

**POST-DISPOSITIONAL RIGHTS
COLLOQUY**

处置后权利讨论

In re _____
关于 (Juvenile/青少年)

Docket # _____
案号

Delinquent Act(s):
少年犯罪行为:

**POST-DISPOSITIONAL RIGHTS
COLLOQUY**

处置后权利讨论

- | | |
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| <p>1) You can disagree with the court's decisions. You have the right to file a motion. It must be in writing. It must be filed within 10 days from today. You can ask your lawyer to file a motion to:</p> <p>a) ask the court to change or review its decision finding you delinquent;</p> <p>b) ask the court to change or review its decision to place you in a program or on probation; or</p> <p>c) ask the court to change or review its decision to make you to do things on probation (such as paying money, doing community service, taking drug tests, etc.).</p> | <p>1) 您可以对法院决定提出异议。您有权提交动议。动议必须采用书面形式。动议必须自今日起 10 日内提交。您可以要求您的律师提交动议，从而：</p> <p>a) 要求法院更改或审查其认为您犯罪的决定；</p> <p>b) 要求法院更改或审查其为您安排计划或判处缓刑的决定；或</p> <p>c) 要求法院更改或审查其让您在缓刑期间达成要求的决定(例如支付罚金、履行社区服务、接受药物测试等)。</p> |
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In other words, you can ask the court to change or review any decision that it has made in your case with which you do not agree.

换言之，您可以要求法院更改或审查在您的案件中做出的您有异议的任何决定。

Do you understand this? Yes No

您是否明白这一点？ 是 否

2) You have the right to have a lawyer help you file your motion. If your lawyer (who is

2) 您有权让律师帮助您提交您的动议。如

helping you today) cannot or will not file the motion for you, the court will appoint a new lawyer to help you.

果（今天帮助您的）您的律师无法或不会为您提交动议，法院将指定新的律师来帮助您。

Do you understand this? Yes No

您是否明白这一点？ 是 否

3) Here's what could happen if you file a motion:

3) 以下是您提交动议后可能出现的情况：

a) the court could disagree with the motion without having a hearing;

a) 法院可对动议表示异议，不举行听证会；

b) the court could agree with the motion without having a hearing; or

b) 法院可对动议表示同意，不举行听证会；或

c) the court could hold a hearing and then agree or disagree with the motion.

c) 法院可举行听证会，之后对动议表示同意或异议。

Do you understand this? Yes No

您是否明白这一点？ 是 否

4) If the court disagrees with your motion, you have the right to ask a higher court to look at your case. The higher court would decide if the juvenile court made any mistakes or abused its responsibility when it disagreed with your motion. This is called taking an appeal.

4) 如果法院对您的动议表示异议，您有权要求更高级别的法院审查您的案件。更高级别的法院可决定青少年法院在对您的动议表示异议时是否犯下任何错误或滥用其责任。这被称为上诉。

Do you understand this? Yes No

您是否明白这一点？ 是 否

5) You must file your request or appeal in writing. You have 30 days from when the court disagrees with your motion to file it.

5) 您必须以书面形式提交您的要求或上诉。自法院对您的动议表示异议之时起，您有30天时间可提交要求或上诉。

Do you understand this? Yes No

您是否明白这一点？ 是 否

6) You have the right to have a lawyer to help you with your appeal. If your lawyer (who is helping you today) cannot or will not file your appeal for you, the court will appoint a new lawyer to help you.

6) 您有权让律师帮助您进行上诉。如果（今天帮助您的）您的律师无法或不会为您提交上诉，法院将指定新的律师来帮助您。

Do you understand this? Yes No

您是否明白这一点？ 是 否

7) You may decide that you would like to take an appeal but do not wish to file a motion. This is called taking a direct appeal. In your direct appeal, you may ask the higher court to decide if the juvenile court was right or wrong in finding you guilty (including what the juvenile judge was or was not allowed to hear) or if the juvenile court made any mistakes or abused its responsibility in anything that the court ordered as your consequences.

Do you understand this? Yes No

8) If you wish to take a direct appeal (without filing a motion first) you must file your appeal within 30 days from today (or 30 days from the day that the court decides your consequences).

Do you understand this? Yes No

9) If you admitted to any of the charges, you can only ask the higher court to look at the following issues:

- a) whether your admission was voluntary (you made your own decision to admit to a charge. No one forced you to do this. You understood what you were doing, including the consequences.);
- b) whether the court was the correct court to hear your case (the court had the authority over your case); or
- c) whether the court abused its responsibility or made any mistakes in the things that were ordered as your consequences.

Do you understand this? Yes No

10) It is important that you remember that you have certain time periods to file a motion or an appeal. These are the time periods:

7) 您可能决定您希望上诉但不愿意提交动议。这被称为直接上诉。在您的直接上诉中，您可要求更高级别的法院认定青少年法院对您的有罪认定（包括青少年法官是否获准主持听证会）是对或错，或青少年法院在因为您的案件向您下达的任何命令中是否犯下任何错误或滥用其责任。

您是否明白这一点？ 是 否

8) 如果您希望进行直接上诉（而不先提交动议），您必须自今日起 30 日内（或法院决定您的结果后 30 日内）提交上诉。

您是否明白这一点？ 是 否

9) 如果您承认任何指控，您只可要求更高级别的法院查看下列问题：

- a) 您是否自愿认罪（您自己决定承认指控。无人强迫您这么做。您明白自己的行为，包括后果。）；
- b) 法院是否为适合听审您的案件的法院（法院有权处理您的案件）；或
- c) 法院在因为您的案件向您下达的任何命令中是否滥用其责任或犯下任何错误。

您是否明白这一点？ 是 否

10) 您必须记住，您提交动议或上诉须遵守一定的时限。相关时限为：

- a) You must file your motion within 10 days from today (or the date that the court decides your consequences).
- b) You have 30 days from the date that the court disagreed with your motion to file your appeal with the higher court.
- c) If you do not file a motion, you must file your appeal to the higher court within 30 days from today (or the date that the court decides your consequences).

- a) 您必须自今日（或法院决定您的结果之日）起 10 日内提交您的动议。
- b) 自法院对您的动议表示异议之日起，您有 30 天时间可向更高级别的法院提交上诉。
- c) 如果您未提交动议，您必须自今日（或法院决定您的结果之日）起 30 日内向更高级别的法院提交上诉。

Do you understand this? Yes No

您是否明白这一点？ 是 否

I promise that I have read this whole form or someone has read this form to me. I understand it. The signature below and on each page of this form are mine.

我承诺，我已阅读此表全文，或有人为我朗读此表。我明白此表内容。下方签名及此表各页签名是我的签名。

Juvenile
青少年

Date
日期

I, _____, lawyer for the juvenile, have reviewed this form with my client. My client has told me that he or she understands this form.

我，_____, 作为青少年的律师，已经与我的当事人共同审阅了此表内容。我的当事人告诉我，他或她明白此表内容。

Lawyer for Juvenile
青少年律师

Date
日期