

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

IN RE:

D.O.B:

CASE NO. DN

JUDGE LINDA TUCCI TEODOSIO

MAGISTRATE

WAIVER OF TRIAL RIGHTS

I, _____, (circle one) Mother, Father, Alleged Father, Legal Custodian, Guardian, hereby acknowledge that I am waiving my right to trial at adjudication in the above-captioned matter. I understand each of the following (initial each applicable line):

_____ I have the right to have a trial before the Judge or Magistrate. If I admit to the allegations within the complaint, I give up my right to trial. At trial:

_____ Children Services has the burden of proving the allegation(s) contained within the complaint by clear and convincing evidence. If I admit to the allegations within the complaint, I give up my right to have them prove their allegation(s) by clear and convincing evidence.

_____ The Rules of Evidence apply at trial.

_____ I have the right to testify (tell my side of the story) but I cannot be forced to testify against myself. I have the right to remain silent with regard to a matter that may tend to incriminate me in a future criminal proceeding. If I choose not to testify, that cannot be used against me. If I admit to the allegations within the complaint, I give up my right to right to testify at trial.

_____ I have the right to present evidence (have my own witness(es) testify and provide my own physical proof) and to cross examine (ask questions of) the witness(es) presented against me. A subpoena, which is a court order requiring a person to appear, can be issued to help me bring my witness(es) to court. If I admit to the allegations within the complaint, I give up my right to call witnesses for trial, present evidence, or to cross examine witnesses.

_____ If I disagree with the Magistrate's decision following a trial (adjudication) I may file an objection with the Judge.

_____ 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.

_____ If I admit to the allegations within the complaint, I understand that the court may adjudicate my child(ren) to be _____.

_____ I understand that if my child(ren) are adjudicated abused, neglected, and/or dependent the Court will have continuing jurisdiction over my child(ren) and the Court may issue orders that affect my rights to my child(ren).

_____ I understand that if my child(ren) are adjudicated abused, neglected, and/or dependent I may lose temporary custody of my child(ren) and ultimately could lose permanent custody of my child(ren).

_____ 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 drugs or alcohol. My ability to think clearly and make decisions is not being adversely affected by any medication(s) I might or might not be taking.

After having been advised by the Court of my rights, the nature of the allegations contained within the complaint, and the possible consequences, I fully understand my rights and have no additional questions for the Court.

Counsel:

_____ I am represented by counsel and have discussed my decision with my attorney.

Pro Se:

_____ I am not represented by counsel. I understand that I have the right to obtain counsel prior to the trial at adjudication and to have a continuance of up to ten days in order to obtain counsel. I understand that I have the right to have an attorney appointed for me without cost if I am indigent. I hereby waive or give up my right to an attorney for the purposes of adjudication.

Mother, Father, Alleged Father,
Legal Custodian, Guardian

Date

Attorney

Date

Judge/Magistrate

Date