

**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 for permanent planned living arrangement of the above-captioned child(ren). 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 agree to have the above-captioned child(ren) placed in a planned permanent living arrangement, I give up my right to trial.
At trial:

_____ Children Services has the burden of showing a planned permanent living arrangement is in the best interest of the above-captioned child(ren). If I agree to have the above-captioned child(ren) placed in a planned permanent living arrangement, I give up my right to have Children Services prove a planned permanent living arrangement is in the best interest of the above-captioned child(ren) by clear and convincing evidence.

_____ The court may admit evidence that is material and relevant, including but not limited to, hearsay, opinion and documentary evidence at trial.

_____ I have the right to testify (tell my side of the story) but I cannot be forced to testify to something that may subject me to criminal prosecution. If I agree to have the above-captioned child(ren) placed in a planned permanent living arrangement, 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 to court. If I agree to have the above-captioned child(ren) placed in a planned permanent living arrangement, I give up my right to call witnesses for trial, to cross examine witnesses, and to present evidence.

_____ If I disagree with the Magistrate's decision following a trial 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 agree to have the above-captioned child(ren) placed in a planned permanent living arrangement, I understand that the Court may order that the agency may make any appropriate placement of the above-captioned child(ren) and develop a case plan designed to assist the child(ren) in finding a permanent home outside of my home.

_____ 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 proposed disposition and the possible outcomes, 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 and to have a reasonable continuance 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 trial.

Mother, Father, Alleged Father, Date
Legal Custodian, Guardian

Attorney Date

Judge/Magistrate Date