

**IN THE JUSTICE COURT OF SPARKS TOWNSHIP,
IN AND FOR THE COUNTY OF WASHOE, STATE OF NEVADA**

THE STATE OF NEVADA)	BATTERY CONSTITUTING DOMESTIC VIOLENCE
)	ACKNOWLEDGEMENT AND WAIVER OF RIGHTS
Plaintiff,)	
vs.)	Case No.:
)	Dept. No.:
)	State's Attorney:
Defendant,)	

Defendant's Initials

_____ I understand I have been charged with battery constituting domestic violence in having willfully and unlawfully committed an act of force or violence upon my spouse, former spouse, any other person to whom I am related by blood or marriage, a person with whom I am or was actually residing, a person with whom I have had or am having a dating relationship, a person with whom I have a child in common, my minor child or the minor child of any of these persons, as set forth in the complaint,

_____ on the _____ day of _____, 20_____, in violation of WCC 53.110 or NRS 33.018, NRS 200.481 or NRS 200.485.

_____ I understand the State must prove the elements in the above paragraph beyond a reasonable doubt.

_____ I understand the State will use this and any other constitutionally valid prior conviction of this type of offense to enhance the penalty for any subsequent offense.

_____ I understand the following possible punishments:

1st Offense in 7 years: At least 2 days in jail to a maximum of 6 months in jail; not less than 48 hours but not more than 120 hours of community service; a fine of not less than \$200 and not more than \$1000 plus assessments; successful completion of weekly counseling sessions of not less than 1-½ hours per week for not less than 6 months nor more than 12 months at my own expense.

2nd Offense in 7 years: At least 20 days in jail but not more than 6 months; at least 100 hours but not more than 200 hours of community service; a fine of not less than \$500 and not more than \$1000 plus assessments; successful completion of weekly counseling sessions of not less than 1-½ hours per week for 12 months at my own expense.

3rd Offense in 7 years: A category B felony punishable by a sentence of imprisonment in the Nevada State Prison for not less than 1 year nor more than 6 years and a possible fine of not less than \$1,000 fine but not more than \$5,000 plus assessments.

4th or Subsequent Offenses ever. If previously convicted of a felony domestic battery: not less than 2 years nor more than 15 years in Nevada State Prison; and a possible fine of not less than \$2000 fine but not more than \$5000.

_____ I understand I have the right to have an attorney represent me, and if I cannot afford an attorney, the Court will appoint one. With the knowledge of the disadvantages of self-representation (see separate Faretta Canvas), I elect to represent myself, OR I am represented by _____.

_____ I understand I have the right to a speedy trial, and I give up this right.

_____ I understand I have the right to confront and question all witnesses against me, and I give up this right.

_____ I understand that I have the right to subpoena witnesses on my behalf and compel their attendance, and I give up this right.

_____ I understand I have the right to remain silent and not incriminate myself, and I give up this right.

_____ I understand that probation may not be available for any of the above jail/prison terms, and that the judge is not bound by any agreement between parties.

_____ I understand that if I am not a citizen of the United States, any criminal conviction may result in serious negative immigration consequences including, but not limited to:

