

ADVISEMENT AND REQUEST FOR APPOINTMENT OF COUNSEL

Case No.:

Commonwealth of Virginia VA. CODE §§ 16.1-266; 16.1-267; 19.2-159; 19.2-160

Juvenile and Domestic Relations District Court

In re:
NAME OF JUVENILE

TO THE JUVENILE:

You have the right to be represented by an attorney. You or your parent, guardian, or legal custodian may retain an attorney at your own expense or, if it is determined by the Court that you are unable to afford an attorney and your parent, guardian or legal custodian does not retain an attorney for you, then the Court will appoint an attorney to represent you.

You may also waive your right to an attorney unless the interest of you and your parent, guardian or legal custodian are adverse.

TO THE PARENT(S), GUARDIAN OR LEGAL CUSTODIAN:

The above-named juvenile has the right to be represented by an attorney. If the juvenile requests an attorney, then you may either (1) retain an attorney at your own expense; or (2) request the Court to appoint an attorney. If you request a court-appointed attorney, then you and your child will be required to complete financial statements to determine whether or not you or your child are financially able to pay for the attorney.

If the Court determines, after reviewing your financial statements, that you and your child are financially unable to obtain your own attorney, then an attorney will be appointed and you will not be liable for the cost. However, if the Court decides, after reviewing your financial statements, that you are financially able to pay for the attorney in whole or in part and you refuse to do so, then the Court will assess you for the cost of the court-appointed attorney in whole or in part.

REQUEST FOR APPOINTMENT OF AN ATTORNEY

I have been informed this day of my right to representation by an attorney in all hearings held by the judge of this Court to consider the case involving me. I certify that I am without means to employ an attorney and request the judge to appoint an attorney to represent me. My financial statement accompanies this request.

DATE

JUVENILE'S SIGNATURE

I certify that I am financially unable to employ an attorney and request the Court to appoint an attorney for the above-named juvenile. My (our) financial statement accompanies this request. I understand that if the judge appoints an attorney and finds that I have the financial ability to pay for an attorney, then the Court will require that I pay the cost of the attorney as required by law.

DATE

PARENT OR GUARDIAN'S SIGNATURE

PARENT OR GUARDIAN'S SIGNATURE

ORDER

Having examined the financial statements of the juvenile and the parent(s), guardian or legal custodian, and any other relevant evidence, the Court finds as follows:

- The juvenile or the parent(s), guardian or legal custodian is financially able to employ an attorney at their own expense and they shall do so.
- Both the juvenile and the parent(s), guardian or legal custodian are financially indigent within the guideline formula set forth in the law and the juvenile is entitled to a court-appointed attorney, without assessment of costs.
- The juvenile is entitled to a court-appointed attorney and the Court finds that the parent(s), guardian or legal custodian are financially able to pay for the attorney but refuse to do so.
- The interests of the juvenile and the parent(s), guardian or legal custodian are adverse and the juvenile, therefore, requires representation by an attorney.
- In the discretion of the Court, appointment of an attorney is required to represent the interests of the child.

Therefore, the Court appoints the attorney indicated below to represent the juvenile at all hearings or other proceedings in this Court and in any other Court to which this case may be appealed or transferred until said attorney is relieved or replaced by another attorney. The above-named guardian or legal custodian is is not hereby assessed for the cost of the appointed attorney in the amount authorized by law.

Name and Address of Court-Appointed Attorney

NEXT HEARING DATE AND TIME

DATE

JUDGE

Waiver of Public Hearing

I have been advised by this Court that since I have been charged with a violation of criminal law, I have the right to have a public hearing, pursuant to provisions of the Code of Virginia, 1950, as amended.

Understanding this right, I nevertheless knowingly and voluntarily waive a public hearing and request that the general public be excluded from my hearing in this Court.

PARENT OR GUARDIAN'S SIGNATURE

JUVENILE'S SIGNATURE
