

**REQUEST FOR APPOINTMENT OF A LAWYER**

Commonwealth of Virginia

Case No. ....

VA. CODE ANN. §§ 16.1-266, 267 §§ 19.2-159, 160, 163

- Circuit Court
- General District Court
- Juvenile and Domestic Relations District Court

.....  
CITY OR COUNTY

..... Adult

.....  
ADDRESS

.....  
TELEPHONE NUMBER

TO THE ADULT: You have been charged with an offense punishable by death or confinement in a state correctional facility or in jail, including charges for revocation of suspension of imposition or execution of sentence or probation; or you are a party in a case involving allegations of abuse and/or neglect or a case in which you may be subjected to termination of your residual parental rights and responsibilities. You have the right to be represented by a lawyer with respect to this matter. In addition, the court shall consider appointing counsel to represent the parent or guardian of a child who is the subject of a foster care plan, foster care review or permanency planning hearing. You may retain a lawyer at your own expense or, if it is determined by the court that you are unable to afford a lawyer, this court will appoint a lawyer to represent you. If the judge appoints a lawyer to represent you, the lawyer will be paid with public funds whether or not you are convicted. However, if you are convicted, you shall pay the amount of the court-appointed lawyer's fee as part of the costs of prosecution. You may also waive your right to a lawyer.

**REQUEST FOR APPOINTMENT OF A LAWYER—STATEMENT OF INDIGENCY**

I, the undersigned, have been advised this day by this Court of my right to be represented by a lawyer in the case involving me; I certify that I am without means to employ a lawyer and I hereby request the Court to appoint a lawyer for me. My financial statement accompanies this request.

I have been informed that the lawyer appointed for me will be paid with public funds, but if I am convicted of a criminal offense, I shall have to pay the amount of the court-appointed lawyer's fee as part of the costs of prosecution. This lawyer will represent me in this case in all state courts until relieved or replaced by another lawyer.

If the court finds me to be not indigent, and if the court then declines to appoint a lawyer to represent me, I understand that I may employ my own lawyer. But, if I appear without counsel on the trial date, I may be deemed to have waived my right to counsel.

.....  
DATE

.....  
ADULT

The Court was advised that ....., a lawyer, has been retained to represent the accused in this Court.

This information was provided by:

- the above-named person
- the lawyer
- .....

.....  
DATE

.....  
 JUDGE  CLERK

**ORDER OF APPOINTMENT OF COUNSEL**

**THE REQUEST FOR APPOINTMENT OF A LAWYER WAS EXECUTED UNDER OATH. HAVING EXAMINED THE ADULT AND CONSIDERED OTHER COMPETENT EVIDENCE, I FIND THAT**

- the Adult is not indigent and not entitled to representation by a court-appointed attorney.
- the Adult is indigent within the guideline set forth in the law and is entitled to representation by court-appointed counsel;
- the Adult is not indigent and the Adult refuses to either employ counsel or waive his right to representation by a lawyer, but that the following circumstances and the ends of justice require the appointment of counsel:

.....  
Therefore I appoint the lawyer indicated below to represent the adult at such hearings and all other stages of the proceeding in this court and in any other court to which this case may be appealed or certified until relieved or replaced by another lawyer.

- The Clerk shall send a copy of this Order to the Indigent Defense Commission as notice that the lawyer indicated below is not on the list maintained by the Commission, but has otherwise demonstrated to the Court an appropriate level of training and experience.

.....  
NAME, ADDRESS  
OF COURT  
APPOINTED  
LAWYER

.....  
NEXT HEARING DATE AND TIME

.....  
DATE

.....  
JUDGE

**Notice to Defendant Considering a Plea of Guilty:**

If you decide to **plead guilty** to an offense:

- You are **waiving** your right against self-incrimination.
- You are **waiving** your right to be confronted by the witnesses against you.
- If the case is being tried in circuit court, you are **waiving** the right to a jury.
- You are **admitting** that you committed the offense.

A plea of guilty must be made voluntarily with an understanding of the nature of the charge and the consequences of the plea of guilty.

**Notice to Defendant Considering a Plea of Nolo Contendere:**

If you decide to **plead nolo contendere** to an offense:

- You are **waiving** your right against self-incrimination.
- You are **waiving** your right to be confronted by the witnesses against you.
- If the case is being tried in circuit court, you are **waiving** the right to a jury.

A plea of nolo contendere must be made voluntarily with an understanding of the nature of the charge and the consequences of the plea of nolo contendere.