

**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. 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 defense 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 shall not 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 a bond of not more than \$500.00 conditioned that I will cause the child to attend school; a fine of up to \$500.00; and not more than 70 hours of community service.

Waiver:

- I have considered my rights carefully and waive (give up) the rights explained above. 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. Further:

_____ 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.

Defendant

Date

Attorney

Date

Judge/Magistrate

Date