

Summary of Proposed Revisions to Local Rules and Forms Effective January 1, 2027

RULE CHANGES

<u>FORM NUMBER</u>	<u>PROPOSED CHANGE</u>	<u>BRIEF DESCRIPTION</u>
<i><u>Rule 2—Criminal</u></i>		
2.5	Adopt	Interpreter notification in 977 in felony case

FORM CHANGES

<u>FORM NUMBER</u>	<u>FORM NAME</u>	<u>PROPOSED CHANGE</u>	<u>BRIEF DESCRIPTION</u>
<u>31</u>	Defendants Financial Statement and Notice to Defendant	Renumbered to 10000-CT	Renumber form
<u>145</u>	WOR Motion to Change Plea	Renumbered to 10001-CT	Renumber Form
<u>258(a)</u>	WOR DUI Plea	Renumbered to 10002-CT	Renumber Form
<u>258(b)</u>	WOR DUI Plea (One Prior)	Renumbered to 10003-CT	Renumber Form
<u>258(C)</u>	WOR DUI Plea (2 Priors)	Renumbered to 10004-CT	Renumber Form
<u>259</u>	WOR Reckless Driving	Renumbered to 10005-CT	Renumber Form
<u>264</u>	WOR Suspended License or Revoked	Renumbered to 10006-CT	Renumber Form

Summary or Proposed Revisions to Local Rules and Forms Effective January 1, 2027

<u>FORM NUMBER</u>	<u>FORM NAME</u>	<u>PROPOSED CHANGE</u>	<u>BRIEF DESCRIPTION</u>
<u>545</u>	WOR COP	Renumbered to 10007-CT	Renumber Form
<u>555</u>	WOR Violation	Renumbered to 10008-CT	Renumber Form
<u>301</u>	Stipulation and Order	Renumbered to 5021-FL	Renumber Form
<u>306</u>	Order for Supervised Visitation/ Exchange	Renumbered to 5020-FL	Renumber Form
<u>320</u>	Order Appointing Counsel for Minor	Judicial Council Form JUD-323	Discontinue/Repeal
<u>5000</u>	Stepparent Adoption Confidential CI Information and Referral Form	Renumbered to 5401-AD	Renumber Form
<u>5402</u>	Stepparent Adoption Reference Form	Renumbered to 5402-AD	Renumber Form
<u>5403</u>	Consent of Child for Adoption	Renumbered to 5403-AD	Renumber Form
<u>5404</u>	Application&Order for payment (Adopt)	Renumbered to 5404-AD	Renumber Form
<u>5405</u>	Pet. to inspect Adoption & Orig Rec	Renumbered to 5405-AD	Renumber Form
<u>5406</u>	Certificate of Adoption Stepparent	Renumbered to 5406-AD	Renumber Form
<u>5407</u>	Certificate of Adoption	Renumbered to 5407-AD	Renumber Form
<u>1020-AD</u>	Request for Eletronic Recording: Shared Link	Changed verbiage adding Supreme Court Case and Vallejo Court address	

2.5 INTERPRETER SCHEDULING WHEN DEFENDANT HAS FILED A PENAL CODE SECTION 977 WAIVER OF PERSONAL APPEARANCE IN A FELONY CASE

- a. This rule applies to all criminal proceedings in which a felony defendant has filed a written waiver of personal presence pursuant to Penal Code section 977.
- b. No interpreter shall be scheduled for any hearing at which the defendant's personal presence has been waived under Penal Code section 977, unless otherwise ordered by the Court.
- c. Any party requesting the presence of an interpreter for a hearing must provide written notice as follows to the Court Interpreters Office: Not less than 2 court days for Spanish language interpretation and not less than 5 court days for all other interpretation services.

(Rule 2.5 adopted effective January 1, 2027.)

DEFENDANT'S FINANCIAL STATEMENT AND NOTICE TO DEFENDANT

Occupation: _____ Now Working: _____
Full Time/Part Time/Seasonal

Employer: _____
Company Name Address City State Zip

How Long: _____ Company Phone Number: _____

Current Military Service: _____ Branch/Location: _____

Marital Status: ☐ Single ☐ Married ☐ Separated ☐ Divorced ☐ Common Law

Number of Dependents: ☐ Spouse Children _____ Other _____
Number and Ages (Relationship)

Spouse's Occupation: _____ Now Working: _____
Full Time/Part Time/Seasonal

Employer: _____
Company Name Address City State Zip

How Long: _____ Company Phone Number: _____

Description	Defendant	Spouse
A. Wages		
B. Unemployment or Disability		
C. Social Security / SSI		
D. Welfare / AFDC / General Assistance		
E. Veteran's Benefits		
F. Worker's Compensation		
G. Child Support		
H. Spousal Support		
I. Food Stamps		
J. Income from Housemate, Trusts, and any other income		
Total		

Total Monthly Income: \$ _____ Total Number of Dependents: _____

CASH, BANK ACCOUNTS

How much money do you have in cash? \$ _____

List how much money you have in banks, savings and loans, credit unions, and other financial institutions whether in your own name, jointly, or under a business name:

Name / Address	Own/Joint	Account Number	Balance
a.			
b.			
c.			

PERSONAL PROPERTY

List all automobiles, other vehicles, and boats owned in your name or jointly:

Make / Model	Year	License Number	Legal Owner	Amount Owed
a.				
b.				
c.				
d.				

List all real estate owned in your name, or jointly, or under a business name:

Do you own your personal residence? _____

Address (include city and state)	Fair Market Value	Amount Owed
a.		
b.		
c.		

OTHER PERSONAL PROPERTY

(Items such as stocks, bonds, jewelry, furs, etc. Do not list furniture, appliances, clothing, etc.)

List anything of value owned in your name or jointly:

Description	Value
a.	
b.	
c.	
d.	
e.	
f.	

**Superior Court of California
County of Solano**

DEFENDANT'S FINANCIAL RELEASE FORM

I, _____, hereby authorize

Print Name

and request that the Financial Investigation Office of Solano County Courts be provided with any information requested by their investigators regarding my financial status as to:

- 1) Checking and/or Savings Accounts
- 2) Payroll and Employment Verification
- 3) Any other Financial Agency or Credit Bureau/Repository having pertinent information to release, including but not limited to, the obtaining of a credit report.

Declaration of Defendant

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I understand the above financial information may be used in the future for the purpose of collection of any fines or fees I may be ordered to pay by the Court. I understand the notice stated above regarding reimbursement for court-appointed attorneys.

This declaration was executed on _____ in the County of Solano, California.
Date

Signature of Defendant: _____

Signature of Witness: _____

☐ Eligible	☐ Not Eligible	Initials _____	Interpreter Certification _____
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SUPERIOR COURT OF CALIFORNIA COUNTY OF SOLANO

WAIVER OF CONSTITUTIONAL RIGHTS IN SUPPORT OF DEFENDANT'S MOTION TO CHANGE PLEA

Misdemeanor

CASE NO. _____

I, _____, am the defendant and am represented by

☐ Public Defender ☐ Alternate Public Defender ☐ _____

☐ I have discussed the facts of this case with my attorney and (s)he has explained to me the possible defenses that exist to the charge(s).

☐ I want to enter a plea of _____ to the charge(s) of _____.

For that purpose, I understand:

1. If I am not represented by an attorney, that I have the right to have an attorney and if I cannot afford counsel, the court will appoint one to represent me.
2. I have a right to a speedy and public trial either by court or by jury. I further understand that the jury would be composed of 12 persons from the community, and that I could not be found guilty unless each and all of the 12 jurors or the court agreed that I was guilty beyond a reasonable doubt. **I give up my right to a trial by court or jury.**
3. I have the right to confront the witnesses against me. **I give up my right to confront and cross-examine the witnesses against me.**
4. I have the right to subpoena and order into court all witnesses and evidence in my behalf. **I give up this right.**
5. I have a right against self-incrimination. I understand I cannot be compelled to testify against myself or enter into a plea or admission. I understand that by entering into a plea of guilty or no contest I am incriminating myself. **I give up my right against self-incrimination.**
6. The maximum punishment that the court may impose in this case is: _____.
7. If I am not a citizen of the United States, a conviction of the offense to which I am now entering a plea may result in my deportation from this country, exclusion from admission to the United States, and/or a denial of naturalization pursuant to the laws of the United States. If I am represented by an attorney, I have discussed this with my attorney and I know whether or not conviction for this offense requires mandatory deportation and exclusion.
8. I have been promised: _____

No other promises have been made to me. If the court withdraws approval of these promises before judgment and sentence, I have the right to withdraw my plea.

9. **Additional Matters:** (i.e. Harvey Waiver; registration; restitution; 1202.4; fines and fees; firearms; driver's license actions; batterer's treatment; etc.) _____

10. The matter of probation and sentence is to be determined solely by the court.

11. The facts upon which I ask the court to accept my plea are: ☐ stipulated ☐ police report/A & D
☐ Other _____

12. Even though I will be convicted in this case as a result of my plea, I have the right to appeal the judgment and rulings of the court. **I give up my right of appeal.**

WAIVER OF RIGHTS IN SUPPORT OF CHANGE OF PLEA (Misdemeanor)

13. I am of sound mind and am not now under the influence of alcohol, narcotics, drugs, or any other substance that would impair my judgment, and I understand the nature of these proceedings. No threats have been made against me or any member of my family by any person to induce me to make this plea.
14. A plea of no contest (nolo contendere) will have the same legal effect as a plea of guilty. If I plead no contest the court will find me guilty based upon my no contest plea.
15. If I am on probation, parole, post-release community supervision, or deferred entry of judgment for another offense, by entering this plea I could be found in violation of that probation, parole, post-release community supervision, or deferred entry of judgment.

I declare that my attorney, if I have one, has reviewed and explained this document to me. I hereby, freely and voluntarily, having full knowledge and understanding of the rights that I am giving up and possible consequences which may result from my plea, do hereby request the Court to accept my new and different plea.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Dated: _____
Defendant

ATTORNEY'S STATEMENT (if applicable)

I, _____, do hereby declare that: I am the attorney for the defendant in this action. I have reviewed and explained the foregoing document to my client. I have adequately researched and advised the defendant as to the immigration consequences of this plea. After I reviewed and explained said document, the defendant signed his/her name thereto in my presence. Based upon my conversation with the defendant, I am satisfied that his/her plea of guilty or no contest is freely and voluntarily made and (s)he understands the consequences of his or her plea. The defendant's decision to plead guilty or no contest was made only after a full discussion with me of the facts and the law of this case, any possible defenses, and the consequences of the plea. I join in the plea and waiver.

