**10-711. Waiver of arraignment and denial of delinquent act.**

STATE OF NEW MEXICO

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT

IN THE CHILDREN’S COURT

In the Matter of \_\_\_\_\_\_\_\_\_\_\_\_\_, a Child. No. \_\_\_\_\_\_\_\_\_\_

**WAIVER OF ARRAIGNMENT AND**

**DENIAL OF DELINQUENT ACT**

 I was given a copy of the petition which charges me with committing 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, including 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 deny the delinquent acts 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, effective July 1, 1995; 10-415A recompiled and amended as 10-711 by Supreme Court Order No. 16-8300-017, effective for all cases pending or filed on or after December 31, 2016.]