TACOMA MUNICIPAL COURT, COUNTY OF PIERCE, STATE OF WASHINGTON	
City of Tacoma **Plaintiff**, vs. _____ **Defendant**.	**No**. **WAIVER OF COUNSEL (WVC)**

An accused has a constitutional right to self representation, but the right must be exercised voluntarily and with knowledge of the risks, and that technical rules exist that will bind the accused in the presentation of the case. The following questions must be answered so the court can make this determination.

1. What was the last grade of school you completed? _____.

2. What language do you read and speak fluently? _____.

3. Have you ever studied law? _____.

4. Have you ever represented yourself or any other defendant in a criminal action? _____ If yes, please indicate what the charges were and whether the matter proceeded to trial. _____ _____.

5. Do you realize that you are charged with the crime(s) of: _____? If you are found guilty of the crime(s) of _____, the court could sentence you to as much as _____ days in jail and fine you as much as $ _____. Your driver's license ☐ could ☐ could not be suspended or revoked. The minimum sentence would be _____. You could also be placed on probation for up to five years for a domestic violence offense or under RCW 46.61.5055, or up to two years for all other offenses, ordered to pay restitution, and ordered to comply with certain post-conviction restrictions on your conduct.

6. Do you realize that if you are found guilty of more than one crime, the court can order that the sentences be served consecutively, that is, one after another? _____.

7. Do you realize that if you represent yourself, you are on your own, and the court cannot tell you how you should try your case or even advise you as to how to try your case? _____.

8. Are you familiar with the Rules of Evidence? _____. These rules control what questions can be asked of witnesses, how questions must be phrased, and what documents or other items can be admitted at trial. In representing yourself, you must follow these rules. These rules apply to you the same way they apply to an attorney.

9. Are you familiar with the Rules of Criminal Procedure (CrRLJ)? _____. These rules govern the way in which a criminal action is presented in municipal and district court, and they control the presentation of the case. These rules apply to you the same way they apply to an attorney.

10. Do you realize that if you decide to take the witness stand, you must present your testimony by asking questions of yourself and you must proceed question by question through your testimony, so the prosecuting attorney has an opportunity to object before each question is answered? _____. You cannot just tell your story.

11. Do you realize that an attorney would be familiar with the Rules of Evidence, skilled in following the Rules of Criminal Procedures and could advise you of possible defenses to the pending charges? _____.

12. Do you realize that if you proceed without an attorney and you do not properly present a defense, subpoena witnesses, or otherwise represent yourself in a competent manner, you will not be able to obtain a reversal of a conviction on the grounds that you received inept representation? _____.

13. Why do you not want an attorney? _____
_____.

    If it is because you do not believe that you can afford an attorney, an attorney can be appointed at public expense if you are indigent or if you are only partially able to contribute to the costs of counsel. Your eligibility for court appointed counsel is determined by a review of your financial resources. Do you wish to be screened for court-appointed counsel? _____.

14. Do you realize that once you waive your right to an attorney, it is discretionary with the court whether you may withdraw the waiver? _____.

15. Do you realize that, while the court may provide you with an attorney as a legal advisor or standby counsel, you do not have an absolute right to such assistance, and you, not a standby counsel, must prepare for trial? _____.

16. Have any threats or promises been made to induce you to waive your right to counsel? _____.

17. Now, in light of the penalty that you might suffer if you are found guilty and in light of all the difficulties of representing yourself, is it still your desire to represent yourself and to give up your right to be represented by an attorney? _____.

18. Is your decision entirely voluntary on your part? _____.

I have read and completed this form. I request that the court allow me to represent myself.

DATED: _____ _____
Defendant

I find that the defendant has knowingly and voluntarily waived his or her right to counsel. I will approve the defendant's waiver of counsel.

DATED:_____ _____
JUDGE /COURT COMMISSIONER/PRO TEM