

## LCrR11 – Pleas

### LCrR11-1 Plea Agreements.

~~The parties must provide a plea agreement to the Court not later than one business day before the change of plea hearing.~~

(a) Counsel for the government shall provide the plea agreement, and any associated criminal charging information, if applicable, to the Court, following the Instructions for Providing Non-Electronically Filed Documents to the Court, available on the Court’s website, and to counsel for the defendant at least three business days before the change-of-plea hearing.

(b) Absent good cause, if the plea agreement contemplates a superseding criminal information, that information must be filed, and counsel for the government must provide a copy of the superseding criminal information to the Court, following the Instructions for Providing Non-Electronically Filed Documents to the Court, available on the Court’s website, at least three business days before the change-of-plea hearing.

### LCrR11-2 Notification of a Change of Plea.

The parties must notify the Court of a change of plea sufficiently in advance of trial to avoid assembling a jury panel unnecessarily.

### LCrR11-3 Petition to Enter a Plea of Guilty.

~~The attorney~~Counsel for the defendant shall ~~prepare and submit a copy of~~complete the petition to enter a plea of guilty, ~~which is available from the Court Clerk’s office or on the Court’s website.~~ The form shall be provided to the Court, following the Instructions for Providing Non-Electronically Filed Documents to the Court, available on the Court’s website, and to counsel for the government; at least ~~one~~three business days ~~prior to~~before the change-of-plea hearing.

### LCrR11-4 Deferring Acceptance or Rejection of Plea Agreements.

The Court may defer a decision whether to accept the plea agreement until the Court has reviewed the presentence report, even where the Court has accepted the guilty plea. For a plea agreement pursuant to ~~Rule Fed. R. Crim. P 11(c)(1)(C) of the Federal Rules of Criminal Procedure~~, the Court may accept or reject the agreement, or defer the decision, but if the Court accepts the agreement ~~is accepted~~, the presentence report shall be prepared consistent with the stipulations and the agreed range or sentence contained in the Rule 11(c)(1)(C) plea agreement.

### LCrR11-5 Plea Supplements.

~~All~~Every plea agreements shall be accompanied by a sealed document titled “Plea Supplement,” the contents of which shall be limited to describing any agreement for cooperation. The plea supplement will be electronically filed under seal and shall be filed in all cases regardless of whether a cooperation agreement exists.

## **SUMMARY OF CHANGES**

Some changes are for style, clarity, and consistency with other rules and local practice. New language in 11-1 and 11-3 is adopted to ensure that all parties have notice of documents related to plea proceedings and are in agreement before arriving for court appearances.