

DEFENDANT'S RIGHTS

Date: _____

Defendant appeared in open court and was advised by the Court of the following rights and before entering a plea of Guilty or No Contest to the charges brought against Defendant, Defendant affirms and understands that:

1. I have the right to have the nature of the charges and the possible penalties explained to me;
2. I have the right to an attorney, the right to a reasonable continuance to secure and consult with an attorney, and if I cannot afford an attorney the Court will appoint an attorney to represent me without cost to me;
3. I have the right to bail for a bailable offense;
4. I cannot be forced to make a statement at any point in the proceedings; but that any statement made by me is recorded and may be used against me;
5. I have the right to have my case tried by a jury or judge;
6. I have a right to a reasonable continuance of my trial if I request;
7. I have the right to confront any witnesses who testify against me;
8. I have the right to present witnesses on my behalf and to subpoena them to appear in court if need be;
9. The prosecutor has the burden to prove beyond a reasonable doubt all the essential elements of the charge(s) of which I am accused before I can be found guilty;
10. A guilty plea is a complete admission of the truth of the facts in the complaint and of my guilt of the charge(s);
11. A no contest plea is an admission of the truth of the facts in the complaint but not an admission of guilt, but permits the Court to make a guilty or not guilty finding. Such a plea cannot be used against me in any future civil or criminal proceeding arising out of the same set of circumstances;
12. If I enter a plea of Guilty or No Contest, I waive all of these rights and the Court will impose sentence without unnecessary delay;
13. If I am not a United States citizen, pleading Guilty or No Contest may lead to deportation, exclusion from admission to the United States, or denial of naturalization;
14. If I am on probation or parole, a plea of Guilty or No Contest may violate the terms of my probation/parole;
15. If I am convicted of a traffic violation, a record of my conviction will be sent to the Ohio BMV and become part of my driving record and any action of the Ohio BMV is independent of this Court;

_____ WAIVER OF COUNSEL: I waive my right to an attorney, private or appointed.

_____ I am able to read and have read these rights and points of law, and they have been explained to me by the Court or my attorney, _____.

_____ I am unable to read, but these rights and points of law have been explained to me by _____, who instructed me to put my initials in the space preceding this statement.

_____ **I understand these rights and points of law and I willingly wish to enter a plea of Guilty/No Contest**

(circle one) to the charge(s) of _____

Date: _____

Defendant's Signature

The Court finds that the Defendant herein has been apprised of the appropriate constitutional rights and that said Defendant understands them and has further knowingly, intelligently and voluntarily waived them. WHEREFORE, this Court accepts Defendant's plea of Guilty / No Contest.

_____ Defendant has been advised of felony implication for any subsequent offenses.

Judge, Barberton Municipal Court

Date _____

CITY OF BARBERTON
SUMMIT COUNTY
STATE OF OHIO

VS. DEFENDANT _____

CASE NUMBER _____

TIME WAIVER

I do hereby waive my right to have my case(s) tried within the time period provided for in Section 2945.71 of the Ohio Revised Code.

Date _____

Defendant's Signature _____

CERTIFICATION

Date _____

I hereby certify that I explained to the above defendant the right to have the above case(s) tried within 30, 45, OR 90 days, as applicable, and that the Defendant voluntarily agreed to waive the time period.

Signature/Title _____

MOTION FOR CONTINUANCE

I hereby request a continuance of my case for the following reason:

Date: _____

Defendant _____

Attorney _____

- Approved
- Denied

Judge _____ Date _____

DEMAND FOR JURY

Now comes _____, the Defendant and enters a plea of NOT GUILTY and demands a trial by jury of eight (8) in the above captioned case(s).

Date: _____

Defendant _____
Attorney _____

- Approved
- Denied

Judge _____ Date _____

WAIVER OF JURY TRIAL

I do hereby voluntarily waive and relinquish my right to trial by jury and elect to be tried by a Judge of the Court in which said cause is pending. I fully understand that under the laws of the State of Ohio I have a constitutional right to trial by jury.

Date: _____

Defendant _____

Attorney _____

- Approved
- Denied

Judge _____ Date _____

NOTICE OF ATTORNEY

Notice is hereby given to this Court that undersigned represents the Defendant in the above case(s).

Date _____ Attorney _____