

THE STATE OF TEXAS

VS.



IN THE COUNTY COURT

AT LAW NO. 5 OF

COLLIN COUNTY, TEXAS

HON. RANDY JOHNSON,
PRESIDING

DANGERS AND DISADVANTAGES OF SELF-REPRESENTATION

Please read this carefully. It warns you of the dangers and disadvantages of representing yourself without the benefit of a lawyer. Your right to an attorney is a valued right secured by law. You do not have to have a lawyer in a misdemeanor case. The judge will not force you to hire an attorney or ask that one be appointed. However, without an attorney you will be evaluating these matters yourself.

The Assistant Criminal District Attorney with whom you may talk to is not your lawyer. This person represents the State of Texas against you and, unlike you, is a trained attorney equipped with special knowledge about the law—in particular, the rules of procedure and evidence.

The judge is not your lawyer. Our law prevents the judge from acting as an advocate to represent your interests or those of the prosecutor. The judge can see that your rights are protected; but the judge cannot give you guidance about whether you should not give up any rights.

YOU HAVE THE RIGHT TO BE TRIED BY AN IMPARTIAL JURY. You have the right to have an attorney advise you about

whether you want to give up your right to a jury trial. The court will appoint you an attorney just for this purpose alone if you wish.

An attorney representing you could evaluate the charge against you, the strengths or weaknesses of the prosecutor's case, the strengths or weaknesses of your own evidence, any legal defenses you may have, and the advantages or consequences of your plea.

Your attorney could advise whether it would be a good or bad idea to plead a certain way, to accept or reject the prosecutor's plea agreement offer, whether to testify, and whether to appeal. Even if you plead "GUILTY" or "NO CONTEST," without the assistance of an attorney you may not have the benefit of knowing how that will affect certain rights or privileges you may now enjoy. Without an attorney you will have no assistance in protecting or advancing your legal position before, during, or after your plea.

During the trial, even if the "trial" consists only of a plea and punishment, you may not be able to keep certain evidence out or get evidence admitted because you do not know the

Rules of Evidence. The same is true for court procedure, generally; so, you may not know how or when to make objections.

If the offense charges you with theft, that is a crime of moral turpitude. If you do not have an attorney you may not know how a conviction for such an offense could later affect you. If you are under twenty-one years of age, convictions for certain offenses affect your ability to have a driver's license; and an attorney could counsel you in that regard.

If you are now on community supervision (formerly "probation") and a Motion to Revoke has been filed, you can have an attorney; and one can be appointed for you if you are indigent. Without an attorney you will be unable to evaluate the allegations against you, the proof necessary to have your community supervision revoked, or any defenses you may have before entering pleas of "True" or "Not True." An attorney could help you determine if you should testify or appeal. If you want to hire an attorney who you choose, the court will give you time to do that. If you cannot afford one, ask for an application for the appointment of an attorney; and the court will confirm your statements made under oath that you are not financially able to employ counsel. If, on the other hand, you want to go ahead without an attorney, you may do so.

Make your choice on this page.

Judge Randy Johnson

STEP 1: Please initial one of these boxes.

I WANT A LAWYER and I want some more time to hire one.

I WANT A LAWYER and I am indigent. I understand that a court-appointed lawyer is not necessarily a free lawyer and I may be required to reimburse Collin County the cost of a courtappointed lawyer.

I DO NOT WANT A LAWYER. I have been advised by a County Court at Law judge of my right to representation by counsel in the trial of the charge pending against me. I now know that if I am unable to afford counsel, one may be appointed for me. I understand that a court appointed lawyer is not necessarily a free lawyer and I may be required to reimburse Collin County the cost of a court-appointed lawyer. Understanding my right to counsel, I wish to give up that right. I request the court proceed with my case without an attorney being appointed for me. I DO NOT EVEN WANT A LAWYER TO ADVISE ME ABOUT GIVING UP MY RIGHT TO A JURY TRIAL.

STEP 2: Please answer the following:

Age? _____ Date _____

Best contact no. _____

Email: _____

Did you read all of this paper yourself? _____

Signed: _____

(Signature of Defendant)