

Garden State CLE presents:

Withdrawing a DWI Guilty Plea



Lesson Plan

Introduction - Strategic goals

a.) In a drunk-driving prosecution, it removes a prior offense for sentencing purposes;

b.) In a driving on the revoked list or NJSA 2C:40-26, it will remove one of the predicate drunk-driving convictions;

c.) In a driving on the revoked list or NJSA 2C:40-26 case, it may remove the date of operation from the window during which the defendant was on the revoked list. [State v. Perry, 439 NJ Super. 514 (App. Div. 2015).]



1. Procedures - Use of Rule 7:6-2(b)

1.) Withdrawal of Plea. A motion to withdraw a plea of guilty shall be made before sentencing, but the court may permit it to be made thereafter to correct a manifest injustice.

2.) Note that there is no statute of limitations associated with this rule. In the post-sentencing context, all the defendant needs to do is demonstrate a manifest injustice.

3.) The most effective basis for this motion in the drunk driving context is no factual basis for the guilty plea.



4.) Moving papers should include

- a.) Notice of motion**
- b.) transcript of plea colloquy;**
- c.) Brief; and**
- d.) Form of order.**

5.) Advantages to the use of this rule are significant. It is simple and has none of the enormous volume of paperwork and time-constraints associated with a post-conviction relief (PCR) application. Do not use PCR.



6.) In addition, even a successful PCR application does not help the defendant in a prosecution involving NJSA 2C:40-26. This is due to the language used by the Appellate Division in State v. Sylvester, 437 NJ Super. 1,7 (App. Div 2014) disallowing a successful PCR application as a defense in a NJSA 2C:40-26 prosecution. As the panel noted, "We must emphasize that defendant stipulated she knew her license was suspended pursuant to a presumptively valid court order when she drove her car[.]" However, a conviction obtained without a factual basis for the plea is not presumptively valid. Indeed, as you will see in the cases cited herein, such a conviction is *per se* invalid.

7. The granting of a motion to vacate a plea returns the parties to the *status quo ante* and re-activates any charges that were dismissed as part of the plea agreement.

See State v. Barboza, 115 NJ 415, 420 (1989):

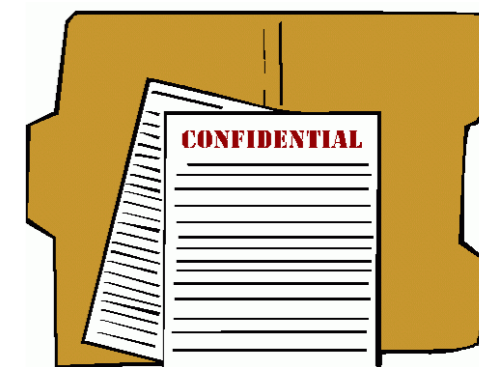
"We conclude that if an appellate court subsequently determines that a plea has been accepted without an adequate factual basis, the plea, the judgment of conviction, and the sentence must be vacated, the dismissed charges reinstated, and defendant allowed to re-plead or to proceed to trial."

8.) Corrected MF-1 Card - It is vitally important that the municipal court administrator send a corrected MF-1 card to the State Motor Vehicle Commission reflecting the vacated conviction.

9. The ability (or desire) of the State to try the defendant following a successful motion to vacate may be extremely limited due to the passage of time or the fact that no useful purpose would likely be served by trial since the defendant has already been punished for his misconduct by way of the original sentence.

10. Finally, when the motion to withdraw a plea is based upon no factual basis, the petitioner need not elaborate any of the *Slater* factors that normally must accompany such a motion (State v. Slater, 198 NJ 145 (2009)). See State v. Tate, 220 NJ 393, 404 (2015).

11. A trial judge's decision denying a motion to vacate a plea is not entitled to any deference on appeal and will be reviewed *de novo*. State v. Tate, 220 NJ 393, 403-404 (2015).



