**IN THE SUPERIOR COURT OF NEWTON COUNTY**

**STATE OF GEORGIA**

**STATE OF GEORGIA, )**

**)**

**v. ) CASE NUMBER**

**)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, ) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Defendant. )**

**WAIVER OF RIGHT TO ASSERT SPECIFIED GROUNDS**

**AS A BASIS FOR MOTION OF RECUSAL**

The defendant and his/her counsel hereby acknowledge that as consideration for acceptance and/or continued participation in the Newton County Resource Court program:

1. The above-styled case will be assigned to the Resource Court division of the Superior Court before the designated Superior Court judge;
2. The Resource Court judge may preside over any termination hearings, should consideration of termination arise prior to graduation; and
3. Should the defendant fail to successfully complete the Resource Court program and be terminated from said program, disposition of the case may be decided by the Resource Court judge or may be referred to the previously-assigned judge.

Understanding that the assignment of this case may be to the Resource Court judge throughout all proceedings until ultimate disposition of the case, irrespective of the defendant’s success or failure in completing the Resource Court program, the defendant hereby waives his or her right to assert, as a basis for a motion to recuse the Resource Court judge, any of the following:

1. The personal involvement of the Resource Court judge with the defendant during his/her participation in the Resource Court program;
2. The Resource Court judge’s knowledge, both personal and otherwise, of defendant’s compliance or non-compliance with the requirements of the Resource Court program; or
3. The Resource Court judge’s decision to terminate the defendant from the Resource Court program on the basis of his/her failure to comply with such requirements.

The defendant hereby freely, voluntarily, and knowingly waives the right to assert the foregoing as grounds for a motion to recuse and acknowledges that he or she does so having consulted with counsel.

This \_\_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_\_.

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Defendant Attorney for Defendant