

ATTORNEY WAIVER

Name of child/youth: \_\_\_\_\_ D.O.B.: \_\_\_\_\_

Traffic Charges: \_\_\_\_\_

Date signed: \_\_\_\_\_

The undersigned affirms that he or she is aware of the following rights:

1. You have the right to be represented by an attorney at all stages of this traffic case.
2. The Court does not appoint attorneys in routine traffic cases. Therefore, you do not have a right to have a court appointed attorney. If you want legal representation in this case, you must hire your own attorney.
3. You have the right to waive your right to be represented by an attorney and to represent yourself in this case. A person who represents himself or herself in Court is called a "pro se party".
4. The Georgia Court of Appeals has held that a Juvenile Court must make a juvenile "aware of the danger of proceeding without counsel."
5. You are hereby advised of the following:
  - a. Representation by an attorney is a valuable right and should be waived only with careful consideration of all circumstances surrounding your case.
  - b. It can be beneficial to you if a lawyer reviews your case and represents you before Court. It can be dangerous for you to represent yourself without the advice of counsel.
  - c. It is dangerous to represent yourself, because the Court holds you to the same standard as an attorney. The rules of evidence and the rules of court procedure apply equally to pro se parties as it does to parties who are represented by an attorney. It is also dangerous because you may not know how Georgia law applies to the facts of your case. An attorney understands the relevant law and court procedures, knows how to properly introduce relevant evidence and to exclude improper evidence, and is skilled at cross examination of witnesses who testify against you. An attorney is trained to protect your rights and liberties.
  - d. An attorney can determine if there is a legal defense which could result in the dismissal of your case.
  - e. An attorney can prepare you for trial so that your case is presented in the most favorable way allowed by law.

6. I understand my right to have an attorney represent me and I have not questions about this right.

\_\_\_\_\_ (initial) I will hire an attorney to represent me in this case.

\_\_\_\_\_ (initial) I will waive my right to hire an attorney and will represent myself.

7. I understand this document and have signed it freely and voluntarily.

\_\_\_\_\_  
Child

\_\_\_\_\_  
Parent or Guardian

*The Court has reviewed this waiver with the above named child and his/her parents and finds that the child has knowingly and voluntarily waived representation by an attorney in this case.*

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Lorie A. Moss, Judge, Gordon Juvenile Court