SUPERIOR COURT OF CALIFORNIA, **COUNTY OF TUOLUMNE** **12855 Justice Center Dr** **Sonora, CA 95370** **Phone: (209) 533-5555**	Space below for use by Court Clerk only.
TUOLUMNE COUNTY DEPARTMENT OF SOCIAL SERVICES In the Matter of Minor(s). Person(s) coming Under the Juvenile Court Law.	Case Number:

WAIVER OF DUE PROCESS RIGHTS AND RIGHT TO SEGREGATED HOUSING AFTER CONTESTED HEARING, AND ORDER THEREON

I,_____, am the parent of the minor in the above entitled matter. I understand that I have been found to be in contempt of a court order as charged in the Order to Show Cause Re Contempt filed on _____ as to Count(s) _____.

I understand the penalties for a finding of contempt under Code of Civil Procedure Section 1218 for the violation of a court order are:

Five (5) days in jail or a fine of up to $1,000, or both, for each count of contempt.

I have discussed my caser with my attorney. We discussed my rights that I am giving up.

INDICATED JUDGMENT OF COURT:

The court has indicated top me that if I submit to probation and waive the right to segregated housing as to all counts of contempt true by the Court

The Court has indicated to me that if I submit to probation and waive the right to segregated housing as to all counts of contempt found true by the Court, I will be placed on probation for a period of time equal to the duration of the Child Welfare Services Case Plan. In addition, the Court has indicated that the following terms and conditions of probation will be imposed:

1. I will be required to participate in, or continue my participation in the Dependency Drug Court Treatment Program as a part of the Child Welfare Services Case Plan.
2. I will be required to comply with all orders of the Juvenile Court Judge and all conditions of the Child Welfare Services Case Plan.
3. I will consent to the Court's imposition of any portion of the jail time that could have been imposed upon the finding of contempt in this case if the Court, in its absolute discretion, should find that the imposition of

all or any portion of that jail time is appropriate for a violation of any term or condition of my probation. That I will waive all of my due process rights as set forth in the attached form entitled ACKNOWLEDGMENT AND WAIVER OF DUE PROCESS RIGHTS. I understand that any sanction will be imposed immediately, without notice, hearing, or right to assistance of counsel.

4. That I will consent to be housed with the general population at the Tuolumne County Jail if ordered to serve any time in the Tuolumne County Jail as a result of a sanction for violation of any term or condition of my probation.

OTHER PROMISES: ☐ None ☐ As follows:

_____

_____

_____

I understand each of the foregoing items. I have personally initialed appropriate items as proof thereof. I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____ day of _____, 20____, in Tuolumne County, California.

_____

Signature of Minor's Parent

ATTORNEY'S STATEMENT

I am the attorney of record for the minor's parent. I have explained each of his/her rights and explained all of the above to the minor's parent, including the attached Acknowledgment and Waiver of Due Process Rights form. I concur in his/her decision to waive his/her rights as contained in this form and the attached Acknowledgment and Waiver of Due Process Rights form. I further stipulate that this document and all of its attachments may be received by the Court as evidence of the intelligent waiver of rights by the minor's parent and that it shall be filed by the Clerk as a permanent record of that waiver.

Dated: _____ Signature:_____

INTERPRETER'S STATEMENT

I, the undersigned, a qualified interpreter, having been sworn, duly translated this form and all of its attachments in the_____ language. The minor's parent indicated an understanding of the contents of the form and all of its attachments and ten signed and initialed the form and its attachments in my presence.

Dated: _____ Signature:_____

Printed Name:_____

FINDINGS AND ORDERS

THAT COURT FINDS THAT:

1. The minor's parent has knowingly, intelligently, and understandingly waived his/her rights as set forth above, including his/her Acknowledgment and Waiver of Due Process Rights attached hereto.
2. The waivers of his/her rights by the minor's parent are free and voluntary.

IT IS ORDERED THAT:

1. The minors parent is sentenced to the terms of the Indicated Judgment as set forth on pages 1 and 2 of this Waiver of Due Process Rights and Right to Segregated Housing in Jail on Contempt Commitment.

Dated:_____ _____

Judge of the Superior Court

ACKNOWLEDGMENT AND WAIVER OF DUE PROCESS RIGHTS

I acknowledge and understand that in addition to the constitutional rights that are set forth in the attached plea form, I have the following due process rights that I hereby waive as a condition to the imposition of the indicated judgment in the attached Waiver of Constitutional Rights and Plea of Guilty to Contempt form.

1. The right to advance notice, either written or verbal, of any violation of a term or condition of my probation in this case.
2. The right to have an evidentiary hearing to establish a violation of a term or condition of my probation in this case.
3. The right to be represented by an attorney in any proceeding involving a violation of any term or condition of probation in this case.
4. The right to remain silent.
5. The right to assert any privilege as set forth in the California Evidence Code or any California case law with respect to any communication I may have with a mental health professional or a medical doctor as a part of my participation in the Dependency Drug Court Treatment Program or any other aspect of the Child Welfare Services Case Plan.

Dated:_____ _____

Signature of Minor's Parent

I concur in the waiver of due process rights by the minor's parent as set forth above.

Dated:_____ _____

Signature of Attorney