

**MUNICIPAL COURT
BOROUGH OF BERGENFIELD
BERGEN COUNTY, NEW JERSEY
198 North Washington Avenue Bergenfield, New Jersey 07621
Telephone (201) 387-4055 Ext. 2, Fax (201) 387-7373**

Date:
Name
Address
City, State, Zip
Phone # and/or Email

Re: Plea by Mail Eligibility

Dear Court User:

As you may be aware, municipal court sessions in the State of New Jersey have been postponed due to the pandemic surrounding COVID-19. Municipal Courts across New Jersey will be making efforts to limit contact among court users and maintain social distancing protocols.

As part of these efforts, your matter has been identified as being eligible to be handled via Plea by Mail. If you choose to utilize the Plea by Mail option, you must contact the Municipal Prosecutor, Marc Calello, Esquire via email at Marc@calellolawnj.com. Please indicate in the subject line "Bergenfield Municipal Court". Your matter will be reviewed and you will be contacted to resolve your case via plea agreement.

Once an agreement has been reached, the prosecutor will provide you with a signed *Request to Approve Plea Agreement* form. You must then sign and return the form along with a completed Plea by Mail form attached/enclosed **on or before** _____. Please make sure the form is filled out in its entirety and you have included your contact information in the spaces provided. Failure to return the form by the date listed above, may result in a future scheduled personal appearance.

Section 3 of the form will require you to acknowledge that you understand the agreed upon plea agreement. The court will notify you once your matter is disposed of, along with a copy of a disposition and payment instructions, if applicable, via mail/ordinary mail/email.

If you attended court in person, the Judge would advise you of your rights as a defendant in the municipal courts. Fortunately, these rights are available online. You are encouraged to take a few minutes to view the video before choosing an option below. Here is the web link to YouTube videos of the statement of rights in multiple languages and American Sign Language: <https://njcourts.gov/courts/mcs.html>

As a reminder, you **do not** have to utilize the plea by mail option and may still personally appear in court once regular court sessions resume. If you have any questions, please do not hesitate to contact our office at (201) 387-4055 Ext. 2. Thank you for your cooperation during this unprecedented time.

Sincerely,



Municipal Court Administrator



COURT I.D. <div style="border: 1px solid black; padding: 2px;">0203</div>	PREFIX <div style="border: 1px solid black; width: 50px; height: 20px;"></div>	TICKET / COMPLAINT NO. <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	<u>BERGENFIELD</u> Municipal Court
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PLEA BY MAIL (R. 7:12-3 and R. 7:6-3)

Charge: _____ NOTE: This form may only be used to enter a plea for one charge, i.e., one charge per form. Please complete all sections of this form and return it to the court by _____. If you fail to return the enclosed form by the date listed, you may be required to personally appear in court to resolve your case.

State of New Jersey

vs.

Defendant's Name: _____
FIRST
M.I.
LAST

Defendant's Address: _____
STREET ADDRESS
Defendant's Phone #: _____

CITY
STATE
ZIP

Section 1. Reason for Hardship

I am the defendant in this case and certify that it would be an undue hardship for me to come to court for the following reason(s):

(Continue on the back of this form, or use additional sheets, if necessary. You must date and sign each additional sheet.)

Section 2. Advisement and Plea Instructions

This form may only be used to plead not guilty or guilty in traffic or parking cases or guilty in non-traffic cases.

I have been fully informed of my right to a reasonable postponement. I give up my right to have an attorney, to apply for a public defender, and to remain silent. I also give up my right to be present at the trial and to cross-examine any witnesses.

I understand that if I plead guilty or the judge finds me guilty for an offense, other than parking, a record of the conviction may be sent to the New Jersey Motor Vehicle Commission and, if my license was not issued by New Jersey, to the motor vehicle agency of the state that issued my driver's license.

I understand that the judgment of the court will be sent to me by ordinary mail at the above address and that if I plead guilty or am found guilty, I must pay all fines, penalties and costs imposed by the court. If I plead not guilty and I am found guilty or if I disagree with the sentence, I may appeal my case or I may appeal the sentence within 20 days of the date of the decision or sentence. Information on how to appeal the municipal court's decision may be obtained from the municipal court or the Judiciary's website at www.njcourtsonline.com.

If I plead "Not Guilty," the judge will hear the testimony of the complaining witness or other witnesses, review the facts I present below in my defense, and decide the case based on the testimony and facts presented.

If I plead "Guilty," the judge will consider the facts I present below to explain what happened before imposing any penalty against me.

Before determining the penalty, the judge may consider comments from the complaining witness, other witnesses or from the prosecutor.

Section 3. Plea

FOR TRAFFIC OR PARKING CASES ONLY (please check one):

- I plead "Not Guilty" to the above charge
- I plead "Guilty" to the above charge

FOR NON-TRAFFIC CASES ONLY (please check):

- I plead "Guilty" to the above charge

I present the following facts in defense or explanation:

(Continue on the back of this form, or use additional sheets, if necessary. You must date and sign each additional sheet.)

Section 4. Certification

I have read and acknowledged the above. I agree and certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Date

Defendant's Signature