2. Plea entry procedures under Rule 7:6-2(a)(1)

A defendant may plead not guilty or guilty, but the court may, in its discretion, refuse to accept a guilty plea. Except as otherwise provided by Rules 7:6-2, 7:6-3, and 7:12-3, the court shall not, however, accept a guilty plea without first addressing the defendant personally and determining by inquiry of the defendant and, in the court's discretion, of others, that the plea is made voluntarily with understanding of the nature of the charge and the consequences of the plea and that there is a factual basis for the plea



Commentary

Most of the case law related to inadequate factual basis is based upon Rule 3:9-2. This Rule and its protections are intended to mirror Rule 7:6-2(a)(1). [See *Maida v. Kuskin*, 221 NJ 112, 123 (2013) ("The necessity of providing a record that permits a municipal court judge to find that a guilty plea is knowing and voluntary and that there is factual support for the plea is intended to mirror the protections of *Rule 3:9-2*, which governs the entry of guilty pleas in Superior Court.")]

Case Law

Thus, when accepting a guilty plea, the trial court should inquire “among other things, (1) whether anyone had forced, threatened, or put [defendant] under pressure to plead guilty, (2) whether the defendant understood that he was relinquishing certain constitutional rights, (3) whether the defendant understood the nature of the charge and content of the sentencing recommendation, and (4) whether the defendant was in fact guilty of the specific charge.

This procedure ensures judicial oversight of the final relinquishment of the defendant's core constitutional right to be presumed innocent until proven guilty. It affords the court an opportunity to observe the conditions under which the plea is made, provides a better record for appellate review ... and aids correctional agencies in the performance of their functions.

State v. Campfield, 213 NJ 218, 230-31 (2013).



3. Review of plea colloquy



In reviewing a DWI plea colloquy transcript, watch for the following legal issues:

- a.) Did the Court personally address the defendant? It is common that the judge will not address the defendant at all and let the defense attorney or prosecutor plead guilty.**
- b.) Was the plea made voluntarily: Did the judge elicit from the defendant that he was entering the plea of his own free will, without threat or compulsion and not as a result of any threats or of any promises or inducements not disclosed on the record?**
- c.) In addition, did the judge receive a waiver from the defendant of his right to a trial, to confront witness and to not be found guilty unless each of the elements of the DWI offense has been proved beyond a reasonable doubt.**
- d.) Does the defendant understand that he is pleading guilty to driving under the influence of alcohol, the *per se* violation or both?**

e.) Did the judge explain to the defendant the specific range of penalties that must be imposed if the Court accepts the guilty plea and enters a finding of guilty? [Note, this could include direct and collateral consequences. See *State v. Bellamy*, 178 NJ 127, 138-39 (2003), adopting Chief Justice Wilentz' dissent in *State v. Heitzman*, 107 NJ 603, 606 (1987)] Please analogize this aspect of plea entry to the practice in the Superior Court, Law Division, Criminal Part where defendants and their attorneys must complete a comprehensive and rigorous plea form in order to comply with Rule 3:9-2.

f.) Did the defendant actually acknowledge from his own lips that he violated each of the elements of the statute?

g.) Did the defendant receive a legal sentence?

h.) Did the defendant receive the precise sentence he had negotiated?

i.) A drunk-driving plea should include a factual basis for both the *per se* and under the influence methods of prosecution. *State v. Sisti*, 209 NJ Super. 148, 151 (App. Div. 1986).



4. Case Law Review

a.) Federal procedures:

