

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE DRH50370-LH-20 (12/18)**

Short Title: Guilty Plea Form Revisions.

(Public)

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Sponsors: Representative Glazier.

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Referred to:

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A BILL TO BE ENTITLED

1  
2 AN ACT TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO REVISE  
3 THE "TRANSCRIPT OF PLEA" FORM PROVIDED TO A DEFENDANT WHO  
4 ENTERS A PLEA OF GUILTY OR NO CONTEST TO MORE CLEARLY ADDRESS  
5 THE RIGHT OF APPEAL LIMITATIONS AND SHORTER BIOLOGICAL EVIDENCE  
6 PRESERVATION TIME FRAME THAT MAY APPLY AS A RESULT OF THE PLEA.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** The Administrative Office of the Courts shall revise the "Transcript  
9 of Plea" form that is provided to a defendant who enters a plea of guilty or no contest to a  
10 criminal offense so that the form more clearly informs the defendant that G.S. 15A-1444  
11 imposes limitations on the right of appeal when a defendant pleads guilty or no contest to a  
12 criminal offense with which the defendant is charged, and that also assists a judge in  
13 determining whether the defendant's plea is a product of informed choice as required by  
14 G.S. 15A-1022(b). In revising the form, the Administrative Office of the Courts shall insert to  
15 the list of items that currently appear on the form a new item that reads as follows: "Do you  
16 understand that following a plea of guilty or no contest there are limitations on your right to  
17 appeal and has your lawyer explained these limitations to you?"

18 **SECTION 2.** The Administrative Office of the Courts shall revise the "Transcript  
19 of Plea" form that is provided to a defendant who decides to enter a plea of guilty to a criminal  
20 offense so that the form more clearly informs the defendant that under G.S. 15A-268 there may  
21 be a shorter preservation period for biological evidence when a defendant pleads guilty to a  
22 criminal offense than if the defendant had been tried and convicted by a jury for the same  
23 offense, and that also assists a judge in determining whether a defendant's plea is a product of  
24 informed choice as required by G.S. 15A-1022(b). In revising the form the Administrative  
25 Office of the Courts shall insert to the list of items that currently appear on the form a new item  
26 that reads as follows: "Do you understand that your plea of guilty may impact how long  
27 biological evidence related to your case (for example, blood, hair, skin tissue) will be preserved  
28 and has your lawyer explained these limitations to you?"

29 **SECTION 3.** The Administrative Office of the Courts shall revise the form  
30 pursuant to this act by September 1, 2009, and the revised form shall be made available for  
31 pleas of guilty or no contest that are entered on or after October 1, 2009.

32 **SECTION 4.** This act is effective when it becomes law.

