



# Judicial Council of California

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## Subject Details (With Text)

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**Title:** Rules and Forms | Criminal Law: Felony Plea Form (Action Required)

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### Title

### Rules and Forms | Criminal Law: Felony Plea Form (Action Required)

#### Summary

The California Supreme Court recently directed trial courts to advise defendants pleading guilty or no contest to a sexually violent offense about the possibility of being referred to sexually violent predator proceedings and to inquire whether the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense. In addition, Proposition 36 requires trial courts to advise defendants convicted of specified felony drug offenses that they can be charged with murder if death results from illicitly manufacturing, distributing, selling, furnishing, or giving away drugs. The Criminal Law Advisory Committee recommends incorporating these advisements and inquiry into the felony plea form and clarifying existing language on the form about the factual basis for the plea.

#### Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective July 1, 2025, revise *Plea Form, With Explanations and Waiver of Rights--Felony* (form CR-101), to incorporate recent case law and legislation and clarify language about the factual basis for the plea.