

11.1 Change of Plea Hearing.

(a) Notice.

If a defendant decides to change a previously entered "not guilty" plea, the defense attorney must notify the government's attorney and assigned judge as soon as possible.

(b) Requirements for Scheduling Hearing.

Defense counsel may not contact the court to schedule a change of plea hearing until (1) a plea agreement has been reached between the parties and (2) counsel has advised the defendant that, by pleading guilty, the defendant waives the constitutional right to a jury trial. The defendant may orally state to the defense attorney the defendant's understanding of the applicable constitutional rights and acceptance of the plea agreement. A change of plea hearing may be scheduled before the plea agreement and petition to enter a plea of guilty are signed.

(c) Interpreter Assistance.

If, in order to consider or enter a change of plea, a defendant requires an interpreter's assistance:

- (1) the government must send a request for interpreter form to the courtroom deputy at least 7 days before the hearing; and
- (2) the defense attorney must ensure that the petition to enter a plea of guilty, any plea agreement, and the indictment or information have been properly translated for the defendant before the change of plea hearing.

(d) Copies of Petition and Plea Agreement; Copy of Information.

The defense attorney must send copies of the petition to enter a plea of guilty, any plea agreement and the information (if applicable), to the judge presiding over the change of plea hearing at least 24 hours before the plea hearing, absent extenuating circumstances.

(e) Original Signed Petition and Plea Agreement; Original Information.

The government's attorney must bring the fully signed original petition to enter a plea of guilty, any fully signed original plea agreement, and the information (if applicable), to the change of plea hearing.