

**APPLICATION FOR YOUTHFUL OFFENDER STATUS
AND ORDER OF INVESTIGATION**

IN THE _____ COURT OF _____, ALABAMA
(County)

STATE OF ALABAMA v. _____, DEFENDANT

Comes now the defendant in the above-styled cause and makes application for youthful offender treatment:

1. I am _____ years of age. Date of Birth: _____
2. I am represented by my attorney and he has discussed my case with me. I have had enough time to talk with my attorney about the facts of my case and he/she has explained my constitutional rights to me (see reverse side). I am satisfied with the services of my attorney and I have no complaints as to the way he/she has handled my case.
3. I understand that I am eligible to apply for treatment as a youthful offender. I understand that if I waive my right to a trial by jury and consent to be tried by the court without a jury and treated as a youthful offender, the court will cause me to be investigated and examined by the court and the court, in its discretion, may direct that I be arraigned and tried as a youthful offender.
4. I understand that if I am adjudged by the court to be a youthful offender, the court, in its sole discretion, may do any of the following:
 - a. Suspend the imposition or execution of sentence with or without probation; or
 - b. Place me on probation not to exceed three (3) years, prescribing such terms of probation as the court, in its sole discretion, may deem proper; or
 - c. Impose a fine as provided by law with or without probation or commitment; or
 - d. Commit me to the custody of the Board of Corrections for a term of three (3) years or for a lesser term or where a sentence or fine is not otherwise authorized by law, in lieu of or in addition to any such fine, the court may also impose a fine not to exceed \$1,000.
 - e. If the underlying charge is a misdemeanor, I may be given correctional treatment as provided by law for such misdemeanor.
5. I certify that I have not been threatened or abused or offered any inducement or reward to get me to make this application. I further understand that the punishment I receive is in the sole discretion of the court, although the court may in its discretion accept recommendations of punishment from the District Attorney.
6. With a full understanding of the foregoing, I hereby waive my right to a trial by jury and consent to be examined by the court, or such agency as the court may direct, and I further consent to be tried by the court, without a jury, should the court direct that I be treated as a youthful offender.

Date Defendant

Comes the attorney for the above named defendant and certifies that on this date, the above information was read by the defendant in my presence, or was read to him/her by me, that I discussed these matters with the defendant in detail, and that I concur in this petition.

Date Attorney
Attorney Code _____

ORDER

It is ORDERED that the Parole and Probation Office in this County make an investigation of the defendant in accordance with the Code of Alabama 1975.

It is further ORDERED that a hearing is set on said Petition on (date) _____ at (time) _____.

Date Judge

**DEFENDANT'S RIGHTS AS
YOUTHFUL OFFENDER**

I. YOUR BASIC CONSTITUTIONAL RIGHTS ARE:

1. You have the right to a trial by jury, but you must give up this right if you wish to be arraigned as a youthful offender. The judge alone would decide your guilt or innocence.
2. You have the right to testify on your own behalf, if you desire, but no one can make you testify. However, if you choose to testify, you can be cross-examined by the State.
3. You have the right to have your attorney present during your trial.
4. You have the right to face and cross-examine every witness the State presents against you.
5. You have the right to subpoena witnesses on your behalf.
6. The State must prove your guilt beyond a reasonable doubt before you can be convicted.

II. IF YOU ARE ALLOWED YOUTHFUL OFFENDER ARRAIGNMENT:

1. You will not be disqualified to hold public office or public employment.
2. None of your rights or privileges will be forfeited.
3. You will not be ineligible to receive any license granted by public authority.
4. Adjudication as a youthful offender shall not be deemed a conviction of a crime.
5. Fingerprints or photographs or other records concerning this case shall not be opened to public inspection except where permitted by the court.