Dated: _____
Attorney for Defendant

INTERPRETER'S STATEMENT (if applicable)

I, _____, truly translated this waiver of rights form to the defendant, through his/her attorney if represented, in the _____ language. I then asked the defendant, through his/her attorney if represented, if the defendant understood what the form said, and if (s)he did understand, to sign the form **if, and only if**, (s)he still intended to plead guilty or no contest to the charge(s) and admit the truth of any enhancements or special allegations.

Dated: _____
Interpreter

PROSECUTOR'S STATEMENT

I have reviewed this form and understand the terms of the plea agreement. I agree that a factual basis exists for the plea. I ☐ agree ☐ do not agree with the terms of the plea and the indicated sentence.

Dated: _____
Deputy District Attorney / Attorney General

WAIVER OF RIGHTS IN SUPPORT OF CHANGE OF PLEA (Misdemeanor)

FINDINGS AND ORDER

I find that the defendant has been fully informed of his/her constitutional rights and the consequences of his/her plea in this case and understands them. I further find that the defendant has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the defendant's plea and any applicable admissions.

IT IS ORDERED that the defendant's plea and any applicable admissions be accepted and be entered in the minutes of this court. This executed waiver of rights form is ordered filed in the records of this court and incorporated in the above-numbered case by reference.

Dated: _____

Judicial Officer

SUPERIOR COURT OF CALIFORNIA COUNTY OF SOLANO

WAIVER AND PLEA TO DRIVING UNDER THE INFLUENCE; ORDER ACCEPTING PLEA

NO PRIOR CONVICTIONS (Veh. Code § 23536)

CASE NO. _____

I, _____, understand that I am charged with driving a vehicle on (date)

_____ while under the influence of an alcoholic beverage or drugs or both (Veh. Code § 23152(a)), and/or while having 0.08 percent or more, by weight, of alcohol in my blood (Veh. Code § 23152(b)).

☐ I understand I am also charged with an enhancement under Vehicle Code § 23578, namely that I was driving while having 0.15 percent or more blood alcohol level.

☐ I understand I am also charged with an enhancement under Vehicle Code § 23577, namely that I willfully refused to submit to or complete a chemical test.
I understand the penalties are:

- A. Maximum:** Fine of \$1,000 plus state-mandated penalty assessments and fees as determined by the court, plus restitution fine of \$1,000 and/or restitution to any victim(s); 6 months in jail; suspension of driving privilege for 6 months; alcohol education program; vehicle impoundment at defendant-owner's expense for not more than 6 months unless defendant was driving another's vehicle or is exempted pursuant to Vehicle Code § 23592; installation of an ignition interlock device on any vehicle that the defendant owns or operates and payment of associated fees pursuant to Vehicle Code § 23575; disallowance of restricted driver's license pursuant to Vehicle Code § 23536(d).
- B. Minimum Without Probation:** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) or restitution fund; 96 hours in jail, at least 48 hours of which must be served continuously; alcohol education program; and suspension of driving privilege for 6 months.
- C. Minimum With 3 to 5 Years Probation:** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) or restitution fund; alcohol education program; suspension of driving privilege for 6 months; and 48 hours in jail.
- D. Minimum With 3 to 5 Years Probation, If Refused Chemical Test (Veh. Code, § 23577):** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) or restitution fund; 48 hours in jail; attend an alcohol education program.

By personally writing **[YES]** in the boxes below, I indicate that I understand the following rights, and I expressly give up and waive each right knowingly, intelligently, and voluntarily as each applies to this charge.

DEFENDANT TO PERSONALLY WRITE [YES] OR [NO] IN EACH BOX:	I understand this right	I give up this right
1. Right to a speedy and public jury trial	[]	[]
2. Right to confront and cross-examine all witnesses against me	[]	[]
3. Right to remain silent and not incriminate myself	[]	[]
4. Right to subpoena and produce evidence	[]	[]
5. Right to be sentenced by a judge: I understand that by giving up this right I stipulate that I may be sentenced by a temporary judge	[]	[]
6. Right to be represented by an attorney at all stages of the proceedings and to have the court appoint one at no charge if I cannot afford my own	[]	[]

I further understand:

7. If I am not a citizen of the United States, this plea could result in my being departed from the United States, excluded from admission to the United States, or denied naturalization as a United States citizen, pursuant to the laws of the United States.
8. If I am currently on probation or parole for any other criminal offense, that such probation or parole could be revoked as a result of my plea today.
9. Any driver's license suspension or revocation from DMV administrative proceedings is independent of court-imposed penalties.
10. A conviction for this offense will increase the punishment I receive for any future convictions.
11. A plea of no contest (nolo contendere) will have the same legal effect as a plea of guilty. If I plead no contest the court will find me guilty based on my no contest plea.
12. I am hereby advised pursuant to Vehicle Code § 23593 that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.

DEFENDANT TO PERSONALLY WRITE [YES] IN ONE OF THE FOLLOWING TWO BOXES:

☐ I AM NOT REPRESENTED BY AN ATTORNEY, and I give up my right to an attorney.

☐ I AM REPRESENTED BY AN ATTORNEY. I have discussed my case with my attorney. We discussed the rights I am giving up by my plea, the elements of the offense(s) charged, the possible defenses and the consequences of my plea.

IF THE DEFENDANT IS CHARGED WITH ONE OR MORE ENHANCEMENTS, DEFENDANT TO PERSONALLY WRITE [YES] IN THE APPLICABLE BOX(ES):

☐ I admit to the enhancement under Vehicle Code § 23578 for driving while having a 0.15 percent or more blood alcohol content ("BAC").

☐ I admit to the enhancement under Vehicle Code § 23577 for willfully refusing to submit to or complete a chemical test.

I have read this document or have had it read for me, and I understand it. I have personally and voluntarily placed the answers in the boxes.

I enter a plea of ☐ guilty ☐ no contest to the charge(s) of violation of Vehicle Code sections

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Defendant

ATTORNEY'S STATEMENT

I _____ declare that I am the attorney of record for the defendant;
 that I have fully discussed this document and the matters herein with the defendant and advised the defendant thereon;
 that the representations of the defendant are the defendant's own;
 that I believe that the plea and waivers are knowingly, intelligently and voluntarily made;
 that the defendant understands the consequences of this plea;
 that I join in the plea and waivers; and,
 that I stipulate there is a factual basis for the plea and that time is waived for judgment and sentencing.
I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Attorney for Defendant**INTERPRETER'S STATEMENT**

I, _____, a qualified interpreter, having been sworn, truly translated this form and all the questions therein to the defendant in the _____ language. With the exception of the defendant's signature, I have completed the form at the defendant's direction. I then asked the defendant, through his or her attorney if represented, if the defendant understood what the form said, and if (s)he did understand, to sign the form **if, and only if**, (s)he still intended to plead guilty or no contest to the charge(s), and admit the truth of any enhancements or special allegations. The defendant indicated understanding of the contents of the form, and then signed the form.

Dated: _____

Interpreter**PROSECUTOR'S STATEMENT**

I have reviewed this form and understand the terms of the plea agreement. I agree that a factual basis exists for the plea.
 I ☐ agree ☐ do not agree with the terms of the plea.

Dated: _____

Deputy District Attorney / Attorney General**FINDINGS AND ORDER**

I find that the defendant has been fully informed of his/her constitutional and statutory rights in this case and the consequences of this plea and understands them.

I further find that the defendant has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the defendant's plea and any applicable admissions.

IT IS ORDERED that the defendant's plea and any enhancements admitted be accepted and entered in the minutes of this court. This executed waiver of rights form is ordered filed in the records of this court and incorporated in the above-numbered case by reference.

Dated: _____

Judicial Officer

SUPERIOR COURT OF CALIFORNIA COUNTY OF SOLANO

WAIVER AND PLEA TO DRIVING UNDER THE INFLUENCE; ORDER ACCEPTING PLEA

ONE PRIOR CONVICTION (Veh. Code § 23540)

CASE NO. _____

I, _____, understand that I am charged with driving a vehicle on (date) _____ while under the influence of an alcoholic beverage or drugs or both (Veh. Code § 23152(a)), and/or while having 0.08 percent or more, by weight, of alcohol in my blood (Veh. Code § 23152(b)). I understand that I am also charged with having a prior conviction for a separate violation specified in Vehicle Code § 23540 with an offense date of (date) _____. I admit this prior conviction.

- ☐ I understand I am also charged with an enhancement under Vehicle Code § 23578, namely that I was driving while having 0.15 percent or more blood alcohol.
- ☐ I understand I am also charged with an enhancement under Vehicle Code § 23577, namely that I willfully refused to submit to or complete a chemical test.

I understand the penalties are:

- A. Maximum:** Fine of \$1,000 plus state-mandated penalty assessments and fees as determined by the court, plus restitution fund assessments of \$1,000 and/or restitution to any victim(s); 1 year in jail; revocation of driving privilege for 2 years; vehicle impoundment at defendant-owner's expense for 12 months unless defendant was driving another's vehicle or is exempted pursuant to Vehicle Code § 23592; installation of an ignition interlock device on any vehicle defendant owns or operates for up to three years; participation in an alcohol and drug assessment program; and disallowance of restricted driver's license pursuant to Vehicle Code § 23540(b).
- B. Minimum Without Probation:** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) and/or restitution fund; 90 days in jail, of which at least 48 hours shall be continuous, or at least 10 days of community service in lieu of the 48 continuous hours; and suspension of driving privilege for 2 years.
- C. Minimum With 3 to 5 Years Probation:** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) and/or restitution fund; either (1) 10 days in jail, of which at least 48 hours must be served continuously or at least 10 days of community service in lieu of the 48 continuous hours, or (2) 96 hours in jail served in two 48 hour increments which may be served nonconsecutively; participation in an alcohol education program; and suspension of driving privilege for 2 years.
- D. Minimum With 3 to 5 Years Probation, If Refused Chemical Test (Veh. C. § 23577):** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) or restitution fund; either (1) 10 days in jail, of which at least 48 hours must be served continuously or at least 10 days of community service in lieu of the 48 continuous hours, or (2) 96 hours in jail served in two 48 hours increments which may be served nonconsecutively; participation in an alcohol education program; revocation of the person's privilege to operate a motor vehicle for a period of 2 years; and 96 hours in jail pursuant to Vehicle Code § 23577.

By personally writing **[YES]** in the boxes below, I indicate that I understand the following rights and facts, and I expressly give up and waive each right knowingly, intelligently, and voluntarily as each applies to this charge.

