

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: _____

Case Name: _____

Case Number: _____
(if known)

DOMESTIC VIOLENCE-RELATED ACKNOWLEDGMENT OF RIGHTS FORM

I, _____, of _____
have been charged in the _____ with the following domestic violence related
offense(s):

I understand that the complaint is one accusing me of one or more Class A misdemeanor(s) and that I have the right to be represented by an attorney.

I am represented by _____, a lawyer admitted to practice in New Hampshire. I am satisfied with my lawyer and all explanations have been clear.

I do not want a lawyer. I understand and know what I am doing. I hereby waive my right to a lawyer.

If I am not a citizen of the United States, I understand that conviction of the crime(s) for which I intend to plead GUILTY or NO CONTEST may have immigration consequences, including but not limited to, deportation from the United States, exclusion from admission into the United States, or denial of naturalization pursuant to the laws of the United States.

I understand that I do not have to plead GUILTY or NO CONTEST and that even after signing this form I still do not have to plead GUILTY or NO CONTEST.

I understand that by pleading GUILTY or NO CONTEST to the charge(s) that I am giving up the following constitutional rights as to the charge(s):

MY RIGHT to a speedy and public trial.

MY RIGHT to see, hear and question all witnesses. This gives me the opportunity and right to confront my accusers and cross-examine them myself or through my attorney.

MY RIGHT to present evidence and call witnesses in my favor and to testify on my own behalf.

MY RIGHT to remain silent and not testify at a trial.

MY RIGHT to have the Judge *ORDER* into court all evidence and witnesses in my favor.

MY RIGHT not to be convicted unless the State proves that I am guilty beyond a reasonable doubt with respect to all elements of the charge(s), which have been explained to me.

MY RIGHT to keep out evidence, including confessions, illegally obtained.

MY RIGHT to a trial before a jury and my right to appeal issues of law to the Supreme Court.

I GIVE UP ALL THE ABOVE RIGHTS OF MY OWN FREE WILL.

I understand that by pleading GUILTY or NO CONTEST I am admitting to the truth of the charge against me in the indictment, and that, on my admission that I am GUILTY and the Judge's acceptance of my GUILTY or NO CONTEST plea, a conviction will be entered against me.

No force has been used upon me, nor have any threats been made to me, by any member of the Prosecutor's Office, or anyone else, to have me enter this plea of GUILTY or NO CONTEST.

Case Name: _____

Case Number: _____

DOMESTIC VIOLENCE RELATED ACKNOWLEDGMENT OF RIGHTS

No promises have been made to me by any member of the Prosecutor's Office or anyone else in an effort to have me enter this plea of GUILTY or NO CONTEST to the charge(s), except as follows:

However, I understand that the Judge is not bound by the Prosecutor's recommendation as to sentence, and that I may withdraw my plea if the Judge exceeds the limits of a negotiated plea.

I understand, as a consequence of my plea of GUILTY or NO CONTEST, that the Judge may impose any sentence deemed appropriate in the Judge's sole discretion, subject to a maximum penalty of one year in jail and a \$2,000 fine for each offense.

I understand that if I am convicted of stalking under RSA 633:3-a and have one or more prior stalking convictions in this state or another state within the past seven years following the date of the first or prior offense, I shall be guilty of a CLASS B FELONY.

ACKNOWLEDGMENT OF FEDERAL GUN CONTROL ACT

It is illegal to possess a firearm or ammunition after conviction of a qualifying misdemeanor crime of domestic violence. This is a lifetime ban, and possession of a firearm and/or ammunition after conviction of a qualifying domestic violence misdemeanor is a federal crime under 18 U.S.C. 922(g)(9), and has a maximum prison term of ten years.

1. I understand that the Police Department/Law Enforcement Agency has the right to confiscate all firearms/ammunition in my possession immediately.
2. I understand that the Police Department/Law Enforcement Agency may search my home or vehicle for all firearms/ammunition in my possession with verbal consent or a warrant.
3. I understand that I can appeal this conviction; however, all firearms/ammunition will remain in the possession of the Police Department/Law Enforcement Agency pending outcome.

I understand the nature of the charge(s) against me and the maximum punishment that may be imposed. I am not under the influence of alcohol or drugs.

I understand the entire contents of the Acknowledgment of Rights and I freely and voluntarily sign this form below. I also understand that I may have a copy of this form upon request.

Highest Educational Grade Completed _____

Date

Defendant

As counsel for the defendant, I have thoroughly explained to the defendant all of the above, including the nature of the charge, the elements of the offense which the State must prove beyond a reasonable doubt, the maximum and minimum penalties, and the possible immigration consequences of entering a plea of guilty or no contest. I believe the defendant fully understands the meaning of this Acknowledgment and Waiver of Rights, that s/he is not under the influence of drugs or alcohol, and that s/he knowingly, intelligently, and voluntarily waives all of his/her rights as set forth in this form.

Date

Counsel for the Defendant

I hereby certify that I have examined the defendant concerning the plea entered in this case. Based upon that examination I find that the defendant understands the nature of the charge(s), the minimum and maximum penalties which may be imposed therefore and the elements of the offense(s); and I find that the defendant is not under the influence of drugs or alcohol, and that the waiver of each right set forth on this form is made intelligently, knowingly, and voluntarily. I further find there is a factual basis for the defendant's plea.

Date

Signature of Judge

Printed Name of Judge