This form is also available in Spanish.
https://www.wicourts.gov/forms1/circuit/index.htm.
Este formulario está disponible en español.

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

State of Wisconsin, Plaintiff,
-vs-

_____
Defendant's Name

Notice of Right to Seek Postconviction Relief

Case No. _____

TO THE DEFENDANT:

You have the right to seek postconviction relief from the judgment in this case. If you were represented by a lawyer at your sentencing, it is that lawyer's responsibility to assist you in deciding whether to seek postconviction relief.

If you decide to seek postconviction relief, you or your lawyer must file a Notice of Intent to Seek Postconviction Relief. The Notice of Intent must be filed in the trial court within 20 days. If you had a lawyer at sentencing, and if you give your lawyer timely notice that you have decided to seek postconviction relief, it is your lawyer's duty to see that your Notice of Intent is properly filed in this court and served on the District Attorney.

After filing the Notice of Intent, your lawyer does not have to represent you further unless you hire him or her to do so. If you intend to seek postconviction relief but cannot afford a lawyer, you have the right to request that a lawyer be appointed to assist you by the State Public Defender.

DEFENDANT'S ACKNOWLEDGEMENT:

I have discussed my right to seek postconviction relief with the lawyer who represented me at sentencing, if any. I understand that if I intend to seek postconviction relief, I must file a Notice of Intent in the trial court within 20 days after sentencing and send a copy to the District Attorney. If I want my lawyer to file the Notice of Intent for me, I must timely inform my lawyer of my decision to seek postconviction relief. I have received a copy of this Notice.

- ☐ I plan to seek postconviction relief.
- ☐ I do not plan to seek postconviction relief.
- ☐ I am undecided about seeking postconviction relief and I know I need to decide and tell my lawyer within 20 days.

▶ _____
Defendant's Signature

_____
Name Printed or Typed

_____
Address

_____
Email Address

_____
Telephone Number Date

ATTORNEY CERTIFICATION:

I have counseled the defendant about the decision to seek postconviction relief. I have informed the defendant that this decision must be made and communicated to me within 20 days of sentencing. I believe the defendant understands the right to postconviction relief and the 20 day time limit. I understand that it is my duty to file the Notice of Intent to Pursue Postconviction Relief on behalf of the defendant if that intent is timely communicated to me.

▶ _____
Defense Attorney's Signature

_____
Name Printed or Typed

_____
Address

_____
Email Address Telephone Number

_____
Date State Bar No.

DISTRIBUTION:
1. Court
2. Defendant
3. Defense Attorney

This form shall not be modified. It may be supplemented with additional material.