**STATUTORY WARNINGS OF JUVENILE BY MAGISTRATE**

 **PURSUANT TO SECTION 51.09 OF THE TEXAS**

##  FAMILY CODE AS AMENDED JANUARY 1, 1997

### PART I

On this day, , , , (Name of Juvenile) (Race) (Sex)

 , , personally appeared before me ,

 (DOB) (Age) (Magistrate Name)

in the custody of ,

 (Name of Law Enforcement Officer)

peace officer(S) of the , (Law Enforcement Agency)

and I gave the said , the following warning:

 (Name of Juvenile)

1. , you have been accused of the offense of

 (Name of Juvenile)

 .

2. You have the right to remain silent and not make any statement at all. Any statement that you make may be used in evidence against you.

3. You have the right to have an attorney present to advise you either prior to any questioning or during the questioning.

4. If you are unable to employ an attorney, you have the right to have an attorney appointed to counsel with you prior to or during any interviews with peace officers or attorneys representing the state.

5. You have the right to terminate the interview at any time.

**I HAVE LISTENED CAREFULLY TO AND UNDERSTAND EACH OF THE ABOVE LISTED RIGHTS AS THEY WERE READ AND EXPLAINED TO ME. I HAVE ASKED THE MAGISTRATE ANY QUESTIONS THAT I MAY HAVE REGARDING THESE RIGHTS. AT THIS TIME, I FULLY UNDERSTAND ALL OF MY RIGHTS AS THEY HAVE BEEN EXPLAINED TO ME, AND I VOLUNTARILY AND KNOWINGLY WAIVE THESE RIGHTS.**

 **Signature / Name of Juvenile** **Signature / Name of Magistrate**

  **(Date) (Time)**

### PART II

 **VOLUNTARY STATEMENT OF CHILD**

My name is . I live at .

I am years old. I acknowledge that I have been advised of my rights as enumerated on

page one of this statement by , who is a magistrate of

the court, at m. on , and that I

 (Time) (Date)

was further advised of my Miranda Rights by , who is a

 (Name of Law Enforcement Officer)

peace officer of the , at m. on .

 (Law Enforcement Agency) (Time) (Date)

**I FULLY UNDERSTAND EACH OF THESE RIGHTS, INCLUDING MY RIGHT TO CONSULT WITH AN ATTORNEY PRIOR TO AND DURING THE MAKING OF THIS STATEMENT, AND I FREELY AND VOLUNTARILY WAIVE MY RIGHT TO CONSULT WITH AN ATTORNEY PRIOR TO THE MAKING OF THIS STATEMENT AND MY RIGHT TO REMAIN SILENT. (Please attach more sheets if needed.)**

### PART III

# **MAGISTRATE'S CERTIFICATION OF JUVENILE'S COMPETENCY TO MAKE STATEMENT**

On this day personally appeared in the custody

 (Name of Juvenile)

of for the purpose of signing in my presence,

 (Name of Law Enforcement Officer)

with no law enforcement officer or prosecuting attorney present, the preceding statement. I have examined,

 , independent of any law enforcement officer or prosecuting

 (Name of Juvenile)

attorney, and have determined that the child understands the nature and contents of his / her statement and has

knowingly, intelligently and voluntarily waived those rights specified in part one of this document. I am fully

convinced that understands the nature and contents of

 (Name of Juvenile)

his / her statement and has signed every page of this statement voluntarily.

 Signature / Name of Magistrate

 (Date) (Time)