

10-731. Waiver of arraignment in youthful offender proceedings.

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT
IN THE CHILDREN'S COURT

In the Matter of _____, a Child. No. _____

**WAIVER OF ARRAIGNMENT AND ENTRY OF DENIAL OF CHARGES
IN YOUTHFUL OFFENDER PROCEEDINGS**

I was given a copy of the petition which charges me with committing a youthful offender offense [and a delinquent act]. I have read the petition, and it has been explained to me by my attorney. I understand what I am charged with and the possible penalties that I face, ranging from being sentenced as an adult to prison time, to a disposition as a delinquent child in need of care or supervision.

I FURTHER UNDERSTAND THAT I HAVE THE FOLLOWING RIGHTS:

1. the RIGHT to personally appear before the children's court and to admit or deny the charge(s) and to have my rights explained;
2. the RIGHT to trial by jury;
3. the RIGHT to the assistance of an attorney at all stages of the proceedings and to have an attorney appointed free of charge if I cannot afford one;
4. the RIGHT to confront the witnesses against me and to cross-examine them as to the truthfulness of their testimony;
5. the RIGHT to present evidence on my own behalf and to have the State compel witnesses of my choosing to appear and testify; and
6. the RIGHT to remain silent.

With this knowledge and understanding, I give up the right to personally appear before the children's court for arraignment and hereby enter a denial of the youthful offender offense(s) [and delinquent act(s)] charged in the above-referenced petition.

Signature of Child

Date

I have explained to the child the child's right to personally appear before the children's court to enter a denial and to have the child's rights explained by the Judge. I am satisfied that the child understands the waiver of his or her rights.

Attorney for Child

APPROVED:

Children's Court Judge

Children's Court Hearing Officer

[Adopted by Supreme Court Order No. 14-8300-015, effective for all cases filed on or after December 31, 2014; 10-432 recompiled and amended as 10-731 by Supreme Court Order No. 16-8300-017, effective for all cases pending or filed on or after December 31, 2016.]