DEFENDANT TO PERSONALLY WRITE [YES] OR [NO] IN EACH BOX:

	I understand this right	I give up this right
1. Right to a speedy and public jury trial	☐	☐
2. Right to confront and cross-examine all witnesses against me	☐	☐
3. Right to remain silent and not incriminate myself	☐	☐
4. Right to subpoena and produce evidence	☐	☐

5. Right to be sentenced by a judge: I understand that by giving up this right I stipulate that I may be sentenced by a temporary judge ☐ ☐
6. Right to be represented by an attorney at all stages of the proceedings and to have the court appoint one at no charge if I cannot afford my own ☐ ☐

I further understand:

7. If I am not a citizen of the United States, conviction to the offense for which I am now entering a plea may result in my being deported from the United States, excluded from admission to the United States, or denied naturalization as a United States citizen pursuant to the laws of the United States.
8. If I am currently on probation or parole for any other criminal offense, that such probation or parole could be revoked as a result of my plea today.
9. Any driver's license suspension or revocation from DMV administrative proceedings is independent of court-imposed penalties.
10. A conviction for this offense will increase the punishment I receive for any future convictions.
11. A plea of no contest (nolo contendere) will have the same legal effect as a plea of guilty. If I plead no contest the court will find me guilty based on my no contest plea.
12. I am hereby advised pursuant to Vehicle Code § 23593 that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.

DEFENDANT TO PERSONALLY WRITE ☐ YES ☐ IN ONE OF THE FOLLOWING TWO BOXES:

- ☐ I AM NOT REPRESENTED BY AN ATTORNEY, and I give up my right to an attorney.
- ☐ I AM REPRESENTED BY AN ATTORNEY. I have discussed my case with my attorney. We discussed the rights I am giving up by my plea, the elements of the offense(s) charged, the possible defenses and the consequences of my plea.

IF THE DEFENDANT IS CHARGED WITH ONE OR MORE ENHANCEMENTS, DEFENDANT TO PERSONALLY WRITE ☐ YES ☐ IN THE APPLICABLE BOX(ES):

- ☐ I admit to the enhancement under Vehicle Code § 23578 for driving while having a .15 percent or more blood alcohol content level ("BAC").
- ☐ I admit to the enhancement under Vehicle Code § 23577 for willfully refusing to submit to or complete a chemical test.

I have read this document or have had it read for me, and I understand it. I have personally and voluntarily placed the answers in the boxes.

I enter a plea of ☐ guilty ☐ no contest to the charge(s) of violation of Vehicle Code sections

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Defendant _____

ATTORNEY'S STATEMENT

I, _____, declare that I am the attorney of record for the defendant;
 that I have fully discussed this document and the matters herein with the defendant and advised the defendant thereon;
 that the representations of the defendant are the defendant's own;
 that I believe that the plea and waivers are knowingly, intelligently and voluntarily made;
 that the defendant understands the consequences of this plea;
 that I join in the plea and waivers; and,
 that I stipulate there is a factual basis for the plea and that time is waived for judgment and sentencing.
I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Attorney for Defendant**INTERPRETER'S STATEMENT**

I, _____, a qualified interpreter, having been sworn, truly translated this form and all the questions therein to the defendant in the _____ language.
 With the exception of the defendant's signature, I have completed the form at the defendant's direction. I then asked the defendant, through his or her attorney if represented, if the defendant understood what the form said, and if (s)he did understand, to sign the form **if, and only if**, (s)he still intended to plead guilty or no contest to the charge(s), and admit the truth of any enhancements or special allegations. The defendant indicated understanding of the contents of the form, and then signed the form.

Dated: _____

Interpreter**PROSECUTOR'S STATEMENT**

I have reviewed this form and understand the terms of the plea agreement. I agree that a factual basis exists for the plea.
 I ☐ **agree** ☐ **do not agree** with the terms of the plea.

Dated: _____

Deputy District Attorney / Attorney General**FINDINGS AND ORDER**

I find that the defendant has been fully informed of his/her constitutional and statutory rights in this case and the consequences of this plea and understands them.

I further find that the defendant has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the defendant's plea and any applicable admissions.

IT IS ORDERED that the defendant's plea and any enhancements admitted be accepted and entered in the minutes of this court. This executed waiver of rights form is ordered filed in the records of this court and incorporated in the above-numbered case by reference.

Dated: _____

Judicial Officer

SUPERIOR COURT OF CALIFORNIA COUNTY OF SOLANO

WAIVER AND PLEA TO DRIVING UNDER THE INFLUENCE; ORDER ACCEPTING PLEA

TWO PRIOR CONVICTIONS (Veh. Code § 23546)

CASE NO. _____

I, _____, understand that I am charged with driving a vehicle on (date) _____ while under the influence of an alcoholic beverage or drugs or both (Veh. Code § 23152(a)), and/or while having 0.08 percent or more, by weight, of alcohol in my blood (Veh. Code § 23152(b)).

- ☐ I understand that I am also charged with having two convictions for separate violations specified in Vehicle Code § 23546 with offense dates of (date) _____ and (date) _____. I admit these prior convictions.
- ☐ I understand I am also charged with an enhancement under Vehicle Code § 23578, namely that I was driving while having .15 percent or more blood alcohol.
- ☐ I understand I am also charged with an enhancement under Vehicle Code § 23577, namely that I willfully refused to submit to or complete a chemical test.

I understand the penalties are:

- A. Maximum:** Fine of \$1,000 plus state-mandated penalty assessments and fees as determined by the court, plus restitution fund assessments of \$1,000 and/or restitution to any victim(s); 1 year in jail; revocation of driving privilege for 3 years, and up to 10 years per Vehicle Code § 23597; vehicle impoundment at defendant-owner's expense for not more than 12 months unless defendant was driving another's vehicle or is exempted pursuant to Vehicle Code section 23592; designation as a habitual traffic offender for a period of 3 years participation in an alcohol and drug assessment program; and installation of an ignition interlock device on any vehicle defendant owns or operates for up to three years.
- B. Minimum Without Probation:** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution fund assessments and/or restitution to any victim(s); 120 days in jail of which at least 48 hours shall be continuous, or at least 10 days of community service in lieu of the 48 continuous hours; revocation of driving privilege for 3 years; participation in an alcohol and drug assessment program; and designation as a habitual traffic offender for a period of 3 years.
- C. Minimum With 3 to 5 Years Probation:** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) or restitution fund; either (1) 120 days in jail or (2) 30 days in jail plus 30 months in a DUI program per Vehicle Code § 23548(b); revocation of driving privilege for 3 years; participation in an alcohol education program; and designation as a habitual traffic offender for a period of 3 years.
- D. Minimum With 3 to 5 Years Probation, If Refused Chemical Test (Veh. C. § 23577):** Fine of \$390 plus state-mandated penalty assessments and fees as determined by the court, plus restitution to the victim(s) or restitution fund; either (1) 120 days in jail or (2) 30 days in jail plus 30 months in a DUI program per Vehicle Code § 23548(b); revocation of driving privilege for 3 years; participation in an alcohol education program;; designation as a habitual traffic offender for a period of 3 years; and 10 days in jail pursuant to Vehicle Code § 23577(a)(4)

By personally writing **[YES]** in the boxes below, I indicate that I understand the following rights, and I expressly give up and waive each right knowingly, intelligently, and voluntarily as each applies to this charge.

DEFENDANT TO PERSONALLY WRITE [YES] OR [NO] IN EACH BOX:	I understand this right	I give up this right
1. Right to a speedy and public jury trial	[]	[]
2. Right to confront and cross-examine all witnesses against me	[]	[]
3. Right to remain silent and not incriminate myself	[]	[]

D.U.I. WAIVER - TWO PRIORS; ORDER ACCEPTING PLEA

4. Right to subpoena and produce evidence ☐ ☐
5. Right to be sentenced by a judge: I understand that by giving up this right I stipulate that I may be sentenced by a temporary judge ☐ ☐
6. Right to be represented by an attorney at all stages of the proceedings and to have the court appoint one at no charge if I cannot afford my own ☐ ☐

I further understand:

7. If I am not a citizen of the United States, this plea could result in my being deported from the United States, excluded from admission to the United States, or denied naturalization as a United States citizen pursuant to the laws of the United States.
8. If I am currently on probation or parole for any other criminal offense, that such probation or parole could be revoked as a result of my plea today.
9. Any driver's license suspension or revocation from DMV administrative proceedings is independent of court-imposed penalties.
10. A conviction for this offense will increase the punishment I receive for any future convictions.
11. A plea of no contest (nolo contendere) will have the same legal effect as a plea of guilty. If I plead no contest the court will find me guilty based on my no contest plea.
12. I am hereby advised pursuant to Vehicle Code § 23593 that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.

DEFENDANT TO PERSONALLY WRITE [YES] IN ONE OF THE FOLLOWING TWO BOXES:

- ☐ I AM NOT REPRESENTED BY AN ATTORNEY, and I give up my right to an attorney.
- ☐ I AM REPRESENTED BY AN ATTORNEY. I have discussed my case with my attorney. We discussed the rights I am giving up by my plea, the elements of the offense(s) charged, the possible defenses and the consequences of my plea.

IF THE DEFENDANT IS CHARGED WITH ONE OR MORE ENHANCEMENTS, DEFENDANT TO PERSONALLY WRITE [YES] IN THE APPLICABLE BOX(ES):

- ☐ I admit to the enhancement under Vehicle Code § 23578 for driving while having a .15 percent or more blood alcohol content level ("BAC").
- ☐ I admit to the enhancement under Vehicle Code § 23577 for willfully refusing to submit to or complete a chemical test.

I have read this document or have had it read for me, and I understand it. I have personally and voluntarily placed the answers in the boxes.

I enter a plea of ☐ guilty ☐ no contest to the charge(s) of violation of Vehicle Code sections

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Defendant _____

ATTORNEY'S STATEMENT

I declare that I am the attorney of record for the defendant;
 that I have fully discussed this document and the matters herein with the defendant and advised the defendant thereon;
 that the representations of the defendant are the defendant's own;
 that I believe that the plea and waivers are knowingly, intelligently and voluntarily made;
 that I join in the plea and waivers; and,
 that I stipulate there is a factual basis for the plea and that time is waived for judgment and sentencing.
I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Attorney for Defendant**INTERPRETER'S STATEMENT**

I, _____, a qualified interpreter, having been sworn, truly translated this form and all the questions therein to the defendant in the _____ language. With the exception of the defendant's signature, I have completed the form at the defendant's direction. I then asked the defendant, through his or her attorney if represented, if the defendant understood what the form said, and if (s)he did understand, to sign the form **if, and only if**, (s)he still intended to plead guilty or no contest to the charge(s), and admit the truth of any enhancements or special allegations. The defendant indicated understanding of the contents of the form, and then signed the form.

Dated: _____

Interpreter**PROSECUTOR'S STATEMENT**

I have reviewed this form and understand the terms of the plea agreement. I agree that a factual basis exists for the plea.
 I ☐ agree ☐ do not agree with the terms of the plea.

Dated: _____

Deputy District Attorney / Attorney General**FINDINGS AND ORDER**

I find that the defendant has been fully informed of his/her constitutional and statutory rights in this case and the consequences of this plea and understands them.

I further find that the defendant has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the defendant's plea and any applicable admissions.

