

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE THIRD JUDICIAL DISTRICT**

STATE OF OREGON,

Plaintiff

vs.

Defendant.

WAIVER OF JURY TRIAL

Case No. _____

I am the defendant in this matter and my attorney has advised me, that:

- I have the right to have a jury trial to determine whether I am guilty or not guilty of the crime(s) charged;
- I have the right to a jury trial on any fact which the court could rely on to impose a greater sentence than the presumed sentence, including, but not limited to facts related to my criminal history, the criminal activity alleged in this case, and any other facts concerning my personal history and performance on probation;
- If the facts on which the court could rely to impose in a greater sentence relate to information about me or my past and not the crime(s) charged, I am entitled to a separate jury trial on those facts if a judge or jury first finds me guilty of the crime(s) charged;
- If I waive my right to a jury trial on the issue of guilt and on the facts related to my sentence, the judge will decide all issues of fact relating to guilt and sentencing.

Having been so advised, I wish to waive my rights to jury trial in this matter as follows:

I WAIVE my right to have a jury decide whether I am guilty or not guilty of the crime(s) charged and any facts which can result in a greater sentence than is presumed.

I DO NOT waive my right to have a jury decide whether I am guilty or not guilty of the crime(s) charged, but I WAIVE my right to have a jury decide the following facts which could increase my sentence(*check all that apply*):

Any facts related to me as the DEFENDANT.

Any facts related to the OFFENSES charged in the accusatory instrument.

Date

Defendant

Defense Attorney

THE COURT FINDS: Defendant's waiver of a jury trial is intelligent, knowing, and voluntary, and the court accepts that waiver.

Date

Circuit Court Judge

Print Name of Judge