



**Superior Court of California
COUNTY OF ALAMEDA**

September 14, 2016

**Notice to Attorneys and to All Interested Parties:
Invitation to Comment on Proposed Amendments to Local Rules**

As required by California Rules of Court, Rule 10.613(g), the Superior Court of California, County of Alameda hereby distributes for public comment the attached proposal to amend its local rules.

The proposal also may be viewed on the [Court's website](#). In addition, a hard copy of the proposal is available upon request by contacting the Office of the General Counsel by phone **(510-690-2857)** or by [email](#).

Important dates:

- The last day to comment is **October 31, 2016**.
- The proposed local rules and forms take effect **January 1, 2017**.

Summary and Text of Proposed Amendments to the Local Rules: *see attached.*

Comments must be submitted in writing to:

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Office of the General Counsel
Superior Court of California, County of Alameda
1225 Fallon Street, Room 209
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SUMMARY OF PROPOSED AMENDMENTS TO THE LOCAL RULES (to be effective 01-01-17)

APPENDIX A – FORMS		
<i>Form Number</i>	<i>Title of Form</i>	<i>Proposed Action</i>
ALA CRM-052 *NEW*	Advisement of Rights for Arraignment Without Interpreter	This proposal would provide a form for optional use when an interpreter is not available during an arraignment calendar. Judges may use it to advise a Defendant who is non-English speaking. The form will be translated into Spanish, Chinese, and Vietnamese.

Proposed New Local Form

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE v. _____ CASE NO. _____

ADVISEMENT OF RIGHTS FOR ARRAIGNMENT WITHOUT INTERPRETER

You have been charged with committing a crime by violating one or more of the laws of the State of California.

Write your initials in the blank space next to the lines you have read.

1. If you are **not a citizen** of the United States, conviction of some criminal offenses may result in deportation, exclusion from admission to the United States, or denial from becoming a naturalized U.S. citizen.

Initials: _____

2. There are three levels of crimes in California:

- a. An infraction is a crime that is punished by a fine. Trial is by judge, not jury.
- b. A Misdemeanor is a crime that can be punished by up to one year in jail, and a fine. Trial is by judge or jury.
- c. A Felony is a crime that can be punished by more than one year in prison or jail, and a fine. Trial is by judge or jury.

Initials: _____

3. If you do not speak or understand English, you have the **right to an interpreter**. Please inform the judge if you need an interpreter, and the language or dialect.

Initials: _____

Language or Dialect: _____

4. If you are in custody, you have the right to ask the judge to set a **reasonable bail**.

Initials: _____

5. You have the **right to have an attorney** to consult with you and represent you at all stages of a felony or misdemeanor case. If you want an attorney, but cannot afford to hire one, the judge will appoint an attorney to represent you. At the end of the case, you will be required to pay for the some or all of the services of the attorney, depending on your ability to do so. You may represent yourself, if you give up your right to an attorney.

Initials: _____

6. At a trial **by jury**, 12 people from Alameda County will decide the facts, including whether you are guilty of the crime(s) charged. At a trial **by judge**, the judge will decide the facts, including whether you are guilty of the crime(s) charged.

Initials: _____

7. On misdemeanor charges, you have the right to a **speedy trial**. If you are in jail, your trial must start within 30 days after you enter a plea. If you are out of jail, your trial must start within 45 days after you enter a plea.

Initials: _____

