

IN THE DAVIS COUNTY JUSTICE COURT  
**RIGHT TO COUNSEL**

Full Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Case No: \_\_\_\_\_

You have been charged with the criminal offense(s) listed in the (information/citation). You have the right to be represented by an attorney. If the offense is one for which the court may impose jail time – even suspended jail time – and you cannot afford an attorney, the court will appoint an attorney to represent you. If you want to request a court-appointed attorney, ask the clerk for the appropriate paperwork.

The court will appoint an attorney to represent you if you face the possibility of jail time and if your household income is at or less than 150% of the poverty level established by the U.S. Government. If your household income is more than 150% of the poverty level, the court will appoint counsel if the court determines that you do not have the means of paying for an attorney without depriving you or your family of necessities such as food, shelter, or clothing.

If you do not meet the eligibility guidelines to have an attorney appointed to represent you, you still have the right to an attorney. However the attorney must be retained at your own expense.

You also have the constitutional right to represent yourself and to proceed without an attorney. However, before making this decision you should consider the following risks and responsibilities associated with self-representation:

- Criminal defense is a highly specialized and technical area of the law.
- A criminal conviction may result in consequences consisting of financial penalties and jail time. (The court will inform you of the maximum penalties in your case.)
- There may be factual, legal, or other defenses to the charge(s) that an attorney may be able to discover and explain to you.
- There may be issues related to the conduct of trial or the entering of a guilty plea that you may not know and it would be your attorney's responsibility to be aware of those issues and how to properly address them before the court. The court cannot advise you on how to try your case.
- There may be collateral consequences based on a conviction or guilty plea, such as increased penalties for subsequent offenses, suspension of your driver's license, restriction of your right to possess firearms and ammunition, or consequences on your immigration status. An attorney could advise you about those consequences.
- If you exercise your right to proceed without the services of an attorney, you are responsible for complying with the rules of court, including rules of evidence and other rules of procedure, and you will be expected to exhibit proper behavior before the judge and/or jury.
- You understand that if you waive screening for a court-appointed attorney, that you are responsible for hiring a private attorney if you want one.
- Given the above considerations, the court encourages you not to represent yourself.

I state that I have fully and completely read this document regarding appointment of counsel and I have had my questions answered to my complete satisfaction. At this time, I (choose one):

- (  ) Wish to be screened for a court-appointed attorney.
- (  ) Want additional time to retain my own attorney.
- (  ) Am represented by an attorney. My attorney's name is \_\_\_\_\_.
- (  ) Waive my right to be represented by an attorney and I will represent myself.

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Date