

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

Case No.: _____

vs.

_____,
Defendant.
_____ /

NOTICE OF ASSERTING VICTIM'S RIGHTS

COMES NOW, the victim, _____ by and through the undersigned attorneys or pro se, and hereby files this Notice of Asserting Victim's Rights (a.k.a. Marsy's Law) and hereby states as follows:

_____ is the listed victim in this case. _____ is respectfully requesting all possible resources and personnel be allocated this matter to conclude it as soon as practicable and bring justice to her and the people of the State of Florida. _____ remains cooperative and willing to testify at trial, if one is necessary.

As the victim, _____ is entitled to certain rights under the Florida Constitution, Article I, Section and 16 (b)(6). _____ hereby gives notice of asserting the following rights:

- a. The right to reasonable, accurate, and timely notice of, and to be present at, all public proceedings involving the criminal conduct, including, but not limited to, trial, plea, sentencing, or adjudication, even if the victim will be a witness at the proceeding, notwithstanding any rule to the contrary. A victim shall also be provided reasonable, accurate, and timely notice of any release or escape of the defendant or delinquent, and any proceeding during which a right of the victim is implicated.
- b. The right to be heard in any public proceeding involving pretrial or other release from any form of legal constraint, plea, sentencing, adjudication, or parole, and any proceeding during which a right of the victim is implicated.
- c. The right to confer with the prosecuting attorney concerning any plea agreements, participation in pretrial diversion programs, release, restitution, sentencing, or any other disposition of the case.
- d. The right to provide information regarding the impact of the offender's conduct on the victim and the victim's family to the individual responsible for conducting any presentence investigation or compiling any presentence investigation report, and to have any such information considered in any sentencing recommendations submitted to the court.
- e. The right to receive a copy of any presentence report, and any other report or record relevant to the exercise of a victim's right, except for such portions made confidential or exempt by law.
- f. The right to be informed of the conviction, sentence, adjudication, place and time of incarceration, or other disposition of the convicted offender, any scheduled release date of the offender, and the release of or the escape of the offender from custody.

g. The right to be informed of all postconviction processes and procedures, to participate in such processes and procedures, to provide information to the release authority to be considered before any release decision is made, and to be notified of any release decision regarding the offender. The parole or early release authority shall extend the right to be heard to any person harmed by the offender.

h. The right to be informed of clemency and expungement procedures, to provide information to the governor, the court, any clemency board, and other authority in these procedures, and to have that information considered before a clemency or expungement decision is made; and to be notified of such decision in advance of any release of the offender.

In accordance of Section 16(b)(10), _____ also hereby gives respectful notice of asserting her right to proceedings free from unreasonable delay, and to a prompt and final conclusion of the case. The victim is pleading with the Court and the State to conclude this matter promptly without hindering the efficacy of the prosecution's case.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed via Florida's E-filing portal for service via Electronic Mail to the Office of the State Attorney (prosecutor's e-mail goes here) and defense counsel, (put all contact information for the defense attorney here) on _____ (date when you file this or mail it out).

I HEREBY CERTIFY that a true and correct copy of the foregoing was also provided to the presiding judge in this case: The Honorable (put Judge's information here, including his/her e-mail or the judicial assistant's e-mail address here).

By: _____
SIGN YOUR NAME HERE

Victim
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