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|  |  |  |
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| *(County Letterhead)* |  |  |

## COMPLAINT

Name and Address of person making complaint: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This is reference to (a Delinquent/an Unruly) offense.

Child information: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Explain what the child is doing:

The actions on the part of this child did occur in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, TN.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| Complaining Party | Date |  | Witness | Date |

Date and Time of the Complaint:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

|  |  |
| --- | --- |
| **IN THE MATTER OF:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **DOB**: \_\_\_\_\_\_\_\_\_\_\_\_**A Child Under 18 Years of Age** | **Docket No.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

## PETITION

     The undersigned Affiant, after being duly sworn according to the law, states that:

It being in the best interest of the child and the public that these proceedings be brought, your petitioner, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, respectfully represents to the Court on information and belief that the above named, a child within this county and \_\_\_\_\_\_ years of age, is **DELINQUENT UNRULY** in need of treatment or rehabilitation in that:

**Count 1 TCA**   **Misdemeanor/Felony/Status**

**Count 2 TCA**   **Misdemeanor/Felony/Status**

**Count 3**   **TCA**   **Misdemeanor/Felony/Status**

**Count 4**   **TCA**   **Misdemeanor/Felony/Status**

**Count 5**   **TCA**   **Misdemeanor/Felony/Status**

Your petitioner further avers that:

the child's father is who resides at
the child's mother is who resides at
That the child is in the custody and control of who resides at Phone:

Sworn and subscribed before me this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_\_

Petitioner Clerk

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

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| --- | --- |
| **IN THE MATTER OF:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **DOB**: \_\_\_\_\_\_\_\_\_\_\_\_**A Child Under 18 Years of Age** | **Docket No.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

## TRUANCY PETITION

     The undersigned Affiant, after being duly sworn according to the law, states that:

It being in the best interest of the child and the public that these proceedings be brought, your petitioner, , respectfully represents to the Court on information and belief that the above named, a child within this county and  \_\_\_\_\_\_ years of age, is an unruly childin need of treatment or rehabilitation in that:

The child is currently attending \_\_\_*\_* School. Your Petitioner is (*name and title.)* The child has during this academic school year accrued

* \_\_\_\_\_\_ absences,
* \_\_\_\_\_\_ unexcused absences,
* \_\_\_\_\_\_ tardies,
* \_\_\_\_\_\_ excused absences,
* For a total of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ absences
* The school has applied the Progressive Truancy Intervention Plan and the interventions have not successfully addressed the child's attendance, the child has not accepted, complied with or benefited from those interventions and therefore concludes a referral to the Court is necessary at this time. **OR**
* (Describe what the school has done in order to address unexcused absences:)

The actions on the part of this child did occur in County, TN and constitute the offense of Truancy pursuant to T.C.A. § 49-6-3007. Your petition further avers that:
the child's father is who resides at
the child's mother is who resides at
The child is in the custody and control of who resides at Phone:

Sworn and subscribed before me this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_\_.

Petitioner Clerk

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

## STATEMENT OF RIGHTS

Appearing before the Juvenile Court, you have the following rights:

1. The right to be present during the hearing of this case.
2. The right to present my own testimony.
3. The right to have witnesses subpoenaed.
4. The right to cross-examine witnesses against me.
5. The right to have an attorney at each stage of the proceedings against me.
6. The right to appointed counsel.
7. The right to remain silent.
8. The right to not incriminate myself.
9. The right and method for appeal and time requirements as to appeal.
10. To know the maximum penalties the Court may impose.
11. The right to plead "Not Guilty".
12. If a plea of "Guilty" is entered, the only evidence taken will be for the purpose of verifying the plea and for disposition (sentencing) purposes.
13. If a plea is entered acknowledging guilt, I may be asked questions by the Court concerning the conduct.
14. Prior findings of delinquent or unruly behavior may be used against me in determining treatment of rehabilitation at disposition.
15. There must be some factual basis for a guilty plea entered.
16. The plea must be voluntary and independently made.
17. If I plea guilty or no contest I waive my right to appeal the adjudication (plea).  If the plea includes an agreement as to the disposition (sentence), I also waive the right to appeal the disposition (sentence).
18. The right of access to the recording of the hearing(s).