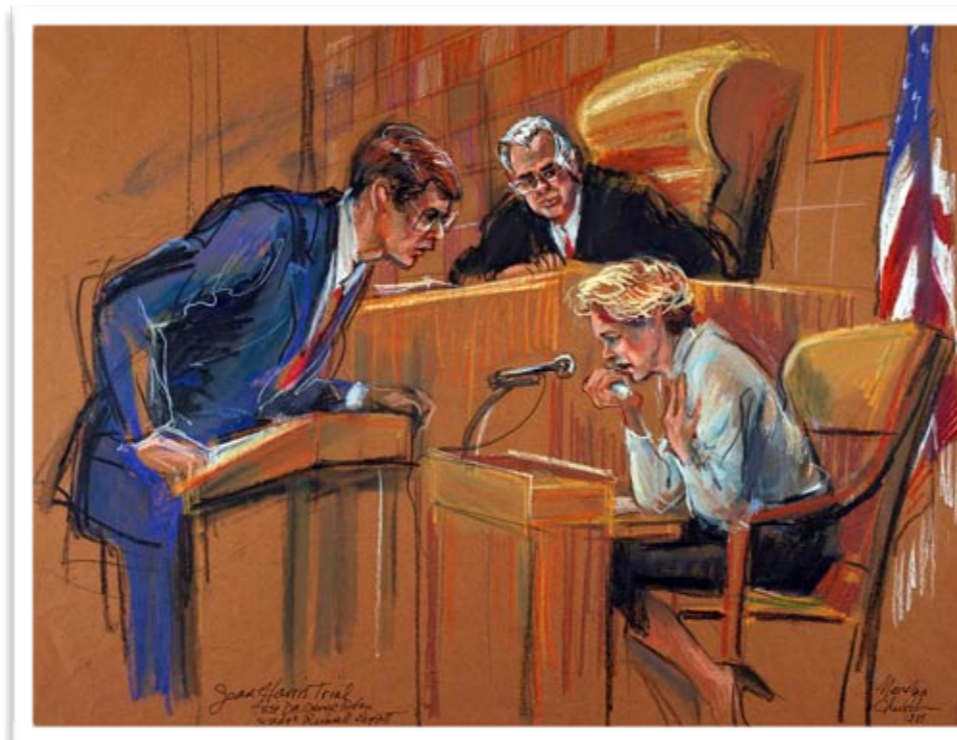


By personally interrogating the defendant, not only will the judge be better able to ascertain the plea's voluntariness, but he also will develop a more complete record to support his determination in a subsequent post-conviction attack.

These two purposes have their genesis in the nature of a guilty plea. A defendant who enters such a plea simultaneously waives several constitutional rights, including his privilege against compulsory self-incrimination, his right to trial by jury, and his right to confront his accusers. For this waiver to be valid under the Due Process Clause, it must be 'an intentional relinquishment or abandonment of a known right or privilege. Consequently, if a defendant's guilty plea is not equally voluntary and knowing, it has been obtained in violation of due process and is therefore void. Moreover, because a guilty plea is an admission of all the elements of a formal criminal charge, it cannot be truly voluntary unless the defendant possesses an understanding of the law in relation to the facts.

Thus, in addition to directing the judge to inquire into the defendant's understanding of the nature of the charge and the consequences of his plea, [Rule 11](#) also requires the judge to satisfy himself that there is a factual basis for the plea. The judge must determine 'that the conduct which the defendant admits constitutes the offense charged in the indictment or information or an offense included therein to which the defendant has pleaded guilty. Requiring this examination of the relation between the law and the acts the defendant admits having committed is designed to 'protect a defendant who is in the position of pleading voluntarily with an understanding of the nature of the charge but without realizing that his conduct does not actually fall within the charge.

United States v. McCarthy, 394 US 459, 466-67 (1969).



b.) Protecting the defendant

Because a defendant who pleads guilty waives important constitutional rights, including the right to avoid self-incrimination, to confront his accusers, and to secure a jury trial, New Jersey has designed court Rules to assure that the plea (1) contains a factual basis, (2) is given voluntarily, and (3) is given with an understanding of the nature of the charge and the consequences of the plea.

The requirement that there exist a factual basis for the plea serves a variety of purposes. In particular, it is designed to “protect a defendant who is in the position of pleading voluntarily with an understanding of the nature of the charge but without realizing that his conduct does not actually fall within the charge. The factual-basis requirement also affords the court an opportunity to observe the conditions under which the plea is made, provides a better record for appellate review if the plea is subsequently challenged, increases the visibility of charge-reduction practices, and aids correctional agencies in the performance of their functions.

State v. Barboza, 115 NJ 415, 420-21 (1989)





c.) Facts that are not within the knowledge of the defendant

Indeed, in *State v. Mitchell*, [126 N.J. 565, 581, 601 A.2d 198 \(1992\)](#), we held that when considering a guilty plea, trial courts are permitted to look at the “surrounding circumstances.” [W]e interpret [*Mitchell*] to allow trial courts to consider at the plea hearing stipulations and facts admitted or adopted by the defendant when assessing the adequacy of a defendant's factual basis.

