# Plea Inquiry

## About This Form

If an RECE admits (pleads guilty) to accusations of professional misconduct, it is essential that they do so voluntarily and unequivocally (clearly). It is also essential that they understand the consequences of pleading guilty.

To make sure this is the case, the Discipline Committee Panel at the RECE’s hearing will ask several questions to make sure that the RECE’s admission is voluntary, unequivocal, and informed. This is called a “plea inquiry”.

This form includes very similar questions to the ones the Discipline Committee Panel will ask at the hearing.

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| **Without prejudice:** This document is confidential **until** the RECE confirms that they will admit to accusations of professional misconduct.  If the RECE ultimately does not plead guilty, this document will remain confidential and can only be used during Case Management. It cannot be used during a hearing or in any other way, except if the RECE and the Prosecutor agree that it can be used in another way. |

## When and How to Use This Form

This form is used at a Case Conference to Plan for Finalization if the RECE has said they will admit to accusations of professional misconduct at a hearing.

By discussing and completing this form at the Case Conference to Plan for Finalization, the RECE has a chance to learn about this part of their upcoming hearing. They can ask the Facilitator questions about the process, and they can ask Duty Counsel for advice at the meeting.

# Plea Inquiry

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| 1. Do you understand the accusations against you and what they mean? |  | Yes |  | No |
| 1. Do you understand that if you admit to the accusations at the hearing, you are giving up your right to require the College to prove the case against you and your right to have a contested hearing? (A contested hearing gives you the chance to challenge or disagree with some or all of the accusations, proposed consequences, or both.) |  | Yes |  | No |
| 1. Do you plan to plead guilty to the accusations against you? |  | Yes |  | No |
| 1. Is your decision to plead guilty voluntary (made of your own free will)? |  | Yes |  | No |
| 1. Do you understand that your guilty plea and the facts described in the Agreed Statement of Fact will support the Discipline Committee Panel in deciding that you are guilty of professional misconduct? |  | Yes |  | No |
| 1. Do you understand that if you admit to the accusations, the Panel will probably decide you are guilty of professional misconduct? |  | Yes |  | No |
| 1. Do you understand that if the Panel decides you are guilty of professional misconduct, a summary of the case, including your name and the Panel’s decision and reasons for making that decision, will be published in the College of Early Childhood Educators’ official publication, *Connexions*? |  | Yes |  | No |
| 1. Do you understand that if the Panel decides you are guilty of professional misconduct, it can order consequences (often called a penalty) that could include, among other things, revocation or suspension of your certificate of registration and/or terms, conditions and limitations placed on your certificate of registration? |  | Yes |  | No |
| 1. Do you understand that the Panel does not have to accept the Order proposed by you and the College’s Prosecutor (if any) in a joint statement on penalty? In other words, the Panel may accept, reject, and/or order something that is different from a proposed order you and the College prosecutor have agreed would be appropriate. |  | Yes |  | No |
| 1. Do you know that you have a right to seek your own legal advice and to have your own legal representative attend the hearing on your behalf to defend you? |  | Yes |  | No |

|  |  |
| --- | --- |
| RECE’s name (registration #): | Date: |
| RECE’s signature: |

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| --- | --- | --- | --- |
| I went over this form, including all of the answers given above, with RECE NAME during a Case Conference to Plan for Finalization that I conducted on DATE.   |  |  | | --- | --- | | Case management facilitator’s name: | Date: | | Case management facilitator’s signature: | |