, I will be subject to the penalties of both juvenile and adult court, including a stayed sentence under Minnesota Sentencing Guidelines and criminal statutes.
- 11. I have discussed with my attorney and understand the potential maximum penalties under the Minnesota Sentencing Guidelines and criminal statutes. I have discussed and understand that if I violate the terms of the stayed adult sentence, I have a right to a hearing, but if the court finds the violation proven, I will be in the adult court system where a prison sentence

JUVENILE COURT 2

could be imposed. We have discussed and I understand that there may be sentencing departures, either upward if the court finds aggravating circumstances, or downward if the court finds mitigating factors in the case.

- □ No promise of any agreement has been made to me.
- ☐ The following agreement has been reached in exchange for my waiver:

| 12. | I understand I have a right to discuss my case with my parent(s), legal guardian(s), or legal |
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| | custodian(s), and I have either done so or waive my right to do so. |

- 13. I understand the court will find I represent a danger to the public safety if kept solely within the juvenile system and will order an extended jurisdiction juvenile prosecution.
- 14. If a psychological evaluation has been completed, I understand I may request additional psychological evaluations and explore alternative treatment programs to find a suitable juvenile disposition option and demonstrate to the court that I do not represent a danger to the public safety if I remain in the juvenile system.
- 15. Based upon all of this information and investigation, I am choosing to waive or give up my right to have an extended jurisdiction juvenile hearing.
- 16. No threats have been made to coerce me into waiving these rights. No promises have been made to me except as set forth in paragraph 11.
- 17. I am waiving or giving up my rights freely and voluntarily. I have had sufficient time to discuss my rights and options with my attorney.

| DATE: | |
|-------|------------------|
| | Child |
| DATE: | |
| | Child's Attorney |

(11/02)