

**THREE AFFILIATED TRIBES  
FORT BERTHOLD RESERVATION**

**IN DISTRICT COURT  
NEW TOWN, NORTH DAKOTA**

Three Affiliated Tribes,  
Plaintiff,

vs.

Defendant

) Case No.: CR-2012-\_\_\_\_\_

) **ADVISEMENT OF RIGHTS**

1. You have the right to have a copy of the criminal complaint; you have the right to have the complaint read and explained to you before entering a plea to the charged offense(s).
2. You have the right to be informed of the maximum and minimum punishments that may be imposed upon you by the Court if you are found or plead guilty to the offense(s).
3. You have the right to remain silent. Any statement you make can be used against you in a criminal prosecution.
4. You are presumed innocent until proven guilty beyond a reasonable doubt.
5. If you are admitted to bail or if bail has been posted previously, your bail may be forfeited if you fail to comply with the provisions set for your release. If you fail to appear at any future court dates, a bench warrant for your arrest may be issued and you may be held in custody pending trial. You may also be charged with disobedience to a lawful order of the court.
6. You have the right to a trial by jury upon the charged offense(s). You must make the demand for jury trial at your arraignment or in writing within ten (10) days of arraignment; otherwise, a judge will try the matter as a bench trial.
7. You have the right to consult an attorney prior to entering a plea. You have the right of the assistance of legal counsel before making any statements or answering any questions. The Tribe has no obligation to provide legal counsel for you. You may make an application to the court for the appointment of legal counsel if you are determined to be low income and facing incarceration.
8. You have the right to plead guilty or not guilty.
9. You have the right to compel witnesses to appear and give testimony for and on your behalf.
10. You have the right to confront and cross examine the witnesses against you at trial.
11. If you plead guilty to the charge you waive your right to trial, your right to confront and cross examine the witness against you. If you plead guilty there will be no further trial of any kind with regard to the charges against you.
12. If you are found guilty of the charge you have the right to appeal the decision to the Intertribal Court of Appeals. To do so you must file a notice of appeal within the Intertribal Court of Appeals within ten (10) days of judgment. All appeals must be done in accordance with appellate procedures as set forth by the Intertribal Court of Appeals.

Charge	Minimum Penalty	Maximum Penalty
	\$ _____ / _____ days	\$ _____ / _____ days
	\$ _____ / _____ days	\$ _____ / _____ days
	\$ _____ / _____ days	\$ _____ / _____ days
	\$ _____ / _____ days	\$ _____ / _____ days
	\$ _____ / _____ days	\$ _____ / _____ days
	\$ _____ / _____ days	\$ _____ / _____ days
	\$ _____ / _____ days	\$ _____ / _____ days

I have read and understand my rights as listed on the front side of this form. I am also aware of the maximum and minimum (if any) penalty for the offense(s) against me.

Dated \_\_\_\_\_

Defendant \_\_\_\_\_

A. I wish to speak to an attorney prior to entering a plea to the criminal charge against me.

Dated \_\_\_\_\_

Defendant \_\_\_\_\_

B. I am entering a plea of (circle one) **Guilty** **Not Guilty**

C. Check one of the following:

- I am hereby waiving my right to a jury trial on the charges against me.
- I am hereby requesting a jury trial for the charges against me.

Dated \_\_\_\_\_

Defendant \_\_\_\_\_

**You must provide the following information**

Mailing Address: \_\_\_\_\_  
 Physical Address: \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_  
 Home Telephone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
 Social Security No. \_\_\_\_\_

**NOTICE**

All further notices will be sent to the address I have given above. It is your obligation to give any change of address to the court, in writing. You also have a duty to check your mail on a regular basis. Failure to appear will result in a bench warrant being issued for your arrest.