IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

STATE OF GEORGIA Case Number: _____

VS.

_____

PROBATIONER'S INFORMED CONSENT TO TERMS OF FIRST OFFENDER STATUS

1. My full name is _____, and I request that all proceedings against me be had in that name; and I am mentally competent to make this Informed Consent to the Terms of First Offender Status.

2. I am represented by a lawyer, whose name is _____.

3. I have pleaded _____ to the charge of _____.

4. I understand that upon my violation of the terms of probation, which terms have been fully explained and consented to by me, or upon a conviction of another crime, the Court may enter an adjudication of guilt and proceed as otherwise provided by law. I may not avail myself of First Offender treatment as provided by OCGA 42-8-60 on more than one occasion.

5. Upon fulfillment of the terms of probation or upon release by the Court prior to the termination of the period thereof, I understand that I shall be discharged without Court adjudication of guilt. The discharge shall completely exonerate me of any criminal purpose and shall not affect any of my civil rights or liberties; and I shall not be considered to have a criminal conviction. Having been placed under probation under OCGA 42-8-60, my record of the same shall be forwarded to the Georgia Crime Information Center. In every case in which the record of probation shall have been previously forwarded to the Department of Offender Rehabilitation, to the Georgia Crime Information Center, and to the Identification Division of the Federal Bureau of Investigation and a record of my subsequent discharge and exoneration has not been forwarded as provided in OCGA 4208062, upon my request or request5 of my attorney or representative, the record of the same shall be forwarded by the Clerk of Court so as to reflect the discharge and exoneration.

6. I understand that a discharge under this article is not a conviction of a crime under the law of this State and may not be used to disqualify me in any application for employment or appointment of office in either the public or private sector.

7. I understand that having been sentenced pursuant to OCGA 42-8-60, I have the right to appeal in the same manner and with the same scope and same effect as if a judgment of conviction had been entered and appealed from.

8. If otherwise allowable by law in an subsequent prosecution of me for any other offense, I understand that a prior finding of guilt may be pleaded and provided as if an adjudication of guilt had been entered and relief had not been granted pursuant to OCGA 42-8-60. My record of discharge shall be released solely to the Attorney General, a district attorney, a solicitor of a State Court, the Department of Offender Rehabilitation , the office of a county probation system or of a state of count y probation system of another State or of the United States, an office of the State Board of Pardons and Paroles, an office of the pardons and paroles division of another State or of the United States, upon certification by such probation system or prosecuting attorney that there are pending in a court of competent jurisdiction criminal charges against me, having been discharged under this article.

9. I fully understand all of the matters and terms set forth in this Probationer's Informed Consent to Terms of First Offender Status; and this informed consent, given at the time of imposition of sentence, is with the full advice and consent of my attorney.

SIGNED BY ME IN THE PRESENCE OF MY ATTORNEY, this _____ day of _____, 20____.

_____
Defendant

MAY AGE IS _____
MY ADDRESS IS _____
SIGNED IN MY PRESENCE THIS _____ day of _____, 20____.

_____
Attorney for Defendant

Form #0101