

GUILTY PLEA CHECKLIST

1. Defendant's characteristics:
 - a.) Age
 - b.) Education
 - c.) General Comprehension
2. Plea Agreement
3. Nature of Crime
 - a.) Elements explained
 - b.) Demonstration on the Record of Defendant's Understanding of Elements
4. Range of Punishments
5. Whether any threats or promises were made
6. Court not bound by agreement
7. Has he had an opportunity to discuss this with an attorney

8. If indigent, counsel will be appointed
9. Waiver of Rights
 - a.) Proof beyond a reasonable doubt
 - b.) Not to incriminate
 - c.) 12 person jury/unanimous verdict
 - d.) Confrontation
 - e.) Present Evidence
10. Advise under sec. 971.08(2) if not a citizen
11. Factual Basis

Sentencing

- 1.) State recommendation
- 2.) PSI recommendation
- 2.) Defense recommendation
- 3.) Total exposure
 - a.) without plea
 - b.) with plea
- 4.) Court's sentence
 - a.) protection of the public

b.) gravity of the offense

c.) character of the offender

5. Allocution

6. Guidelines