IT IS ORDERED that the defendant's plea and any enhancements admitted be accepted and entered in the minutes of this court. This executed waiver of rights form is ordered filed in the records of this court and incorporated in the above-numbered case by reference.

Dated: _____

Judicial Officer

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO
WAIVER AND PLEA TO RECKLESS DRIVING (ALCOHOL RELATED)

RECKLESS DRIVING

(23103.5 Veh. Code)

CASE NO. _____

I, _____, understand that I am charged with driving a vehicle on (date) _____

while under the influence of an alcoholic beverage or drugs or both (23152(a) Veh. Code), and/or while having 0.08 percent or more, by weight, of alcohol in my blood (23152(b) Veh. Code), but for reasons specified by the prosecution, said charge is being reduced to a violation of Section 23103.5 of the Veh. Code (Alcohol Related Reckless Driving).

I understand the penalties are:

- A. Maximum:** Fine of \$1,000 plus State mandated penalty assessments and fees as determined by the Court, plus restitution fund assessment of \$1,000, 90 days in jail, and a suspension of driving privilege for 30 days.
- B. Minimum Without Probation:** Fine of \$145 plus State mandated penalty assessments and fees as determined by the Court, or 5 days in jail, or both.

I further understand that a conviction resulting from a plea of guilty or no contest in this matter shall be a prior offense for the purpose of subsequent sentencing as specified in Sections 23540, 23546, 23550, 23560, 23566 or 23622 of the Vehicle Code if I am convicted of a subsequent offense under Section 23152 or 23153 of the Vehicle Code which occurs within ten (10) years of this offense. In such a case, this conviction shall not be stricken by the court to avoid imposing the minimum penalties provided in the Vehicle Code for a violation of Sections 23152 or 23153 with prior convictions.

I understand that if I am not a citizen of the United States, this plea could result in my being deported from the United States, excluded from admission to the United States, or denied naturalization as a United States citizen pursuant to the laws of the United States.

I understand that any driver's license suspension or revocation from DMV administrative proceedings is independent of court-imposed penalties.

I am hereby advised pursuant to 23593 VC that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.

By personally writing **[YES]** in the boxes below, I indicate that I understand the following rights and facts, and I expressly give up and waive each right knowingly, intelligently, and voluntarily as each applies to this charge.

DEFENDANT TO PERSONALLY WRITE [YES] OR [NO] IN EACH BOX:	I understand this right	I give up this right
1. Right to a speedy and public jury trial	[]	[]
2. Right to confront and cross-examine all witnesses against me	[]	[]
3. Right to remain silent and not incriminate myself	[]	[]
4. Right to subpoena and produce evidence	[]	[]
5. Right to be sentenced by a judge: I understand that by giving up this right I stipulate that I may be sentenced by a temporary judge	[]	[]
6. Right to be represented by an attorney at all stages of the proceedings and to have the Court appoint one at no charge if I cannot afford my own	[]	[]

DEFENDANT TO PERSONALLY WRITE **[YES]** IN ONE OF THE FOLLOWING TWO BOXES:

[] REPRESENTED BY SELF: I give up my right to an attorney.

[] REPRESENTED BY AN ATTORNEY: I have discussed my case with my attorney. We discussed the rights I am giving up by my plea, the elements of the offense(s) charged, the possible defenses and the consequences of my plea.

All promises made to me concerning this plea are set forth: _____

I have read this document or have had it read for me, and I understand it. I have personally and voluntarily placed the answers in the boxes.

I enter a plea of _____ to the charge(s) of violation of Veh. Code Section 23103.5. I understand
(GUILTY OR NO CONTEST)
that a no contest plea will be treated exactly the same as a guilty plea in a criminal court.

Signed: _____ Dated: _____

ATTORNEY'S STATEMENT

I certify that I am the attorney of record for the defendant;
that I have fully discussed the matters herein with the defendant and advised the defendant thereon;
that the representations of the defendant are the defendant's own;
that I believe that the plea and waivers are intelligently, voluntarily, and expressly made;
that I join in the plea and waivers;
that I stipulate there is a factual basis for the plea and that time is waived for judgment and sentencing.

Signed: _____ Dated: _____

INTERPRETER'S STATEMENT

I, _____, a qualified interpreter, having been sworn, truly translated this form and all the questions therein to the defendant in the _____ language.
With the exception of the defendant's signature, I have completed the form at the defendant's direction. The defendant indicated understanding of the contents of the form, and then signed the form.

Signed: _____ Dated: _____

DISTRICT ATTORNEY'S STATEMENT (VEH. CODE 23103.5)

This offense is alcohol related. This reduction to a charge of reckless driving is made for the following reason(s):

- ☐ Accuracy of chemical test
 - ☐ May be unable to sustain burden of proof
 - ☐ Questionable probable cause
 - ☐ Negotiated disposition involving a guilty plea to related or other offense
 - ☐ Other:
-

Signed: _____ Dated: _____

ORDER AND FINDING

I find that the defendant has been fully informed of his constitutional and statutory rights in this case and understands them.

I further find that the defendant has knowingly, intelligently, and voluntarily waived his rights and that there is a factual basis for the defendant's plea.

IT IS ORDERED that the defendant's plea be accepted and entered in the minutes of this court. This executed waiver of rights form is filed in the records of this court and incorporated in the above-numbered docket by reference.

Signed: _____ Dated: _____
JUDGE / COMMISSIONER

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO**

The People of the State of California,
Plaintiff,

Case No. _____

vs

**WAIVER OF RIGHTS, PLEA, AND ORDER RE:
DRIVING WHEN LICENSE IS SUSPENDED OR REVOKED**

Defendant.

- ☐ I am the defendant in this action and am represented by ☐ myself ☐ _____
☐ Public Defender _____ ☐ Conflict Defender _____
- ☐ I have discussed the facts of this case with my attorney who has explained to me the possible defenses that exist to the charge(s).
- ☐ I am pleading ☐ guilty ☐ no contest to a violation of Vehicle Code section:
- ☐ **14601** - Driving when license is suspended or revoked for reckless driving or negligent operation of a vehicle, **OR**
- ☐ **14601.1** - Driving when license is suspended or revoked for reasons other than those stated in sections 14601 or 14601.2 of the Vehicle Code, **OR**
- ☐ **14601.2** - Driving when license is suspended or revoked for conviction of violation of Vehicle Code sections 23152 or 23153, **OR**
- ☐ **14601.3** - Driving when license is suspended or revoked for a person deemed an habitual traffic offender, **OR**
- ☐ **14601.5** - Driving when license is suspended or revoked for refusal to take a chemical test or excessive blood alcohol.
- ☐ I understand that it is alleged that I have each of the prior convictions set forth below:

OFFENSE	PLACE OF CONVICTION	CASE NO.	DATE
1.			
2.			
3.			
4.			
5.			

- ☐ **If applicable** - I freely and voluntarily admit the validity of the prior conviction(s) listed above. I understand that this admission could increase the penalties which may be imposed on me.

WAIVER OF CONSTITUTIONAL AND STATUTORY RIGHTS:

For purposes of this plea, I understand:

- 1) If I am not represented by an attorney, that I have the right to have an attorney and if I cannot afford counsel, the Court will appoint one to represent me. At the end of the case I may be asked to pay all or part of the cost of that lawyer, if I can afford to. I understand that there are dangers and disadvantages to giving up my right to a lawyer and that it is almost always unwise to represent myself.
- 2) I have a right to a speedy and public jury trial. At the trial I would be presumed innocent, and I could not be convicted unless 12 impartial jurors were convinced of my guilt beyond a reasonable doubt. I have the right to be brought to trial within 30 days if in custody or 45 days if not in custody. **I give up my right to a speedy jury trial.**

WAIVER RE SUSPENDED / REVOKED LICENSE

- 3) I have the right to confront and to cross-examine all witnesses testifying against me.
I give up my right to confront and cross-examine the witnesses who may testify against me.
- 4) I have the right to remain silent and not to incriminate myself, and the right to testify in my own behalf. I understand that by pleading guilty or no contest, or admitting a separate conviction or probation violation, I am incriminating myself. **I give up my right to remain silent.**
- 5) I have the right to present evidence and to have the court issue subpoenas to bring into court all witnesses and evidence favorable to me, at no cost to me.
I give up my right to produce evidence or witnesses in my own behalf.
- 6) Even though I will be convicted in this case as a result of my plea, I have the right to appeal the judgment and rulings of the court. **I give up my right of appeal.**
- 7) If applicable - I have all of the above constitutional and statutory rights, including the right to an attorney, for any prior conviction(s) or probation violation(s). However, for a charge of violating probation, I do not have the right to a jury trial although I do have the right to a hearing before a judge.
I give up each of these constitutional and statutory rights as to the validity of any prior conviction(s) or probation violation(s).
- 8) **I further understand:**
- If you are not a citizen of the United States, you are hereby advised that conviction of the offense for which you have been charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
 - A plea of no contest (nolo contendere) will have the same effect in this case as a plea of guilty.
 - I am of sound mind and am not now under the influence of alcohol, narcotics, drugs, or any other substance that would impair my judgment.
 - No threats have been made against me or any member of my family or close friends in order to induce me to make this plea.
 - If I am on probation for another offense, by entering this plea I could be found in violation of that probation.
 - Whether or not I will get probation is to be determined solely by the Court. I understand the sentence I receive is solely within the discretion of the Court.
- 9) The maximum punishment which the Court could impose based upon this plea is:

OFFENSE	FIRST OFFENSE: No Prior Convictions in Past 5 Years of 14601.1, 14601.2, or 14601.5	SECOND OR SUBSEQUENT OFFENSE: Prior Conviction(s) in Past 5 Years of 14601.1, 14601.2, or 14601.5
Vehicle Code 14601	Jail: 5 days to 6 months, <u>and</u> Fine: \$300 to \$1000	Jail: 10 days to 1 year, <u>and</u> Fine: \$500 to \$2000 If probation granted, 10 days jail as a condition
Vehicle Code 14601.1	Jail: up to 6 months, <u>and/or</u> Fine: \$300 to \$1000	Jail: 5 days to 1 year, <u>and</u> Fine: \$500 to \$2000
Vehicle Code 14601.2	Jail: 10 days to 6 months, <u>and</u> Fine: \$300 to \$1000 If probation granted, 10 days jail as condition	If probation <u>not</u> granted, Jail: 30 days to 1 year <u>and</u> Fine: \$500 to \$2000 If probation granted, 30 days jail as a condition If second/subsequent conviction within <u>7</u> yrs. but over 5 years: If probation granted, 10 days jail as a condition
Vehicle Code 14601.3 Habitual Offender	Jail: 30 days, <u>and</u> Fine: \$1000	Within 7 Years of Prior 14601.3 - Jail: 180 days, <u>and</u> Fine: \$2000
Vehicle Code 14601.5	Jail: up to 6 months, <u>and/or</u> Fine: \$300 to \$1000	Within 5 Years of Prior 14601, 14601.1, 14601.2, or 14601.3 - Jail: 10 days to 1 year, <u>and</u> Fine: \$500 to \$2000

WAIVER RE SUSPENDED / REVOKED LICENSE

- 9) I understand that in addition to the fine imposed, the law requires the court to add assessments which will substantially increase the amount I must pay as a fine.
- 10) If applicable - I understand that I have the right to enter my plea before, and be sentenced by a judge. **I give up this right and agree to enter my plea and be sentenced by a commissioner.** _____ (Defendant's Initials)
- 11) If applicable - I understand that I have the right to be sentenced by the judge who accepted my plea. **I give up this right and agree to be sentenced by another judge.** _____ (Defendant's Initials)

I have read the above and understand it and declare it to be true and correct.

