

STATE OF WISCONSIN, Plaintiff

Waiver of Right to Preliminary Hearing

vs

\_\_\_\_\_, Defendant

Case # \_\_\_\_\_

I, \_\_\_\_\_, the above-named defendant in this criminal action, wish to waive (give up) my right to have a preliminary hearing.

I am \_\_\_\_\_ years old.

I have completed the \_\_\_\_\_ grade in school.

**BY GIVING UP MY RIGHT TO A PRELIMINARY EXAMINATION:**

Please check: Yes or No

1.	I understand that the State would have the burden of proof at a preliminary hearing to show that a felony was probably committed and that I committed it.		
2.	I have never been committed to a mental institution as mentally ill or found to be incompetent. I do not suffer from any mental or physical disabilities which would affect my decision in this matter.		
3.	I am not under the influence of drugs or alcohol.		
4.	I am not under the influence of medication.		
5.	I can read, write and understand English.		
6.	I understand that the State would have the burden of proof at a preliminary hearing to show that a felony was probably committed by me and that I am admitting that the State could meet the burden.		
7.	I understand that at a preliminary hearing my attorney or I could ask questions of any witnesses called by the State and I am giving up that right.		
8.	I understand that at a preliminary hearing my attorney or I could produce evidence on my behalf and I am giving up that right.		
9.	I understand that it is sometimes possible to discover things about my case at a preliminary hearing including possible defenses to a charge.		
10.	I understand that if the State does not meet the burden of proof, the Court may reduce the felony charge to a misdemeanor charge or dismiss it altogether and I am giving up that right.		
11.	I understand that as a result of waiving the preliminary hearing my case will be set for further proceedings and I am not giving up my right to trial.		
12a.	No one has threatened me to get me to waive my right to a preliminary hearing.		
12b.	Other than the conversations with the attorneys, no one has promised me a plea agreement or anything else to get me to waive my right to a preliminary hearing except as stated on the record.		

I have read the above questionnaire and answered all questions truthfully.

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

**Attorney's Acknowledgement**

I, \_\_\_\_\_, state that I am the attorney for the above named defendant, that:  
(Attorney's printed name)

- The defendant personally read the questionnaire in my presence, OR,  I read the questionnaire to the defendant. I discussed and explained the contents of the questionnaire to the defendant. The defendant acknowledged his/her understanding of each item in this questionnaire, and that I personally observed the defendant sign and date this questionnaire.

\_\_\_\_\_  
Attorney's Signature

\_\_\_\_\_  
Date