

## Form Summary

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| <b>Name of Form:</b>         | <b>Notice of Right to Seek Postconviction Relief</b>   |
| <b>Form Number:</b>          | <b>CR-233</b>  |
| <b>Statutory Reference:</b>  | §973.18, Wisconsin Statutes  |
| <b>BenchBook Reference</b>   | CR 34-16   |
| <b>Purpose of Form:</b>      | To inform criminal defendants after sentencing that they have the right to seek postconviction relief. To document that sentencing counsel has counseled the defendant about seeking postconviction relief.  |
| <b>Who Completes It:</b>     | Defendant and defense attorney, if any.  |
| <b>Distribution of Form:</b> | Court, copy to defendant and defense attorney.   |
| <b>New Form:</b>             | Modified; last update 01/00.   |
| <b>Modifications:</b>        | Pursuant to 2019 WI Act 30, updated to add party/attorney address, email address and telephone number.   |
| <b>Comments:</b>             | The Notice of Appeal, previously Information on Postconviction Relief, SM-33, WJI-Crim provided the basis for this form. The defendant indicates that he or she understands his or her right to seek postconviction relief. The defendant must sign and the defense counsel must certify that counsel has advised the defendant about whether and how to seek postconviction relief. Wisconsin Statutes §973.18(4) requires that to take place at sentencing or as soon thereafter as practicable. Three checkboxes allow the defendant to indicate that he or she plans to seek postconviction relief, does not plan to do so, or is undecided, but knows that her or she has 20 days to make a decision and communicate it to counsel. Defense counsel is obligated to continue representation until the Notice of Intent is filed. Filing this Notice does not obligate defense counsel to represent the defendant in postconviction proceedings. |
| <b>About this Form:</b>      | This form is the product of the Wisconsin Record Management Committee and the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.<br><br><b>If you have additional information that does not change the meaning of the form, attach it as a separate page to this form. The form itself shall not be altered.</b>   |