Date: _____

Defendant: _____

ATTORNEY'S STATEMENT

I am the attorney of record for the defendant. I have gone over this form with my client. I have explained each of the defendant's rights to the defendant and am satisfied that (s)he understood and desires to waive each of his/her rights.

I have also answered all of the defendant's questions in regard to this plea. I have discussed the facts of this case with the defendant and explained the consequences of this plea, the elements of the offenses, and the possible defenses.

I concur in this plea and the defendant's decision to waive his/her constitutional and statutory rights.

Date: _____

Attorney: _____

INTERPRETER'S STATEMENT (if applicable)

I, _____, having been duly sworn, truly translated this form to the defendant in the _____ language. The defendant indicated that (s)he understood the contents of the form and (s)he then signed the form.

Date: _____

Interpreter: _____

ORDER AND FINDING

I find that the defendant has been fully informed of his/her constitutional and statutory rights in this case and understands them.

I further find that the defendant has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the defendant's plea.

IT IS ORDERED that the defendant's plea (and his/her admission of the separate conviction(s)) be accepted and entered in the minutes of this Court. This executed waiver of rights form is filed in the records of this Court and incorporated in the above-numbered case by reference.

Date: _____ Judicial Officer/Commissioner: _____

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO**

PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

Case No. _____

**WAIVER OF CONSTITUTIONAL RIGHTS
AND DECLARATION IN SUPPORT OF
DEFENDANT'S MOTION TO CHANGE PLEA
(Felony)**

Defendant.

- ☐ I am the defendant in this action. I am represented by: ☐ Public Defender ☐ Alternate Public Defender

- ☐ I have fully discussed the facts, merits, and possible defenses of this case with my attorney.
- ☐ I wish to change my previously-entered plea of "not guilty" to Count(s) _____

and enter a new and different plea of _____ to Count(s) _____

☐ I also admit the truth of the following enhancements or special allegations: _____

- ☐ I understand that before the Court can accept this plea, I must show that I have been advised of, understand, and waive (that is, give up) certain constitutional rights.

FOR THE PURPOSE OF THIS CHANGE OF PLEA, I UNDERSTAND:

**Deft's
Initials**

1. I have the right to a preliminary hearing within 10 court days and 60 calendar days of my arraignment. I understand at the preliminary hearing that the prosecution would be required to produce sufficient evidence to convince the judge that a crime has been committed and there is reasonable cause to believe I committed that crime. If the prosecution produced insufficient evidence, the case would be dismissed.
I give up my right to a preliminary hearing. 1. _____
2. I have a right to a speedy and public trial, either by court or by jury. I give up this right. I further understand that the jury would be composed of 12 persons from the community, and that I could not be found guilty unless all 12 jurors agreed that I was guilty. I understand that their determination must be based upon a finding that the evidence proved my guilt beyond a reasonable doubt.
I give up my right to a speedy and public trial by court or by jury. 2. _____
3. I have the right to confront the witnesses against me (that is, I have the right to see and hear the witnesses who testify against me). The witnesses may be asked questions on my behalf. This questioning of witnesses on my behalf is called "cross-examination."
I give up my right to confront the witnesses who may testify against me. 3. _____
4. I have the right to subpoena witnesses or evidence to any trial or preliminary hearing. A subpoena is a court order which compels the attendance of witnesses in court or the bringing of evidence to court. The subpoena makes it possible for me to present witnesses and evidence on my behalf.
I give up my right to subpoena witnesses and evidence into court on my behalf. 4. _____
5. I have a right against self-incrimination (that is, the right to remain silent). This means that at any trial or preliminary hearing I cannot be compelled to testify against myself. This right includes not being called to the witness stand during any trial or preliminary hearing. I understand that by entry of a plea of guilty or no contest, I am incriminating myself.
I give up my right against self-incrimination. 5. _____

WAIVER OF RIGHTS IN SUPPORT OF CHANGE OF PLEA (Felony)

6. Even though I will be convicted in this case as a result of my plea, I have the right to appeal the judgment and rulings of the court (e.g.: Penal Code Section 1538.5(m)).
I give up my right of appeal 6. _____
7. The maximum punishment which the court may impose based upon this plea is _____ 7. _____
8. I am of sound mind and am not now under the influence of alcohol, narcotics, drugs, or any other substance that would impair my judgment, and I understand the nature of these proceedings. 8. _____
9. **I further understand:**
- a) A conviction for this offense may increase the punishment I receive for any future convictions, and affect my ability to obtain a certificate of rehabilitation or to withdraw my plea pursuant to Penal Code Sections 1203.4 or 1203.41.
 - b) If I am sentenced to state prison, I would be subject to parole supervision for a period of ☐ 3 years ☐ 5 years ☐ 10 years ☐ 20 years 6 months ☐ life ☐ _____, or postrelease community supervision for a period of up to three years. If I am released on postrelease community supervision or parole, and I violate the terms of that supervision or parole, I could be incarcerated in county jail for up to 180 days per violation, subject to certain exceptions, or returned to state prison for 1 year or longer if applicable. If I abscond or the court tolls my supervision, the total time of parole or postrelease community supervision can be extended.
 - c) If I am sentenced to county jail pursuant to Penal Code Section 1170(h) and a concluding portion of my sentence is suspended, I will be subject to mandatory supervision by the probation department for the remainder of my term. If I violate the terms or condition of that supervision, I could be returned to county jail to serve the remainder of my sentence.
 - d) If I am not a citizen of the United States, a conviction of the offense to which I am now entering a plea may result in my deportation from this country, exclusion from admission to the United States, and/or a denial of naturalization pursuant to the laws of the United States. If represented by an attorney, I have discussed this with my attorney and I know whether or not conviction for this offense requires mandatory deportation and exclusion.
 - e) No threats have been made against me or any member of my family or close friends in order to induce me to make this plea.
 - f) If I am on parole, probation, postrelease supervision, mandatory supervision, or deferred entry of judgment for another offense, by entering this plea I could be found in violation of that parole, probation, postrelease supervision, mandatory supervision, or deferred entry of judgment.
 - g) Unless limited or changed by the promises in paragraph 10, my plea is an open plea, and whether or not I get probation is to be determined solely by the court, and any sentence I receive is solely within the discretion of the court.
 - h) A plea of no contest (nolo contendere) will have the same legal effect as a plea of guilty. If I plead no contest the Court will find me guilty based on my no contest plea.
 - i) In addition to other penalties that may be ordered by the Court, I will be subjected to fines, fees and/or assessments that may vary in amount from \$10.00 to \$20,000.00 or more, and may be required to complete one or more specific programs (e.g.: 52 week domestic violence program, child abuse prevention program, theft class, weapons class, DUI program, etc.)
 - j) If I am pleading guilty or no contest to a violation of Vehicle Code Section 23103.5, 23152 or 23153, I am hereby advised pursuant to 23593 VC that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.
9. _____

WAIVER OF RIGHTS IN SUPPORT OF CHANGE OF PLEA (Felony)

10. Other than the promises listed below, no promises have been made to me or my family to induce me to enter this plea. I have been promised:

1. _____
2. _____
3. _____
4. _____

If the court withdraws approval of these promises before judgment and sentence, I have the right to withdraw my plea(s). *Penal Code Section 1192.5*

I UNDERSTAND AND AGREE THAT IF I FAIL TO APPEAR ON THE DATE SET FOR SURRENDER OR SENTENCING WITHOUT A LEGAL EXCUSE, COMMIT A NEW CRIME, OR VIOLATE ANY TERMS OF MY RELEASE BEFORE JUDGMENT AND SENTENCE, MY PLEA WILL BECOME AN "OPEN PLEA" TO THE COURT, I WILL NOT BE ALLOWED TO WITHDRAW MY PLEA, AND I MAY BE SENTENCED UP TO THE MAXIMUM TERM OF IMPRISONMENT OR INCARCERATION SPECIFIED IN PART 7.

I UNDERSTAND THAT IF I AM PLACED ON PROBATION, AND VIOLATE ANY TERM OR CONDITION OF THAT PROBATION, I CAN BE SENTENCED TO THE MAXIMUM TERM OF IMPRISONMENT OR INCARCERATION SPECIFIED IN PART 7.

10. _____

11. The facts upon which this change of plea are based are:

- ☐ those contained in the preliminary transcript.
☐ those contained in the police report (# _____).
☐ stipulated.
☐ _____

11. _____

12. ADDITIONAL MATTERS: (e.g., Probation ineligibility; Harvey waiver; 11590 H&S, 457.1 PC, 290 PC or 186.32 PC registration; restitution; 1202.4 PC restitution fine; revocation fees; firearms restrictions; driver's license suspension or revocation; etc.)

12. _____

13. I declare that my attorney has reviewed and explained this document to me, and I hereby freely and voluntarily, having full knowledge and understanding of the rights that I am giving up and the possible consequences which may result from my plea, do hereby request the Court to accept my new and different plea(s).

13. _____

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Defendant

ATTORNEY'S STATEMENT

I, _____, do hereby declare that:

I am the attorney for the defendant in this action;
 I have reviewed and explained the foregoing document to my client and I have adequately researched and advised the defendant as to the immigration consequences of this plea;
 after I reviewed and explained said document, (s)he signed his/her name thereto in my presence;

WAIVER OF RIGHTS IN SUPPORT OF CHANGE OF PLEA (*Felony*)

based upon my conversation with the defendant, I am satisfied that his/her plea of guilty or no contest is freely and voluntarily made;
 (s)he understands the consequences of his/her plea;
 his/her decision to plead guilty or no contest was made only after a full discussion with me of the facts and the law of this case; the possible defenses, and the consequences of the plea;
 I join in the waiver of court and jury trial.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Attorney for defendant

INTERPRETER'S STATEMENT (if applicable)

I, _____, truly translated this waiver of rights form to the defendant, through his/her attorney, in the _____ language. I then asked the defendant, through his/her attorney, if the defendant understood what the form said, and if (s)he did understand, to sign the form **if, and only if**, (s)he still intended to plead guilty or no contest to the charge(s), and admit the truth of any enhancements or special allegations.