Simply put, a defendant must acknowledge facts that constitute the essential elements of the crime. We recognize that, in certain limited circumstances, a particular element of an offense may address a fact that is beyond a defendant's knowledge; a defendant may not know whether an unlawful transaction occurred within 1000 feet of a school. To satisfy such an element, prosecutors should make an appropriate representation on the record at the time of the hearing, so that the defendant can acknowledge or dispute it.

[examples - Alcotest working properly, blood sample taken in a medically acceptable manner.]

d.) Other factual basis cases

State in the Interest of TM, 166 NJ 319 (2001)

State v. Urbina, 221 NJ 509 (2015)

State v. Pineiro, 385 NJ Super. 129 (App. Div. 2006)

State v. Pena, 301 NJ Super. 158 (App. Div. 1997)



4. Moving papers

The following section contains sample motion, orders and briefs that will also be provided to you in Word format via e-mail.



LAW OFFICE OF ROBERT RAMSEY

ATTORNEY-AT-LAW
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May 3, 2017

Honorable Keyser Söze, J.M.C.
Green Brook Township Municipal Court
111 Greenbrook Road
Green Brook, New Jersey 08812

RE: State vs. John Doe
Summons No. A12345
Motion to Vacate Plea - Rule 7:6-2(b)

Dear Judge Söze:

Please accept the following memorandum of law in support of Defendant's motion to withdraw his previous plea of guilty to a violation of N.J.S.A. 39:4-50(a) under Rule 7:6-2(b).

STATEMENT OF FACTS

On February 15, 2006, Defendant entered a plea of guilty before the late Judge Daffy Duck to a drunk driving violation under N.J.S.A. 39:4-50(a)(3). Defendant was represented by counsel and was sentenced as a third offender. A copy of the purported plea colloquy is annexed to this memorandum for Your Honor's review.

LEGAL ARGUMENT

The Supreme Court has recently had occasion to clarify and expand the grounds upon which a defendant may move to vacate a plea of guilty. On February 2,

2015, the Court published three cases¹ all dealing with this discrete issue. (I have included copies of the cases for Your Honor's review.) The guilty pleas subject to review by the justices were taken under Rule 3:9-2. This Rule provides that a guilty plea cannot be accepted by a Court unless the judge is satisfied that:

- (1) the defendant has provided an adequate factual basis for the plea;
- (2) the plea is made voluntarily; and
- (3) the plea is made knowingly.

The protections within Rule 3:9-2 are also in the municipal court plea procedures set forth under Rule 7:6-2(a)(1). This Municipal Court Rule and its protections are intended to mirror Rule 3:9-2.² The relevant plea withdrawal procedure in municipal court under Rule 7:6-2(b) has no time limitation and, as set forth in the three cited Supreme Court cases, is correct procedure in those instances where a plea has been entered without an adequate factual basis.

In the case of Defendant, the purported guilty plea was entered without any factual basis. The Court never addressed the defendant. The Court did not conduct any form of plea colloquy with Defendant to determine if his plea was being entered freely, voluntarily and knowingly. Simply put, Defendant never uttered a word during the hearing.³ The Court did not even personally address Defendant as to what he did that would support a guilty plea to either the *per se* or under the influence violations under N.J.S.A. 39:4-50(a).⁴

¹ State vs. Gregory, 220 N.J. 413, 106 A.3d 1207(2015); State vs. Perez, 220 N.J. 423, 106 A.3d 1212(2015); and State vs. Tate, 220 N.J. 393, 106 A.3d 1195(2015).

² Maida vs. Kuskin, 221 N.J. 112, 123, 110 A.3d 867(2015) ("The necessity of providing a record that permits a municipal court judge to find that a guilty plea is knowing and voluntary and that there is factual support for the plea is intended to mirror the protections of Rule 3:9-2, which governs the entry of guilty pleas in Superior Court. Pressler & Verniero, Current N.J. Court Rules, cmt. 2.1 on Rule 7:6-3(a)(1) (2014)").

³ The missing plea colloquy in this case is factually similar to the infamous procedure used in In re Seelig, 180 N.J. 234(2004).

