

**Court I.D.      Prefix      Ticket / Complaint Number**

0405

Berlin Borough

Municipal Court

**Plea by Mail**  
(R. 7:12-3 and R. 7:6-3)



Charge: \_\_\_\_\_

**Note:** This form can only be used to enter a plea for one charge, i.e., one charge per form. Please complete all sections of this form and return it to the Municipal Court. If you want to plead by mail using this form you must complete and return the form by the date listed on your Municipal Court notice or complaint/ticket or you may be required to appear at your scheduled hearing.

**State of New Jersey vs.**

Defendant's Name: First

M.I. Last

Defendant's Address: Street

Defendant's Telephone Number

City

State

Zip Code

Defendant's Email

**Section 1. Instructions and Information**

**This form can only be used to plead not guilty or guilty in certain traffic (including parking) cases or to plead guilty in certain non-traffic cases. See court rules 7:12-3 and 7:6-3. For example, you cannot use this form to plead in cases involving domestic violence, where the defendant's identity is at issue, in a traffic accident with personal injury, or where the penalty involves a mandatory license suspension. Please contact the Municipal Court for any questions on whether your charge is eligible.**

- You have the right to a reasonable postponement. You have the right to be informed of your charges and the penalties you face for those charges. You have the right to retain an attorney or apply for a public defender if you cannot afford an attorney. You have the right to remain silent. You have the right to contest your case at trial, including the right to be present at the trial, to cross-examine any witnesses, and to call witnesses to testify for your defense.
- If you are not a United States (U.S.) citizen and if you plead guilty to or are convicted of certain offenses heard in the Municipal Court, including some motor vehicle offenses, it may result in your being deported from the U.S., may prevent you from being re-admitted to the U.S. if you leave voluntarily, or it may prevent you from ever becoming a naturalized U.S. citizen. You have the right to seek advice from an attorney about the effect a guilty plea will have on your immigration status.
- If you plead guilty or the judge finds you guilty of an offense other than parking, a record of the conviction may be sent to the NJ Motor Vehicle Commission and, if your license was not issued by NJ, to the motor vehicle agency of the state that issued your driver's license.

**Plea by Mail Form**

- The judgment of the court will be sent to you electronically or by ordinary mail at the above address and if you plead guilty or are found guilty you must pay all fines, penalties, and costs imposed by the court. You have the right to appeal within 20 days of the date of the decision or sentence. Information on how to appeal the Municipal Court’s decision may be obtained from the Municipal Court or the Judiciary’s website at [www.njcourts.gov](http://www.njcourts.gov).

**If you plead “Not Guilty,”** the Municipal Court judge will hear the testimony of the complaining witness or other witnesses, review any facts you choose to present in Section 3 in your defense, and decide the case based on the testimony and facts presented.

**If you plead “Guilty,”** the Municipal Court judge will consider any facts you choose to present in Section 3 to explain what happened before imposing any penalty against you.

Before determining the penalty, the Municipal Court judge may consider comments from the complaining witness, other witnesses, or the prosecutor.

**Section 2. Plea – Waivers and Acknowledgments**

**For Traffic (Including Parking) Cases ONLY:**

**Plea of NOT GUILTY**

- I plead “Not Guilty” to the above charge. I present the following facts in Section 3 (below) in my defense.

**Plea of GUILTY**

- I voluntarily plead “Guilty” to the above charge. By doing so:
  - I understand the nature of the charges against me and the consequences of my guilty plea.
  - I waive my rights as described in Section 1, including the right to counsel, (if I am not represented by counsel), my right to remain silent, and my right to contest my case at trial.
  - I present the following facts in Section 3 below for the Municipal Court judge’s consideration in determining the appropriate sentence.

**Plea of Guilty for Non-Traffic Cases ONLY:**

(Pleas of guilty **only** permitted in these cases via this form).

- I voluntarily plead “Guilty” to the above charge. By doing so:
  - I understand the nature of the charges against me and the consequences of my guilty plea.
  - I waive my right to counsel, (if I am not represented by counsel), my right to remain silent, and my right to contest my case at trial, as described in Section 1.
  - I present the following facts in Section 3 below for the Municipal Court judge’s consideration in determining the appropriate sentence.

**Section 3. Presentation of Facts in Defense or for Consideration in Sentencing**

**Pleas of NOT GUILTY**

I present the following facts in **defense** for the Municipal Court judge's consideration in making a decision about my guilt. The State (prosecutor) may also provide information to the court.

(Use additional sheets, if necessary. You must date and sign each additional sheet.)

**Pleas of GUILTY**

- I admit to engaging in the conduct identified on the complaint against me on the above charge.

I present the following information for the Municipal Court judge's consideration in determining the appropriate sentence.

(Use additional sheets, if necessary. You must date and sign each additional sheet.)

**Section 4. Certification**

I have read and acknowledge the above. I agree and certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/ \_\_\_\_\_  
Defendant's Signature