

IN THE IOWA DISTRICT COURT IN AND FOR WINNESHIEK COUNTY

THE STATE OF IOWA,
Plaintiff,

vs.

_____,
Defendant.

*
* Case No. _____
*
* APPLICATION TO PROCEED
* PRO SE (WITHOUT ATTORNEY) AND
* APPROVAL OF COURT
*

COMES NOW the Defendant and states the following:

1. I have been charged with: _____, in violation of Iowa Code Section _____.

2. I have been advised that I have the right to an attorney in this case. I have the right to have an attorney appointed to represent me if I cannot afford an attorney (Applications for Court-Appointed Attorneys are available in the office of the Clerk of Court). I understand that the attorney would be available to answer questions for me and represent my interests in all Court proceedings. I am aware that there may be defenses to criminal charges that may not be known to non-lawyers. I accept the risk that waiving counsel might result in a defense being overlooked. I know that by proceeding without an attorney, I will be giving up the opportunity to get an independent opinion on how to proceed under the facts of my case and the law.

3. I am aware that the County Attorney and staff are the persons responsible for the prosecution of my case. Because they represent an adverse party, they may have opposing interests. They may negotiate with me and prepare documents for my signature, but they are not allowed to give advice to me. If I have questions or need advice, I need to obtain my own attorney.

4. I am aware that I may seek my own legal counsel and may withdraw this waiver of counsel at any time.

5. With the above in mind, I hereby knowingly and voluntarily waive the right to an attorney.

Date

Defendant

ORDER

NOW ON this ___ day of _____, 20___, this matter comes before the Court on the Defendant's Application to Proceed Pro Se. The Court has reviewed the charges in this case and the Defendant's Application.

IT IS THEREFORE ORDERED that the Defendant's request to proceed pro se is approved. The approval remains in effect through the entire criminal proceeding including actions to enforce the sentence such as contempt or probation revocations unless withdrawn by Defendant or terminated by the Court.

Magistrate/Judge