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

|  |  |
| --- | --- |
| **IN THE MATTER OF:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **DOB**: \_\_\_\_\_\_\_\_\_\_\_\_**A Child Under 18 Years of Age** | **Docket No.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

## SUMMONS

To:

**TO ANY LAWFUL OFFICER:**You are hereby commanded to summon the above addressee to appear before the County Juvenile Court, located at for a Hearing on at to answer the charge of the foregoing petition, and to bring the above named child and this you shall in no wise omit, under the penalties prescribed by law.

|  |  |
| --- | --- |
|  | This \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.Judge or Officer of the Juvenile Court |

**OFFICER'S RETURN**

**RETURN:**  This summons came to hand this  \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, and executed by:

 Delivering the within summons to the above addressee

 Unable to serve because

|  |  |  |
| --- | --- | --- |
| Date: |  | Signature: |

|  |  |  |
| --- | --- | --- |
| https://tn.gawquest.com/equest/images/handicap.png | ADAfor assistance call\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

|  |  |
| --- | --- |
| **IN THE MATTER OF:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **DOB**: \_\_\_\_\_\_\_\_\_\_\_\_**A Child Under 18 Years of Age** | **Docket No.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

## SUBPOENA

**TO ANY LAWFUL OFFICER:**You are hereby commanded to summon \_\_\_\_\_\_(name and address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_ to appear before the County Juvenile Court, located at for  a Hearing on at to give testimony in this matter and this you shall in no wise omit. **If you fail to appear in court, you will be in contempt of court and an attachment will issue for your arrest.** The punishment for contempt may be by a fine of $10.00, by imprisonment not exceeding (10) days or both.

|  |  |
| --- | --- |
|  | This \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.Clerk/Deputy Clerk |

**RETURN**

CAME TO HAND THIS \_\_\_\_\_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_; AND EXECUTED

BY READING THE WITHIN SUBPOENA TO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AND CITING TO APPEAR BEFORE THE JUDGE OF THE JUVENILE COURT FOR A Hearing on at \_\_\_\_\_\_\_\_\_\_ .

|  |  |
| --- | --- |
|  | This \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.Sheriff/Deputy Sheriff |
| https://tn.gawquest.com/equest/images/handicap.png | ADAfor assistance call\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

|  |  |
| --- | --- |
| **IN THE MATTER OF:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **DOB**: \_\_\_\_\_\_\_\_\_\_\_\_**A Child Under 18 Years of Age** | **Docket No.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

## SUBPOENA DUCES TECUM

**TO ANY LAWFUL OFFICER:**You are hereby commanded to summon \_\_\_\_\_\_(name and address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_ to appear before the County Juvenile Court, located at for  a Hearing on at and bring with them the following: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and to give testimony in this matter and this you shall in no wise omit. **If you fail to appear in court, you will be in contempt of court and an attachment will issue for your arrest.** The punishment for contempt may be by a fine of $10.00, by imprisonment not exceeding (10) days or both.

|  |  |
| --- | --- |
|  | This \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.Clerk/Deputy Clerk |

**RETURN**

CAME TO HAND THIS \_\_\_\_\_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_; AND EXECUTED

BY READING THE WITHIN SUBPOENA TO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AND CITING TO APPEAR BEFORE THE JUDGE OF THE JUVENILE COURT FOR A Hearing on at \_\_\_\_\_\_\_\_\_\_ .

|  |  |
| --- | --- |
|  | This \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.Sheriff/Deputy Sheriff |
| https://tn.gawquest.com/equest/images/handicap.png | ADAfor assistance call\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

|  |  |
| --- | --- |
| **IN THE MATTER OF:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **DOB**: \_\_\_\_\_\_\_\_\_\_\_\_**A Child Under 18 Years of Age** | **Docket No.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

CHARGE(S):