⁴ This is required under the case law See State v. Sisti, 209 N.J. Super 148, 151(App.Div.1986) "For guidance in the future of municipal court judges, however, we note that in N.J.S.A. 39:4-50 cases where there are proofs of guilt, with and without breathalyzer readings, the judge should make findings and conclusions on both bases. Failure to do so is unfair to defendants, the State, the attorneys and the Appellate Courts. "

CONCLUSION

Based upon the foregoing, the lack of any factual basis and the appropriate advisements and waivers during the purported plea colloquy require vacating the plea under Supreme Court recent precedent. For these reasons, defendant requests that his guilty plea be vacated and the matter rescheduled for further proceedings.

Respectfully submitted,

RAMSEY LAW OFFICE

ROBERT RAMSEY

RR:db

cc: Michael Madsen, Municipal Prosecutor

John Doe

**LAW OFFICE OF ROBERT RAMSEY
2000 HAMILTON AVENUE
HAMILTON, NEW JERSEY 08619
(609) 396-7979
ATTORNEY FOR DEFENDANT**

STATE OF NEW JERSEY	:	GREEN BROOK TWP. MUN. COURT SOMERSET COUNTY
Plaintiff	:	SUMMONS NO. A12345
vs.	:	QUASI-CRIMINAL ACTION
JOHN DOE	:	ORDER GRANTING
Defendant	:	WITHDRAW OF GUILTY PLEA

THIS MATTER having been opened to the Court by the Law Office of Robert, Attorney-at-Law, Robert Ramsey, Esquire, appearing, on behalf of Defendant, John Doe, and the Court having considered the arguments of counsel and other moving papers submitted and good cause having been shown;

IT IS ON THIS _____ DAY OF _____, 2017;

ORDERED that the guilty plea entered in the above captioned matter through the Green Brook Township Violation's Bureau be and hereby is vacated;

IT IS FURTHER ORDERED that the within matter be scheduled in the Green Brook Township Municipal Court for further proceedings.

J.M.C.

**LAW OFFICE OF ROBERT RAMSEY
2000 HAMILTON AVENUE
HAMILTON, NEW JERSEY 08619
(609) 396-7979
ATTORNEY FOR DEFENDANT**

STATE OF NEW JERSEY	:	GREEN BROOK TWP. MUN. COURT SOMERSET COUNTY
Plaintiff	:	SUMMONS NO. A12345
vs.	:	QUASI-CRIMINAL ACTION
JOHN DOE	:	NOTICE OF MOTION TO WITHDRAW A GUILTY PLEA
Defendant	:	

**TO: Michael Madsen, Municipal Prosecutor
Green Brook Township Municipal Court
111 Greenbrook Road
Green Brook, New Jersey 08812**

PLEASE TAKE NOTICE that on a date to be set by the Court, the undersigned, counsel for Defendant, John Doe, will make an application before the Green Book Township Municipal Court for Defendant to withdraw his plea of guilty pursuant to Rule 7:6-2(b).

In support of the within application, Defendant will rely upon the annexed memorandum of law as well as oral argument.

RAMSEY LAW OFFICE

ROBERT RAMSEY

Dated: May 3, 2017

LAW OFFICE OF ROBERT RAMSEY

ATTORNEY-AT-LAW
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May 3, 2017

Honorable Keyser Söze, J.M.C.
Green Brook Township Municipal Court
111 Greenbrook Road
Green Brook, New Jersey 08812

RE: State vs. John Doe
Summons No. A12345
Motion to Vacate Plea - Rule 7:6-2(b)

Dear Judge Söze:

We have a motion pending before Your Honor that is returnable on November 16th. It is a motion to vacate a guilty plea under Rule 7:6-2(b). Defendant maintains that the original plea was tendered to the Court and accepted without a plea colloquy or adequate factual basis. In our initial moving papers, we referenced the three recent Supreme Court decisions dealing with this issue.⁵ We now submit the following additional memorandum of law as an aid to the Court in rendering a decision on our motion.