Dated: _____

Interpreter

PROSECUTOR'S STATEMENT (if applicable)

I have reviewed this form and understand the terms of the plea agreement. I agree that a factual basis exists for the plea.
 I ☐ agree ☐ do not agree with the terms of the plea and the indicated sentence.

Dated: _____

Deputy District Attorney / Attorney General

ORDER AND FINDING

I find that the defendant has been fully informed of his/her constitutional rights and the consequences of his/her plea in this case and understands them. I further find that the defendant has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the defendant's plea and any applicable admissions.

IT IS ORDERED that the defendant's plea and any applicable admissions be accepted and be entered in the minutes of this Court. This executed waiver of rights form is filed in the records of this Court and incorporated in the above-numbered case by reference.

Dated: _____

Judge

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO

PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

Case No. _____

vs.

Defendant/Parolee.

WAIVER OF RIGHTS RE

VIOLATION OF:

☐ PROBATION ☐ DEJ ☐ PRCS
☐ MANDATORY SUPERVISION
☐ PAROLE ☐ _____

- ☐ I am the defendant/parolee in this action. I am represented by:
☐ Public Defender ☐ Alternate Public Defender ☐ _____
- ☐ I have fully discussed the facts, merits, and possible defenses to the alleged violation of probation, deferred entry of judgment, postrelease community supervision, mandatory supervision, or parole with my attorney.
- ☐ I wish to admit that I violated the following conditions of my probation, deferred entry of judgment, postrelease community supervision, mandatory supervision, or parole:

☐ I understand that by admitting to the above violation I am giving up the following rights:

**Deft's
Initials**

1. I have a right to a hearing at which the district attorney would be required to prove, by a preponderance of the evidence, that I have committed a violation of probation, deferred entry of judgment, postrelease community supervision, mandatory supervision, or parole.
I give up my right to a hearing. _____
2. I have the right to confront the witnesses against me and to have them questioned on my behalf.
I give up my right to confront the witnesses who may testify against me. _____
3. I have a right to present evidence on my behalf at the hearing. This includes the right to subpoena witnesses and compel their attendance at the hearing. It also includes the right for me to testify at the hearing.
I give up my right to subpoena witnesses and evidence into court on my behalf. _____
4. I have a right against self-incrimination. This means I have a right to remain silent and I can't be required to testify at the hearing.
I give up my right against self-incrimination. _____
5. Even though judgment may be imposed as a result of my admission, I have the right to appeal the judgment and rulings of the Court.
I give up my right to appeal. _____
6. I further understand that as a result of my violation, the Court has the power to resent me or impose sanctions. I understand that the sentence I receive is solely within the discretion of the Court. The Court may reinstate my probation, deferred entry of judgment, postrelease community supervision, mandatory supervision, or parole with new terms and conditions or the Court may sentence me to jail or prison.
The maximum punishment which the Court may impose for my violation is: _____
7. If I am sentenced to county jail pursuant to Penal Code Section 1170(h) and a concluding portion of my sentence is suspended, I will be subject to mandatory supervision by the probation department for the remainder of my term. If I violate the terms or condition of that supervision, I could be returned to county jail to serve the remainder of my sentence. _____

**WAIVER OF RIGHTS RE VIOLATION OF
PROBATION / DEJ / PRCS / MANDATORY SUPERVISION / PAROLE**

8. If I am sentenced to state prison, I would be subject to parole supervision for a period of ☐ 3 years ☐ 5 years ☐ 10 years ☐ 20 years 6 months ☐ life ☐ _____, or postrelease community supervision for a period of up to three years. If I am released on postrelease community supervision or parole, and I violate the terms of that supervision or parole, I could be incarcerated in county jail for up to 180 days per violation, subject to certain exceptions, or returned to state prison for up to 1 year or longer if applicable. If I abscond or the court tolls my supervision, the total time of parole or postrelease supervision can be extended. _____

9. The only promises made to me are listed below: _____

I am of sound mind and am not now under the influence of alcohol, narcotics, drugs or anything that would impair my judgment. No threats have been made against me or anyone else in order to induce me to admit this violation of probation, deferred entry of judgment, post release community supervision, mandatory supervision, or parole.

My attorney has reviewed and explained this document to me, and I freely and voluntarily request the Court to accept my admission of violating my probation, deferred entry of judgment, post release community supervision, mandatory supervision, or parole.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Defendant/Parolee: _____

ATTORNEY'S STATEMENT

I, _____, do hereby declare that:

- I am the attorney for the above-named defendant/parolee;
- I have reviewed and explained the foregoing document to the defendant/parolee;
- his/her decision to admit a violation was made only after we discussed the facts and the law of the alleged violation and the consequences of admitting said violation;
- thereafter, (s)he signed his/her name thereto in my presence;
- I am satisfied that his/her admission of a violation is freely and voluntarily made with a knowing and understanding waiver of rights.

Dated: _____

Attorney for Defendant/Parolee: _____

INTERPRETER'S STATEMENT (if applicable)

I, _____, truly translated this waiver of rights form to the defendant/parolee, through his/her attorney, in the _____ language. I then asked the defendant/parolee, through his/her attorney, if the defendant/parolee understood what the form said, and if (s)he did understand, to sign the form, **if, and only if**, (s)he still intended to admit a violation of probation, deferred entry of judgment, post release community supervision, mandatory supervision, or parole.

Dated: _____

Interpreter: _____

ORDER AND FINDING

I find that the defendant/parolee has been fully informed and understands his/her constitutional rights and the consequences of his/her admission in this case. I further find that the defendant/parolee has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the defendant's/parolee's admission.

IT IS ORDERED that the defendant's/parolee's admission be accepted and be entered in the minutes of this Court. This executed waiver of rights form is filed in the records of this Court and incorporated in the above-numbered case by reference.

Dated: _____

Judge: _____

WAIVER OF RIGHTS RE VIOLATION OF PROBATION / DEJ / PRCS / MANDATORY SUPERVISION / PAROLE

1 Name _____

2 Address _____

3
4 _____
5 Phone number _____

6 in pro per

7
8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SOLANO**
10

11 In re the matter of:) Case No.: _____
12 _____,)
13 Petitioner,) STIPULATION AND ORDER
14 and)
15 _____,)
16 Respondent.)
17 _____)

18 The parties hereby stipulate and agree that the court may make orders as follows:
19 _____
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____

STIPULATION AND ORDER

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If this order concerns the custody and/or visitation of minor children, their names and dates of birth are:_____;

and the parties agree that the court should find that it has jurisdiction over the minor children because California is the children's home state; and that both parties understand that the habitual residence of the children is the United States of America.

STIPULATION AND ORDER

Signatures of parties

We have read this entire stipulation and agreement. We understand it fully and request the court to make our stipulation and agreement the order of the court. We understand that willful failure to comply with the provisions of this order will be a contempt of court and may be punished by fine and imprisonment. We waive further notice of this order.

Date_____

Date_____

Petitioner_____

Respondent_____

FINDINGS AND ORDER

THE COURT FINDS: If the custody and/or visitation of minor children are a subject of this order, the court has jurisdiction over the minor children because California is their home state. The habitual residence of the children is the United States of America. Both parties have been advised that any violation of this order may result in civil or criminal penalties, or both.

The agreement of the parties as set forth above is adopted as the order of the court and fully incorporated by reference herein.

Date_____

Judge of the Superior Court

STIPULATION AND ORDER

Superior Court of California, County of Solano 600 Union Avenue PO Box 5000 Fairfield, CA 94533	
Petitioner: Respondent: Claimant:	
ORDER FOR SUPERVISED VISITATION OR EXCHANGE	Case Number:
	NEXT COURT DATE:

1. Pursuant to Family Code sections 3100 and 3200, the court finds that the best interest of the child(ren) requires that visitations and/or exchanges be supervised until further order of the court. **Evidence has been presented in support of a request that the contact of** ☐ **Petitioner** ☐ **Respondent** ☐ **Claimant with the child(ren) should be supervised based upon allegations of:**

- | | | |
|--|--|--|
| ☐ Domestic Violence | ☐ Sexual Abuse | ☐ Drug/Alcohol Abuse |
| ☐ Physical Abuse | ☐ Neglect | ☐ Mental Illness |
| ☐ Emotional Abuse | ☐ Risk of Abduction | ☐ Failure to Comply with Custody Orders |
| ☐ Other: | | |

THE COURT ORDERS:

2. CHILD(REN) TO BE SUPERVISED

Name:	Birthdate:	Age:	Sex:

- ☐ Additional children listed on Attachment 2 ☐ The court has appointed minor's counsel:

3. TYPE OF SUPERVISION

- Provider Type: ☐ Professional (see page 2) ☐ Non-Professional (see page 3)
 Service Type: ☐ Supervised Visitation ☐ Supervised Exchange ☐ Therapeutic Visitation
 Service Method: ☐ In person ☐ Videoconference (e.g. Zoom, Facetime, etc.)
 Language: ☐ English ☐ Other: _____

4. DURATION AND FREQUENCY

Supervised visitation/exchange shall occur with the above-named child(ren) on the following schedule:

- ☐ _____ times per _____ for up to _____ per visit
☐ According to the facility's or supervisor's availability and the parties' schedules.
☐ Other: _____

The court reserves jurisdiction to modify and/or set days and times in the event the parties are unable to agree.

5. PROFESSIONAL SUPERVISION PROVIDERS

<u>Name</u>	<u>Address</u>	<u>Phone Number</u>	<u>Email/Website</u>
☐ Safe 4 Us Solano (Solano Family Justice Center)	604 Empire Street Fairfield, CA 94533	(707) 784-7229	Safe4Us@solanofamilyjustice.org
☐ Visitation Care Center North	1201 Marshall Road Vacaville, CA 95687	(707) 564-8312	www.vacavillevisitationcare.org
☐ Timon Supervised Visits Provider	1031 Jefferson Street Napa, CA 94559	(707) 234-7011	www.timonsvp.com
☐ Eagle Eye Supervised Visitation	Office location closed. Operating for off-site visits only.	(925) 305-6146	www.eagleeyesupervisedvisitation.com
☐ Child 1st Supervised Visitations	Mailing Address Only P.O. Box 1174 Vacaville, CA 95687	(510) 621-8589	www.child1stsupervisedvisitations.com
☐			

a. PAYMENT RESPONSIBILITY:

Petitioner ☐ 100% ☐ 50% ☐ Other:
Respondent ☐ 100% ☐ 50% ☐ Other:
Claimant ☐ 100% ☐ 50% ☐ Other:

The court reserves jurisdiction to reallocate or reapportion any costs.

