**IN THE JUSTICE COURT, STATE OF MONTANA**

**IN AND FOR THE COUNTY OF CARTER**

**BEFORE THE HONORABLE KATHLEEN “KATHY” ROSENCRANZ,**

**JUSTICE OF THE PEACE**

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| State of Montana  Plaintiff,  Vs.  Luke Miller  Defendant. | **Case No: TK-255-2022-0000003**    **DANGERS OF SELF REPRESENTATION,**  **(PRO SE)**  **ADVIDISMENT** |

**You have the right to represent yourself in this court. However, you must understand that representing yourself has certain dangers and disadvantages and does not give you the right to abuse the dignity of the court. You must understand that there are procedures and laws that must be followed while conducting a defense, regardless of whether you are represented by a lawyer or choose to represent yourself. You must follow the rules of evidence and comply with the rulings made by the judge even if you do not agree with them. Any waiver of your right to a lawyer must be unequivocal. If you cannot afford an attorney one can, be appointed by the court, if you qualify.**

**The charge or charges against may be complex. A successful defense may require a great deal of legal work, to include filing of motions, suppression of evidence, selection of jurors, making objections during trial, cross examination of witnesses, calling of witnesses and eliciting from them testimony favorable to your case, admitting physical objects into evidence, writing jury instructions that correctly state the law of the case and making opening and closing statements to the court or to the jury that summarize the evidence and your case. In the event that you are convicted then you must be able to argue to the court for an appropriate sentence taking into account mitigating and aggravating factors. These are just a few of the things that a lawyer would be able to do for you. This does not mean that this warning should be taken as a threat, that if you decide to represent yourself the court will be predisposed against you. The choice is entirely up to you if the choice is made in a timely fashion, unequivocally without reservation, voluntarily and with complete understanding of what is at stake.**

**You should carefully consider your decision; it should not be taken lightly. Your choice may have long term effects upon you and your life.**

**I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ have read this advisement on Dangers of Self Representation, and understand that if I choice to represent myself in this matter before the Court, understand that there are procedures that need to followed, that I will be responsible for getting done, without help or advise from the court or its staff. I also understand that all communication with the Court will need to be sent/or copied to the Prosecutor as well, with a certificate of service.**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature of Defendant**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Printed name of Defendant**

**(**<http://courts.mt.gov/> **can help you find the forms and information on procedure that you may need.)**