LEGAL ARGUMENT

The necessity for a factual basis to accompany a guilty plea has been regarded since 1969 as a matter of constitutional dimension. In United States vs. McCarthy, 394 U.S. 459, 466-67(1969) the United States Supreme Court noted that:

A defendant who enters such a plea simultaneously waives several constitutional rights, including his privilege against compulsory self-incrimination, his right to trial by jury, and his right to confront his accusers. For this waiver to be valid under the Due Process Clause, it must be 'an intentional relinquishment or abandonment

⁵ State vs. Tate, 220 N.J. 393 (2015); State vs. Perez, 220 N.J. 423 (2015); State vs. Gregory, 220 N.J. 413(2015).

of a known right or privilege.' [Citation omitted.] Consequently, if a defendant's guilty plea is not equally voluntary and knowing, it has been obtained in violation of due process and is therefore void. Moreover, because a guilty plea is an admission of all the elements of a formal criminal charge, it cannot be truly voluntary unless the defendant possesses an understanding of the law in relation to the facts. Thus, in addition to directing the judge to inquire into the defendant's understanding of the nature of the charge and the consequences of his plea, [Rule 11](#) also requires the judge to satisfy himself that there is a factual basis for the plea. The judge must determine 'that the conduct which the defendant admits constitutes the offense charged in the indictment or information or an offense included therein to which the defendant has pleaded guilty.' Requiring this examination of the relation between the law and the acts the defendant admits having committed is designed to 'protect a defendant who is in the position of pleading voluntarily with an understanding of the nature of the charge but without realizing that his conduct does not actually fall within the charge

One of the earliest New Jersey cases recognizing the need to vacate a plea in the absence of a factual basis was State vs. Barboza, 115 N.J. 415, 420-21(1989). In Barboza, the Justices noted that New Jersey has designed Court Rules to assure that the plea (1) contains a factual basis, (2) is given voluntarily, and (3) is given with an understanding of the nature of the charge and the consequences of the plea.⁶ In the absence of an adequate factual basis, the defendant is permitted to vacate her plea and either re-plead or go to trial.⁷

Over the years, a number of decisions have resulted in vacated pleas when there was either no factual basis or an inadequate factual basis.⁸ The usual outcome in these cases resulted in the parties being restored to their pre-plea positions and the defendant permitted to either re-plead or take the case to trial.

Even the Legislature has acknowledged the critical importance that a factual basis can have. In In re Seelig, 180 N.J. 234(2004), the defendant entered a plea of

⁶ State vs. Barboza, 115 N.J. 415, 420-21(1989).

⁷ "[F]ollowing revocation of a plea agreement, the parties must be restored to their respective positions prior to the guilty plea, and all counts dismissed by the trial court in accordance with a plea agreement must be reinstated." State vs. Campfield, 213 N.J. 218, 237(2013). See also State vs. Barboza, 115 N.J. 415, 420(1989).

⁸ State in the Interest of T.M., 166 N.J. 319(2001) (juvenile plea vacated for no factual basis); State vs. Urbina, 221 N.J. 509(2015) (assertion of self-defense claim during plea colloquy vitiated factual basis); State vs. Pineiro, 385 N.J.Super 129(App.Div.2006) (inadequate factual basis during plea colloquy.); State vs. Pena, 301 N.J.Super 158(App.Div.1997) (inadequate factual basis required vacating plea and returning parties to the *status quo ante*.)

guilty to reckless driving and leaving the scene of an accident without any plea colloquy by the judge. The effect of pleading guilty to these two traffic tickets served as a double jeopardy bar to the prosecution of two pending aggravated manslaughter complaints. The State thereafter moved to vacate the purported guilty pleas on the basis that there had been no plea colloquy or factual basis offered to support the guilty pleas.

In fact, as is the case before Your Honor, the trial Court never even addressed the defendant. The purported pleas were subsequently vacated, following a plenary hearing before the vicinage presiding judge. The basis for vacating the pleas was limited to the complete absence of a factual basis. That determination was sustained by both the Law Division and Appellate Division of Superior Court. As a direct result of the Court's opinion in Seelig, the Legislature enacted N.J.S.A. 2B:12-17.2.⁹ This statute divests municipal courts of subject-matter jurisdiction in cases involving death or serious bodily injury.¹⁰ The intent behind the statute is to avoid double jeopardy issues that would arise in future cases involving criminal conduct where there is an adequate factual basis for a guilty plea to any companion traffic tickets.

