

CAUSE NO. CR _____

THE STATE OF TEXAS

VS

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§
§

IN THE COUNTY COURT

AT LAW NO. _____

HUNT COUNTY, TEXAS

WAIVER OF ATTORNEY & ORDER FOR PRO SE REPRESENTATION

WHEREAS the above-named Defendant _____ before entering into any discussions regarding the above case(s), has declared in open court the following:

1. I am fully aware of the offense of which I am charged.
2. I am fully aware of the range of punishment.
3. I am mentally competent and fully understand the proceedings against me.
4. I understand that I have the absolute right to have an attorney represent me in this case.
5. I understand that if I cannot afford to hire an attorney, I have the absolute right to have the court appoint an attorney to represent me.
6. I understand I may request an attorney at any time prior to the acceptance of this waiver by the court.
7. I understand that after this waiver, if I change my mind and recognize that I need an attorney to represent me, I can hire an attorney or if I cannot afford an attorney, request the court to appoint me an attorney.
8. I understand that I have the right to remain silent. I do not have to talk to the prosecutor about my case. I have the right to stop discussions at any time and remain silent. I do not have to testify before the court.
9. I understand that I do not have to enter into an agreement with the prosecutor and I have the right to have a jury hear the evidence and decide this case. I also understand that the court does not have to accept any agreement I make with the prosecutor.
10. I have been duly advised of the dangers and disadvantages of self-representation.
11. I understand that there are technical rules regarding the admission of evidence, preservation of error, and procedures to be followed at trial, and I will not be granted any special consideration solely because I am representing yourself.
12. I understand that in order to be an attorney, one must have specialized legal training. The prosecutor has obtained that specialized legal training. If I am not an attorney I will be at a severe disadvantage.
13. I understand that, among other things, the prosecutor understands: (a) what constitutes proper voir dire, (b) what should and should not be contained in the court's charge to the jury, (b) the Rules of Evidence, (c) the Code of Criminal Procedure, and (d) the Rules of Appellate Procedure. If I am not a lawyer, I will be at a severe disadvantage.

14. I understand I will not receive advice, guidance, or help from the court.
15. I understand if the case is appealed, the appellate court will not create arguments for me.
16. I understand in future proceedings the court will not allow me to claim ineffective representation if I represent myself.
17. I understand it is generally unwise to represent myself.
- 18. *The court has advised me not to represent myself and obtain an attorney or request a court appointed attorney if I am indigent and cannot afford to hire one.***
19. I freely, voluntarily, without duress and with knowledge of the consequences thereof, hereby waive my right of representation by an attorney in the trial of the charge pending against me, and I give up my right to have the court decide whether I can have a court-appointed attorney to represent me.
20. I agree that the court may accept this waiver by broadcast, by closed-circuit video teleconferencing and waive the right to an appearance in open court.
21. I have been advised by the court of my right to representation by an attorney in the case pending against me. I have been further advised that if I am unable to afford an attorney, one will be appointed for me free of charge. Understanding my right to have an attorney appointed for me free of charge if I am not financially able to employ an attorney, I wish to waive that right and request the court to proceed with my case without an attorney being appointed for me. I hereby waive my right to an attorney.

DEFENDANT

ORDER

- The court having taken every measure to advise the Defendant against representing himself/herself and of the disadvantages there of, finds the waiver is voluntary and intelligently made. The court accepts the waiver and **ORDERS** it be made part of the record.
- The court denies the waiver and **ORDERS** it be made part of the record.

SIGNED this the _____ day of _____, _____.

JUDGE PRESIDING