- b. ☐ The custodial party and the supervised party shall each contact the provider within _____ calendar days of notice of this order to initiate intake.
- c. ☐ The supervised person's failure to initiate intake within 30 calendar days of notice of this order shall cause this order to be suspended pending further court hearing.
- d. ☐ The supervised person's failure to either maintain contact with the provider or to utilize supervised visitation or exchange for a period greater than _____ calendar days shall cause this order to become suspended pending further hearing.
- e. ☐ The provider shall be permitted access to the family law file of the above case for the sole purpose of obtaining information pertinent to scheduling appropriate visitation.
- f. A person's failure to comply with the provider's policies and procedures is a basis for the provider to suspend or terminate visitation or exchange services pending further court hearing.
- g. **If the provider makes a mandated report to Child Welfare Services, the provider shall promptly notify the court, the parties or their attorneys, and minor's counsel.**
- h. Dates and times of exchanges may be modified by MUTUAL AGREEMENT of the parties and with consent and availability of the provider.
- i. The provider shall provide the court, the litigants, and minor's counsel (if appointed) with a report of attendance, compliance with facility procedures, and/or assessment of supervised visitation/exchange. **The reports shall be submitted with a Declaration of Supervised Visitation Provider (Judicial Council form FL-324(P)).**
- j. Additional Orders:
- (1) Any person transporting child(ren) by vehicle to and from visitations or exchanges must have a valid driver's license, car insurance, valid registration and appropriate safety restraints, including an age-appropriate car seat or booster seat as necessary.
 - (2) Gifts: Supervised person ☐ may bring gifts only per the provider's policy ☐ may NOT bring gifts.
 - (3) Food: Supervised person ☐ may bring food only per the provider's policy ☐ may NOT bring food.
 - (4) Photos: Supervised person ☐ may take photos or give the child photos only per the provider's policy ☐ may NOT take photos or give the child photos.
 - (5) Third parties: ☐ Third parties are allowed at visits: _____
☐ Third parties are NOT allowed at visits.
 - (6) ☐ Other:

6. NON-PROFESSIONAL SUPERVISOR(S)

	<u>Name</u>	<u>Address</u>	<u>Phone Number</u>	<u>Email</u>
1.				
2.				
3.				

- a. Each non-professional supervisor shall complete and file with the court a *Declaration of Supervised Visitation Provider (Non-Professional)* (Judicial Council form FL-324(NP)). **THIS FORM MUST BE FILED WITH THE COURT BEFORE ANY VISITS OR EXCHANGES BEGIN.**
- b. Dates and times of exchanges may be modified by MUTUAL AGREEMENT of the parties and with consent and availability of the non-professional supervisor.
- c. Visits or exchanges shall take place at the following location(s):

d. Additional Orders:

- (1) Any person transporting child(ren) by vehicle to and from visitations or exchanges must have a valid driver's license, car insurance, valid registration and appropriate safety restraints, including an age-appropriate car seat or booster seat as necessary.
- (2) Gifts: ☐ Supervised person may bring gifts.
☐ Supervised person may bring gifts only for the child's birthday or other special occasions (e.g. Christmas).
☐ Supervised person may not bring gifts.
- (3) Food: ☐ Supervised person may bring food.
☐ Supervised person may not bring food.
- (4) Photos: ☐ Supervised person may take photos or give the child photos.
☐ Supervised person may not take photos or give the child photos.
- (5) Third parties: ☐ These third parties are allowed at visits: _____
☐ Third parties are NOT allowed at visits.
- (6) ☐ Other:

7. OTHER ORDERS

It is so ordered.

Dated: _____

Judicial Officer

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO STREET ADDRESS: ☐ 600 Union Avenue ☐ 321 Tuolumne Street MAILING ADDRESS: P.O. Caller 5000 321 Tuolumne Street CITY AND ZIP CODE: Fairfield, CA 94533 Vallejo, CA 94590	FOR COURT USE ONLY
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: CLAIMANT:	
ORDER APPOINTING COUNSEL FOR MINOR(S)	

1. Date: _____
- Judge/Commissioner (name): _____
- ☐ Temporary Judge
- | | |
|---|--|
| ☐ Petitioner/Plaintiff present
☐ Respondent/Defendant present
☐ Claimant present | ☐ Attorney present (name): _____
☐ Attorney present (name): _____
☐ Attorney present (name): _____
☐ Attorney for minor present (name): _____ |
|---|--|

Case Number: _____

THE COURT FINDS

Pursuant to *Family Code* §3150(a), it is in the best interest of the minor child(ren) to appoint private counsel to represent the interests of the child(ren).

1. a. Counsel appointed for child(ren):	Name: _____	Phone number: _____
Address: _____	b. Alternate counsel appointed for child(ren):	Name: _____
Address: _____	Phone number: _____	

2. Child(ren) for whom counsel appointed:
- | | | |
|-------------|-------------------|----------------|
| <u>Name</u> | <u>Birth date</u> | <u>Address</u> |
|-------------|-------------------|----------------|

3. Pursuant to *Family Code* §3151(a), counsel is charged with the following duties:
- a. Interviewing the child(ren);
 - b. Reviewing the court files and all accessible relevant records available to the parties;
 - c. Making such investigation as counsel deems necessary to ascertain facts relevant to the custody/visitation hearing;
 - d. Participate in the proceedings to the degree necessary to adequately represent the child(ren), including introducing and examining counsel's own witnesses, and present to the court concerning the child(ren)'s welfare;
 - e. At the Court's request, counsel shall prepare a written statement of issues and contentions setting forth the facts that bear on the best interests of the child(ren) consistent with the requirements of §3151(b).
4. Pursuant to §3151(c), counsel shall have the following rights regarding the child(ren):
- a. Reasonable access to the child(ren);
 - b. Notice of any and all proceedings, included any requested examinations affecting the child(ren);
 - c. Access to medical, dental, mental health and other health care records for the child(ren);
 - d. Access to school and educational records for the child(ren) and the right to interview school personnel, caretakers, health care providers, mental health professionals and others who have assessed the child(ren) or provided care to the child(ren);
 - e. To veto any physical or psychological examination for purposes of the within proceedings, which has not been ordered by the court (*Family Code* § 3152(b)(4));
 - f. To assert on behalf of the child(ren) any privilege for discovery purposes (*Family Code* §3151(b)(5));
 - g. The right to seek independent psychological or physical examination or evaluation of the child(ren) for purposes of the pending proceedings, upon application to the court and the right to refuse any such examination not ordered by the court;
 - h. The right to receive relevant reports and/or files of the local child protective agency, upon motion to the court (*Family Code* §3152);
 - i. The right to assert or waive any privilege on behalf of the child(ren);
 - j. Access to police department records and/or files regarding the child(ren) and/or parties;

ORDER APPOINTING COUNSEL FOR MINOR

OTHER ORDERS

- a. The parties and their counsel are ordered to cooperate with the child(ren)'s counsel to permit the child(ren)'s counsel to perform the duties of said appointment.
- b. Child(ren)'s counsel shall be provided with complete copies of all relevant pleadings within ten (10) days of this appointment.
- c. The parties shall provide complete information concerning the minor's child(ren)'s school, medical, psychological, psychiatric, and other pertinent records to the child(ren)'s counsel upon request. The parties shall execute such waivers and releases requested to facilitate the child(ren)'s counsel in securing access to records for the minor child(ren).
- d. The parties and/or their counsel shall not compromise, settle, dismiss or otherwise remove from the court's calendar all or any portion of the issues, claims or proceedings concerning which child(ren)'s counsel has been appointed, without participation of child(ren)'s counsel or advance notice to child(ren)'s counsel.
- e. All filing fees, court reporting and recording fees, charges for certified copies, and other costs payable to the Superior Court are waived on behalf of the minor child(ren). A copy of this order accompanying such pleadings shall suffice, and the Clerk of the Court is ordered to accept all documents for filing without further fee waiver or other action.
- f. Minor child(ren)'s counsel may place the above-referenced matter on calendar by providing the parties with ten (10) days advance written notice.

6. Compensation

- a. Counsel for the minor child(ren) shall be compensated as follows:

☐ Hourly rate \$ _____ ☐ Other (e.g., flat fee) \$ _____ ☐ Retainer \$ _____ ☐ Payable by County \$ _____

- b. The parties are ordered to pay said compensation as follows:

☐ _____% Petitioner/Plaintiff ☐ _____% Respondent/Defendant ☐ _____% Claimant

☐ The court reserves jurisdiction for the purpose of allocating the attorney fees and costs for the court appointed counsel for the minor child(ren).

- c. Counsel shall continue to represent the child(ren) until relieved by the court.

NOTICE: All custodians of records relating to the minor child(ren), and all providers of services who have a confidential or non-confidential relationship with the minor child(ren), shall communicate with, and shall reveal to the child(ren)'s counsel both confidential and non-confidential communications from and relating to the minor child(ren), and shall permit the child(ren)'s counsel to inspect and copy any records relating to the minor child(ren), upon presentation of a certified copy of this order, regardless whether the child(ren)'s parent(s) or guardian(s) have executed waivers or releases on behalf of the child(ren).

IT IS SO ORDERED.

Date: _____

JUDGE / COMMISSIONER OF THE SUPERIOR COURT

CLERK'S CERTIFICATE

I certify that the foregoing Order Appointing Counsel for Minor(s) is a true and correct copy of the original on file in the court.

Date _____

Linda Ashcraft, Clerk, by _____ Deputy

ORDER APPOINTING COUNSEL FOR MINOR

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO**

**Stepparent Adoption
Confidential Court Investigator's Information & Referral Form**

Please answer the following questions thoroughly. Attach additional pages to this form if necessary. Return the completed form to the Court Investigators Office as soon as possible.

Case Number: _____ Date Petition Filed: _____

1. PETITIONER *(This is the person asking to adopt a stepchild)*

Name: _____ DOB: _____

Home Address: _____

Email Address: _____

Telephone: () ()
(home) (work)
() ()
(cellular) (other)

Social Security Number: _____

Driver's License Number: _____

Sex: _____ Height: _____ Weight: _____ Hair: _____ Eyes: _____

Date of Present Marriage/Registration of Domestic Partnership: _____

List all prior marriages and registered domestic partnerships:

Name of Previous Spouse or Partner:	Date of Marriage or Registration of Domestic Partnership:	Marriage/Partnership Ended Because:	Date Marriage or Partnership Ended:
		☐ Divorce ☐ Annulment ☐ Death ☐ Notice of Termination of RDP	
		☐ Divorce ☐ Annulment ☐ Death ☐ Notice of Termination of RDP	
		☐ Divorce ☐ Annulment ☐ Death ☐ Notice of Termination of RDP	
		☐ Divorce ☐ Annulment ☐ Death ☐ Notice of Termination of RDP	

Turn over and continue on other side...



