

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

IN RE

CASE NO. DN

D.O.B.

JUDGE LINDA TUCCI TEODOSIO

MAGISTRATE

WAIVER OF TRIAL RIGHTS

I, _____, (circle one) Mother, Father, Alleged Father, Legal Custodian, hereby acknowledge that I am waiving my right to trial for permanent custody 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 surrender my parental rights to the above captioned child(ren) and have them placed in the permanent custody of a children services agency or child placing agency, I give up my right to trial. At trial:

_____ Summit County Children Services has the burden of showing permanent custody is in the best interest of the above captioned child(ren). If I agree to surrender my parental rights to the above captioned child(ren) and have them placed in the permanent custody of a children services agency or child placing agency, I give up my right to have the agency prove permanent custody is in the best interest of the above captioned child(ren) 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 to something that may subject me to criminal prosecution. If I agree to surrender my parental rights to the above captioned child(ren) and have them placed in the permanent custody of a children services agency or child placing agency, 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 agree to surrender my parental rights to the above captioned child(ren) and have them placed in the permanent custody of a children services agency or child placing agency, I give up my right to call witnesses for trial, cross examine witnesses, or present evidence.

_____ If I disagree with the Magistrate's decision following a trial (legal custody) 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 surrender my parental rights to the above captioned child(ren) and have them placed in the permanent custody of a children services agency or child placing agency, I understand that the court may place the above captioned child(ren) in the permanent custody of _____.

_____ I understand that surrendering my parental rights to the above captioned child(ren) divests me of all parental rights to the above captioned child(ren). I will no longer have any legal relationship to these children. I will have no privilege of visitation, no right to consent to adoption, no privilege to determine the child's religious affiliation, no responsibility for support and no ability to seek modification of this order.

_____ 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 or medication, drugs, or alcohol.

After having been advised by the Court of my rights, the nature of the proposed disposition 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 and to have a reasonable continuance 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

Attorney Date

Judge/Magistrate Date