

1 [Attorney Name] (State Bar #)
[firm/organization name]
2 [address line 1]
[address line 2]
3 [phone number]
[email]
4

5 ATTORNEYS FOR VICTIM.

6
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 IN AND FOR [GEOGRAPHICAL] COUNTY

9 PEOPLE OF STATE OF CALIFORNIA,)
)
10 Plaintiff,)
)
11 vs.)
)
12)
13)
14 [NAME OF DEFENDANT],)
)
15 Defendant,)
)
16)
17 [NAME OF THE VICTIM,)
use Initials or Pseudonyms throughout)
18 where needed],)
)
19 Crime Victims.)

CASE NO.: [insert case #]

HONORABLE: [insert judge]

**NOTICE OF APPEARANCE OF
COUNSEL FOR VICTIMS AND
ASSERTION OF VICTIMS'
CONSTITUTIONAL RIGHTS
UNDER CAL. CONST. ART. I §
28(b)**

20 To: THE HONORABLE [INSERT JUDGE], DEPUTY DISTRICT ATTORNEY [INSERT DA NAME],
21 AND ATTORNEY FOR DEFENDANT [INSERT NAME]

22
23 Victim, [NAME], through [his/her] undersigned counsel, hereby gives notice of [his/her] intent to
24 exercise [his/her] rights in the above captioned matter, presently scheduled for hearing on [INSERT
25 DATE]. California Constitution Article I, § 28(b) (Marsy's Law) is designed to "preserve and protect a
26 victim's right[] to justice and due process" and provides that a victim shall be entitled to the following
27 rights:
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To be treated with fairness and respect for their privacy and dignity;

To be reasonably protected from the defendant and persons acting on behalf of the defendant;

To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which otherwise are privileged or confidential by law;

To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents;

To reasonable notice prior to disposition of the case;

To reasonable notice of all proceedings at which the defendant and prosecutor are entitled to be present and to be present at all such proceedings;

To be heard, upon request, at any proceeding in which a right of the victim is at issue;

To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings;

To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law; and

To restitution.

The above-named victim, through [his/her] attorney, hereby and formally requests all of the rights available to [him/her] under California law, including the rights specified above. Further, [NAME], retains the right to assert additional statutory rights and constitutional rights and when those rights become appropriate in these proceedings.

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The victim and the undersigned appreciate the sensitivity and respect of the Court and counsel and look forward to exercising the victim's rights constitutional rights throughout this case.

RESPECTFULLY submitted this [number] day of [month], 2012.

By: _____

[Attorney Name (State Bar #)]

[firm/organization name]

Attorney for Crime Victim