## ORDER APPOINTING COUNSEL FOR DELINQUENT OR UNRULY CHILD

**DETERMINATION OF NON-INDIGENCY**

* It appearing, based upon the affidavit of indigency filed in this cause, and/or after due inquiry made, that the child or parent/legal guardian is not indigent.
* The child has the right to an attorney and has not waived this right. Therefore, the Court finds that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* It appearing, based upon (the affidavit of indigency filed in this cause/after due inquiry made), that the above-named child is charged with (a delinquent offense/an unruly offense that places the child in jeopardy of being removed from the home pursuant to T.C.A. § 37-1-132(b)), and the child and parent/legal guardian(s) are indigent pursuant to T.C.A. § 37-1-126.

The child therefore qualifies for appointed legal counsel.

* It is therefore ordered that (the Public Defender is hereby appointed as counsel for the child as provided by law.
* , Attorney at Law, is hereby appointed as counsel for the child due to a conflict with the Public Defender's Office.

**ADMINISTRATIVE FEE**

* The administrative fee shall be waived by the Court due to lack of sufficient financial resources.
* The administrative fee shall be waived by the Court as it was assessed in a previous order.
* The parent/legal guardian, , is hereby assessed an administrative fee in the amount of $\_\_\_\_\_\_\_\_\_\_\_ pursuant to T.C.A. § 37-1-126.
	+ This fee shall be paid to the Office of the Clerk of the Court prior to the disposition of the case or within two (2) weeks following the appointment of counsel, whichever shall first occur.
	+ This fee shall be paid within 30 days.
	+ This fee shall be paid as follows:

**PARTIAL REIMBURSEMENT OF COST OF COURT-APPOINTED COUNSEL**

* The parent/legal guardian, , is able to partially or totally reimburse the Administrative Office of the Court's expense in providing the child court appointed counsel and shall pay into the Office of the Clerk of the Court the total sum of $ at a rate of $\_\_\_\_\_\_\_ per or until further order of the Court.

**ENTERED** this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IN THE JUVENILE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TENNESSEE**

|  |  |
| --- | --- |
| **IN THE MATTER OF:****\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DOB: \_\_\_\_\_\_\_\_\_\_\_\_****A Child Under 18 Years of Age** | **Docket No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**STATEMENT OF RIGHTS AND WAIVER OF ATTORNEY**

Appearing before the Juvenile Court, you have the following rights:

1. The right to be present during the hearing of this case.
2. The right to present my own testimony.
3. The right to have witnesses subpoenaed.
4. The right to cross-examine witnesses against me.
5. The right to have an attorney at each stage of the proceedings against me.
6. The right to appointed counsel.
7. The right to remain silent.
8. The right to not incriminate myself.
9. The right and method for appeal and time requirements as to appeal.
10. To know the maximum penalties the Court may impose.
11. The right to plead "Not Guilty".
12. If a plea of "Guilty" is entered, the only evidence taken will be for the purpose of verifying the plea and for disposition (sentencing) purposes.
13. If a plea is entered acknowledging guilt, I may be asked questions by the Court concerning the conduct.
14. Prior findings of delinquent or unruly behavior may be used against me in determining treatment of rehabilitation at disposition.
15. There must be some factual basis for a guilty plea entered.
16. The plea must be voluntary and independently made.
17. If I plea guilty or no contest I waive my right to appeal the adjudication (plea).  If the plea includes an agreement as to the disposition (sentence), I also waive the right to appeal the disposition (sentence).
18. The right of access to the recording of the hearing(s).

## WAIVER OF ATTORNEY

 I am not waiving my right to an attorney.
 I am waiving my right to an attorney and understand that:

1. I understand the charge(s) against me and what they mean.
2. I know that I have the right to get help from a lawyer about the charge(s) against me.  If I choose not to get help from a lawyer now, I have the right to get help from a lawyer later while my case is still open.
3. I know that if I cannot pay for a lawyer, the Court will get me one for free.
4. I had the chance to ask questions about my right to get help from a lawyer.  All my questions were answered.
5. I do not want a lawyer right now.

Child Date Parent/Guardian/Legal Custodian Date