The case before Your Honor does not involve a legal determination as to the adequacy of Defendant's factual basis. In Defendant's case, there was a complete lack of a plea colloquy by the trial court and no factual basis at all. At the time of Defendant's purported plea, Rule 7:6-2(a)(1) did not provide for any exception to the requirements of a plea colloquy. The existing case law provides that the appropriate disposition when there is a motion to vacate such a purported plea is to vacate the conviction and return the parties to their initial status. Defendant in this case seeks relief in conformity with established New Jersey law.

I thank Your Honor for considering this additional legal argument.

Respectfully yours,

RAMSEY LAW OFFICE

ROBERT RAMSEY

RR:db

cc: Michael Madsen, Municipal Prosecutor
John Doe

⁹N.J.S.A. 2B:12-17.2(a) - In any matter concerning Title 39 of the Revised Statutes where death or serious bodily injury has occurred, regardless of whether the death or serious bodily injury is an element of the offense or violation, the Superior Court shall have exclusive jurisdiction over the offense or violation until such time that the Superior Court transfers the matter to the municipal court. For the purposes of this section, the term "serious bodily injury" shall have the meaning set forth in subsection b. of N.J.S.A. 2C:11-1.

¹⁰ Supreme Court Directive 10-82 also mandates that traffic tickets in cases involving injury or death be sent to Superior Court.

MR. SMITH: Judge, if we could please do the Jane Doe matter.

THE COURT: JOHN DOE

MR. SMITH: Come on up here Ms. Doe, stand right here.

Judge, Jim Smith, Smith and Wesson, I am assigned counsel on behalf of Ms. Doe, she stands to my right. Judge, she has authorized me to retract our previously entered not guilty plea and enter a guilty plea of the violation 39:4-50 that's summons 12345.

Judge, there was no accident, no injury Your Honor. This would be a second offense, Judge. She understands she is looking at a two (2) year loss of her driving privileges as well as forty-eight (48) hours in the Intoxicated Driver Resource Center. I have had opportunity to review the necessary discovery with the defendant, Judge. She is aware of what this plea today means. It's my understanding that the remaining violations will be dismissed. We've also had opportunity to review the DWI worksheet Judge and both breath samples are within acceptable tolerances, readings being a .31.

THE COURT: You understand that ma'am?

MS. DOE: Yes, I do.

THE COURT: And you are entering a guilty plea to 39:4-50 which would be considered a second offense, driving while intoxicated.

MS. DOE: Yes, I do.

THE COURT: With the understanding that the remaining charges will be dismissed against you, you understand that?

MS. DOE: Correct, yes,

THE COURT: You are doing that freely and voluntarily, correct?

MS. DOE: I am, yes.

THE COURT: And you had Mr. Smith as your attorney and he explained these charges against you, correct?

MS. DOE: Correct.

THE COURT: And you are waiving your right to trial. Is that correct?

MS. DOE: Correct.

THE COURT: Please raise your right hand. JANE DOE, DEFENDANT, SWORN

EXAMINATION BY THE COURT:

Q Tell me where you were coming from, going to on the date of this incident of 03/31 of '09.

A I was coming home from ShopRite.

Q And ma'am, did you have any alcohol to drink that day or night?

A It was the night before actually.

Q What did you have to drink the night before, ma'am?

A Quite a lot of vodka.

Q Okay and based upon that, quite a lot of vodka you had ma'am, did you believe you were under the influence when the Officer pulled you over on 03/31 of '09?

A I was surprised by it, to be honest.

Q But you were under the influence, ma'am, correct?

A I would have to say yes.

THE COURT: Okay. I'll accept your guilty plea. This would be considered a second (2nd) offense, it will be a \$509.00 fine, \$33.00 court costs, VCCB Penalty of \$50.00, Safe Neighborhood Fund of \$75.00, \$200.00 surcharge, State of New Jersey, suspension will be two (2) years based upon the statute. IDRC of forty-eight (48) hours. IDRC ma'am is the Intoxicated Driver Resource Center that you must go to.

MRS. DOE: Okay.

THE COURT: Community Service of thirty (30) days.

Garden State CLE presents:

Withdrawing a DWI Guilty Plea



Lesson Plan