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| District Court, \_\_\_\_\_\_\_ County, Colorado  **▲ Court Use Only ▲**  Court Address:  Phone Number:  SCHOOL DISTRICT \_\_\_\_\_\_\_\_\_  IN THE INTEREST OF:  Respondent Student  And Concerning  Respondent Parent/Guardian | Case Number:  Division: |
| **ADVISEMENT OF RIGHTS IN A TRUANCY PROCEEDING** | |

The child and Respondent(s) are advised that they have the following rights:

1. You have the right to be served with a written copy of the Petition to Compel Attendance within a reasonable time from the date of the hearing;
2. You have the right to admit or deny the allegations in the Petition to Compel Attendance or to have a hearing on the matter before the Court;
3. The School district has the burden to prove the allegations of the Petition to Compel Attendance beyond a reasonable doubt;
4. You have the right to present evidence and witnesses to challenge the Petition to Compel Attendance;
5. You have the right to cross examine all adverse witnesses;
6. You have the right to have subpoenas issued to compel attendance of witnesses at a hearing on the Petition to Compel Attendance;
7. You have the right to testify at a hearing on the Petition to Compel Attendance;
8. You have the right to appeal any adverse decision;
9. You have the right to have a transcript or record of the proceeding; and
10. You have the right to legal counsel and that counsel can be appointed at no charge to the Respondent Student if the Respondent Student is indigent and cannot afford counsel.
11. If you admit to the allegations in the Petition, the Court will enter a Valid Court Order compelling the child to attend school and for the Respondent parent(s) or Guardian(s) to take reasonable steps to ensure such attendance. Once a VCO is in effect, if a contempt citation is issued and you are found guilty on a punitive contempt citation, the Court may impose a fine or imprisonment or both if the court expressly finds that:

A. the Respondent(s) was subject to a Valid Court Order;

B. the Respondent(s) had the ability (in the past) to obey the order;

C. the Respondent(s) willfully failed or refused to obey the order; and

D. the Respondent(s’) conduct was offensive to the authority and dignity of the court.

AT THE INITIAL ADVISEMENT HEARING ON THE PETITION TO COMPEL SCHOOL ATTENDANCE, YOU MUST DO ONE OF THE FOLLOWING THINGS:

1. Admit the child failed to attend school as required by the Mandatory School Attendance Law and agree to comply with any treatment requirements imposed by the Court; or
2. Deny the allegation that the child failed to attend school as required by law and request a hearing before the Court.

PLEASE CIRCLE “YES” OR “NO” TO THE FOLLOWING QUESTIONS:

Do you understand your rights as explained above? Yes No

Do you understand these questions? Yes No

If not, what don’t you understand?

Respondents’ Current Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respondent’s Home Phone Numbers: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respondent Student’s Date of Birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respondent Parent(s) Date(s) of Birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respondent Student’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/Guardian/Legal Custodian’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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