Have you obtained the consent of both of the child's parents for this adoption? ☐ Yes ☐ No

If you answered "no", please explain:

Have you ever been referred, cited, or arrested for child neglect or abuse? ☐ Yes ☐ No

If you answered "yes", please explain:

Have you ever been arrested for any reason within the last 10 years? ☐ Yes ☐ No

If you answered "yes", please explain:

2. PARENT RETAINING CUSTODY *(This is the petitioner's spouse or registered domestic partner)*

Name: _____ DOB: _____

Social Security Number: _____

Driver's License Number: _____

Phone Number: _____

Email Address: _____

List all prior marriages and registered domestic partnerships:

Name of Previous Spouse or Partner:	Date of Marriage or Registration of Domestic Partnership:	Marriage/Partnership Ended Because:	Date Marriage or Partnership Ended:
		☐ Divorce ☐ Annulment ☐ Death ☐ Notice of Termination of RDP	
		☐ Divorce ☐ Annulment ☐ Death ☐ Notice of Termination of RDP	
		☐ Divorce ☐ Annulment ☐ Death ☐ Notice of Termination of RDP	



5. Describe the petitioner's relationship with the stepchild(ren), from your own observation.
6. Do you feel the proposed stepparent adoption is in the best interest of the child(ren)?
_____ Yes _____ No Please explain.
7. Do you consider the petitioner's present marriage to be a happy and stable marriage?
_____ Yes _____ No Please explain.
8. Is the petitioner a person of good moral character? _____ Yes _____ No Please explain.
9. Do you have any reservations about recommending the adoption?
_____ Yes _____ No Please explain.
10. Is there anything that you can think of that would be detrimental to the child(ren) by allowing this proposed stepparent adoption to be granted?
_____ Yes _____ No Please explain.

11. Do you know of any problems with the petitioner and/or his present marriage concerning unemployment, finances, physical or mental health, marital relations, excessive alcohol usage, drug usage, stress, behavioral or emotional difficulties?

_____ Yes _____ No Please explain.

12. If you have any questions, or if you have additional information that you would like to share with the court investigator, please state it below, or telephone (707) 207-7390.

Print Name: _____ Date: _____

Signature: _____ Telephone: _____

Home Address: _____

Your occupation: _____

Please return this form to the:

**Superior Court of California, County of Solano
Court Investigators Office
Hall of Justice
600 Union Avenue
Fairfield, CA 94533**

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO STREET ADDRESS: 600 Union Avenue MAILING ADDRESS: P.O. Caller 5000 CITY AND ZIP CODE: Fairfield, CA 94533	
IN RE ADOPTION PETITION OF: (<i>Name</i>): _____	
CONSENT OF CHILD TO BE ADOPTED	CASE NUMBER: _____

1. I, _____,
 born on (*date*): _____, and being age 12 or older, hereby
 consent to my adoption by (*name*) _____.

Date: _____

 Signature of Child

Signed in the presence of:

 (*name*)

 (*title*)

on (*date*) _____

CONSENT OF CHILD TO BE ADOPTED

ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO STREET ADDRESS: 600 Union Avenue MAILING ADDRESS: P.O. Caller 5000 CITY AND ZIP CODE: Fairfield, CA 94533	
IN RE ADOPTION OF: (Name): _____	
APPLICATION AND ORDER FOR PAYMENT OF MINOR'S COUNSEL FEES AND COSTS (Adoption)	CASE NUMBER: _____

I, _____, declare as follows:

- I was appointed as counsel for the minor child(ren) in the above-referenced matter on (date) _____ by
(judicial officer): _____.
- The order appointing me as minor's counsel included a finding that the real parties in interest were unable to pay my fees and costs. Pursuant to Family Code section 7863, the County of Solano was ordered to pay ☐ %
☐ \$ of my fees and expenses associated with my representation of the minor child(ren).
- I have attached detailed documentation setting forth the **total** amount of attorney fees and expenses incurred and detailing the work performed between (date) _____ and (date) _____ on behalf of the minor child(ren). To the best of my knowledge and belief, this documentation is true and correct. This documentation shows that the total attorney fees incurred during the time period listed above are \$ _____ and the total expenses incurred during the time period listed above are \$ _____. I further declare that pursuant to the order appointing me as minor's counsel, the County of Solano is responsible for ☐ % ☐ \$ of these fees and expenses, for a total of \$ _____. I declare that these fees and expenses were necessarily incurred in this case. **(Attach copies of invoices, billing statements, time sheets, logs, etc. to this form. Your application will not be considered without detailed supporting documentation of your fees and costs.)**
- I therefore seek an order for compensation from the County of Solano pursuant to Family Code section 7863 as follows:
 - ☐ \$ _____ for attorney fees
 - ☐ \$ _____ for expenses.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Attorney for the Minor Child(ren)

ORDER

Good cause appearing, the County of Solano is ordered to compensate the above-named attorney as follows:

- a. ☐ \$ _____ for attorney fees. b. ☐ \$ _____ for expenses.

The above-named attorney is ordered to submit a copy of this order directly to the County of Solano along with an original Solano County Vendor Claim.

Date: _____

Judge/Commissioner of the Superior Court

APPLICATION AND ORDER FOR PAYMENT OF MINOR'S COUNSEL FEES AND COSTS

INSTRUCTIONS

California adoption files are confidential by law. Because these files are confidential, access to the court's adoption file will only be granted if the court believes there are "exceptional circumstances" and "good cause approaching the necessitous." Family Code § 9200.

If you believe that you have a good reason for requesting access to an adoption file and you believe that the adoption was completed in Solano County, you may use this form to request access to a court adoption file. **Permission for access to court's adoption file is not automatically granted and lies in the sole discretion of the court.**

The court will usually not have a copy of the original birth record on file. If you would like access to the original birth record held by the California Department of Social Services, you may use this petition to request access. Check the box marked "Health and Safety Code § 102705". **Permission for access to the original birth record is not automatically granted and lies in the sole discretion of the court.** Furthermore, the court cannot give you the names or addresses of the adopted child's natural parents unless you prove to the court that you need this information to assist you in establishing a legal right.

Family Code § 9200; Health & Safety Code § 102705
Page 1 of 2

IN RE THE ADOPTION PETITION OF:

CASE NUMBER:

3. ☐ Per Family Code § 9200, I request permission to ☐ inspect the records ☐ obtain copies of the records contained in the adoption court file for the following reasons:

☐ Check here if you need more space. Be sure to include the case name and number at the top of each page.

4. ☐ Per California Health & Safety Code § 102705, I request permission to ☐ inspect the records ☐ obtain copies of the original birth record contained in the State Department of Social Services files for the following reasons:

☐ Check here if you need more space. Be sure to include the case name and number at the top of each page.

- a. Are you requesting the names and/or addresses of the adopted child's natural parents?

☐ No ☐ Yes *(please fill out the information below)*

Why do you need this information? (The names and addresses of the natural parents can only be given if the petitioner can demonstrate that the information is necessary to assist the petitioner in establishing a legal right.)

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4 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
5 **IN AND FOR THE COUNTY OF SOLANO**
6

7 **In re the Matter of**
8
9

**CERTIFICATE OF STEPPARENT
ADOPTION**

10
11 Pursuant to the information in its records, the court hereby certifies that an adoption took
12 place as follows:

13 1. Child's New Name at Adoption:

14 2. Adopted Child's Date of Birth:

15 3. Date of Adoption:

16 4. Place of Adoption:

17 5. Name of Adoptive Father:

18 6. Name of Adoptive Mother:

19 7. Name of Birth Father:

20 8. Name of Birth Mother:

21 I am a clerk of the Superior Court of California, County of Solano, and I am not a party to this
22 case. I certify that the foregoing information is true and correct.

23 Dated: _____

Clerk, by _____
Deputy Clerk

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4 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
5 **IN AND FOR THE COUNTY OF SOLANO**
6

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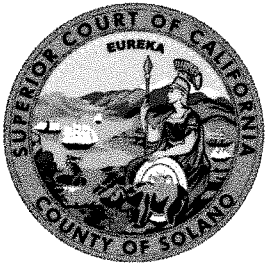
CERTIFICATE OF ADOPTION

10
11 Pursuant to the information in its records, the court hereby certifies that an adoption took
12 place as follows:

- 13 1. Child's New Name at Adoption:
14 2. Adopted Child's Date of Birth:
15 3. Date of Adoption:
16 4. Place of Adoption:
17 5. Name of Adoptive Father:
18 6. Name of Adoptive Mother:
19

20 I am a clerk of the Superior Court of California, County of Solano, and I am not a party to this
21 case. I certify that the foregoing information is true and correct.

22 Dated: _____ Clerk, by _____
23 Deputy Clerk
24
25



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO

Hall of Justice
600 Union Avenue
Fairfield, CA 94533

Old Solano Courthouse
580 Texas Street
Fairfield, CA 94533

Solano Justice Center
321 Tuolumne Street
Vallejo, CA 94590

REQUEST FOR ELECTRONIC RECORDING: SHARED LINK

Electronic recordings may be available in all case types, excluding small claims, pursuant to Supreme Court Case *Family Violence Appellate Project v. Superior Court of Contra Costa County* and the California Rules of Court.

Electronic recordings are provided via email using a shared link. The audio link will be emailed in 7-10 business days.

Failure to complete all the requested information will cause significant delay in the completion of your electronic recording request.

Requesting Party:

Email Address:

Telephone Number:

Case Number(s):

Dept. / Judge:

Hearing Date(s):

REQUESTS FROM ELECTRONIC RECORDING SYSTEMS:

Electronic recordings will be provided via a shared audio file link, in a Windows Media Audio (WMA) format.

Upon special request, the audio recording may alternatively be provided on a CD, in Windows Media Audio (WMA) format. To request this option, please request a form from the division.

Copies of electronically recorded proceedings are available for purchase at the rate of \$15.00 per audio shared link. All electronic recordings must be paid for in advance. You may purchase in the Civil, Family, Criminal, Traffic or Juvenile Divisions. A Request for Electronic Recording Form must be completed.

Transcripts may be prepared from an electronic recording by a qualified transcriber. The Court does not provide this service, but has approved eScribers for ER transcription needs. To order a transcript, go to www.escribers.net and select "Order a Transcript." For more information about eScribers, ask the court for a flyer.

Submit completed forms with payment to the Solano Superior Court to the corresponding division:

- Civil Division in person, via drop box, or mail to 580 Texas St., Fairfield, CA 94533.
- Criminal Division in person, via drop box, or mail to 600 Union Ave., Fairfield, CA 94533 or 321 Tuolumne St., Vallejo, CA 94590
- Family Law/Probate/Adoption in person, via drop box, or mail to 600 Union Ave., Fairfield, CA 94533.

ELECTRONIC RECORDING REQUEST FORM