

**IN THE COURT OF COMMON PLEAS OF SUMMIT COUNTY, OHIO
JUVENILE DIVISION**

IN THE MATTER OF

CASE NO.

JUDGE LINDA TUCCI TEODOSIO

MAGISTRATE

WAIVER OF RIGHTS

I, _____, defendant in above captioned matter, have been informed of the nature of the charges pending against me and have been served with a copy of the complaint(s). I have been informed that I need make no statement at any point in the proceeding and that any statement I do make can and may be used against me. I am hereby advised as follows:

_____ Right to Counsel:

1. I have the right to retain or consult with counsel (an attorney) even if I intend to plead guilty or no contest.
2. I have the right and have been accorded the right to a reasonable continuance in the proceedings to secure counsel.
3. I have the right to have an attorney to me with no cost to me if I am unable to afford an attorney. I understand that I may be required to pay a one time \$25.00 fee to secure appointed counsel.
4. If I waive (or give up) my right to counsel I understand that I will be held to the same rules of evidence, procedure and substantive law as the prosecuting attorney and that the Judge shall remain impartial and cannot assist me or be lenient with me in any way. I understand that there may be defenses to the charges against me that I am not aware of because I am not thoroughly trained in the law. I may be unaware of rights that would be to my advantage to assert. I may lose those rights if I do not assert them.

_____ Right to Trial:

- 1) I have been advised of the meaning of a guilty plea, no contest plea and not guilty plea.
 - A) A plea of guilty is a complete admission of my guilt.
 - B) A plea of no contest is not an admission of my guilt but is an admission the truth of the facts alleged in the complaint(s), and the plea or admission cannot be used against me in any subsequent civil or criminal proceeding.
 - C) A plea of not guilty is a complete denial of the facts as stated in the complaint(s).
- 2) I understand that if I give up my right to a trial by entering a guilty or no contest plea, I am also giving up the following rights:
 - A) My right to confront my accuser and cross-examine witnesses;
 - B) My right to present my own evidence and to compel witnesses to testify on my behalf;
 - C) My right to testify or remain silent;
 - D) The requirement that the state prove my guilt beyond a reasonable doubt and
 - E) If I disagree with the Magistrate's decision following a trial (adjudication) or the determination of consequences (disposition) I may file an objection with the Judge. Further, if I disagree with a decision made by the Judge, I have the right to appeal the Judge's decision to the Ohio Ninth District Court of Appeals.
- 3) If I am not a citizen of the United States, I have been advised to seek advice from competent immigration counsel because a conviction of the offense to which I am charged may have consequences

of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

- 4) I have been informed of the maximum penalty the judge could impose for the offense(s) with which I am charged and I understand that such penalty may include jail time, monetary fine, community service, a period of community control (probation) and/or driving rights suspensions and vehicle sanctions.

Right to Trial by Jury:

- 1. I have the right to a trial by jury.
- 2. A jury for my case would be composed of members of the community and I may participate in the selection of those jurors.
- 3. All jurors would have to agree on their verdict.
- 4. If I give up my right to a jury trial, the judge alone will decide my guilt or innocence.

Speedy Trial:

- 1. Pursuant to Ohio Revised code § 2945.71, I understand that I have a right to have my trial heard within ninety (90) days after arrest or service of summons.

Waiver:

- No one has threatened me in any way or promised me any particular outcome to persuade me to waive my right to trial. I have made this decision knowingly, voluntarily, and intelligently, without being under the influence of medication, drugs, or alcohol. My ability to think clearly is not being adversely impacted by any medication that I am or am not taking.

Non-Waiver:

- I have considered my rights carefully and do not waive (give up) the rights explained above which are not initialed but I do waive all rights which are initialed. I state that:
 - I cannot afford counsel and I request that the court appoint counsel on my behalf if I qualify.
 - I request that the Court grant a continuance in this matter in order for me to consult with an attorney.
 - I plead not guilty and request that this matter be set for trial.
 - In compliance with Local Rule 5.07 I hereby demand a jury trial.
 - I do not waive my right to a speedy trial and require the court to conduct a trial within 90 days after arrest or service of summons.

Defendant Date

Attorney Date

Judge/Magistrate Date