

Verifi
ect Copy of Original 9/27/2017

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLATSOP

RECEIVED AND FILED
CLATSOP COUNTY COURT

SEP 27 2017

Trial Court Administrator
Docketed By



STATE OF OREGON,

Plaintiff,

vs.

[Redacted Name]

Defendant.

CASE NO. [Redacted]

**WAIVER OF APPEARANCE FOR
TRIAL AND JURY WAIVER**

I am the defendant in this criminal case, and I agree to the following.

- 1) I will stay in contact with the Court and keep the Court advised of my residence and mailing addresses and telephone number at all times. I will tell the Court in writing prior to any change.
- 2) If I do not show up for trial, my lawyer will ask the Court to let them withdraw from my case. If my lawyer withdraws, I give up my right to be represented by a lawyer, including a court-appointed lawyer. If I have a lawyer and I don't stay in regular contact with my lawyer, the lawyer may ask the Court to withdraw from my case. If this happens, I give up my right to be represented by a lawyer, including a court-appointed lawyer. **I know the risks of not having a lawyer in a criminal case.**
- 3) I will show up in court on time for all hearings and for trial. If I fail to appear for a hearing or trial, I know the Court will issue a warrant for my arrest and/or I'll lose any security posted and/or I may have to pay the difference between the security posted and the full bail. The Court also will have the trial without me.
- 4) If I don't show up for trial and the case is tried without me, I understand that I will lose my right to cross-examine witnesses who testify against me and the right to call witnesses to testify for me. I understand that I have the right to decide whether or not I will testify, and if I choose not to testify, that decision cannot be used against me in any way. If I don't appear for trial, I know I will lose my right to testify. I also will lose other valuable rights like my right to object to evidence or my right to raise defenses.

EVEN THOUGH I SIGN THIS WAIVER, I KNOW I CAN APPEAR FOR ALL COURT HEARINGS AND TRIAL. IF I FAIL TO APPEAR FOR HEARING OR TRIAL, I AUTHORIZE THE COURT TO GO AHEAD WITHOUT ME AND TO HAVE THE TRIAL ON THE ORIGINAL DATE OR ON ANY OTHER DATE.

5) Initial **only one** option - (a) or (b) - not both.

(a) I do not admit that I am the person named in the charge(s) or I do not admit that I was present at the scene. I agree to allow my mug-shot or other photograph of me to be used at my trial if I fail to appear for trial.

~~_____~~ (Initial)

(b) I agree that I am the person named in the charge(s) and I was at the scene of the crime. I agree the DA may tell the jury.

_____ (Initial) *KW*

6) Initial **only one** option - (a) or (b) – not both.

I know I have the right to a jury trial on all charged crimes unless I give up that right in writing. If I do not show up for trial:

(a) I would like a jury trial.

_____ (Initial)

(b) I give up my right to a jury trial and would like the case to be tried to a judge without a jury. I agree that this document may be used as my written waiver of jury trial.

_____ (Initial)

7) I have read this document or had it read to me, and I understand what it says and what it means. I am signing it voluntarily and of my own free will.

IF YOU HAVE QUESTIONS, YOU SHOULD TALK TO A LAWYER BEFORE YOU SIGN THIS PAPER.

Dated: 
DOB: 
Address: 