

ADULT DRUG COURT
SAMPLE
MISC LEGAL
FORMS

CASE #: _____

_____,
Defendant.

**MEMORANDUM OF UNDERSTANDING
AND WAIVER**

I understand that being allowed to participate in the Fourth Judicial District Court Adult Drug Court Program is a privilege and not a constitutional right.

I understand that any sanctions imposed as a consequence of my actions **DO NOT** fall under the following rights guaranteed under the United States and New Mexico Constitutions:

1. _____ The right to trial hearing by jury, if any;
2. _____ The right to the assistance of an attorney at any trial/adjudicatory hearing, and to an appointed attorney, to be furnished free of charge, if the defendant cannot afford one;
3. _____ The right to confront the witnesses against me and to cross-examine witnesses them as to the truthfulness of their testimony.
4. _____ The right to present evidence on my own behalf and to have the state compel the attendance of witnesses to testify on my behalf.
5. _____ The right to remain silent, to be presumed innocent, and to be proven guilty beyond a reasonable doubt.

I have been advised by an attorney and hereby knowingly, intelligently, and voluntarily agree to waive any assertion of the above constitutional rights in exchange for the privilege to participate in the Fourth Judicial District Court Adult Drug Court Program.

Program Participant

Date

I have explained the above document to the program participant and all other rights, which he/she may have under the United States and New Mexico Constitutions and am satisfied that he/she understands the same.

Attorney at Law

Date

I find the participant understands that that participation in the Fourth Judicial Adult Drug Court is a privilege and hereby knowingly, intelligently, and voluntarily waives any assertion to the Constitutional Rights enumerated herein.

Adult Drug Court/District Judge

Date