

APPENDIX B

(Supplemental Local Rule 16.015)

RETURN TO:
MALHEUR COUNTY CIRCUIT COURT
251 B Street, West #3
Vale, OR 97918

DUE: _____

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MALHEUR COUNTY STATE OF OREGON,

Plaintiff,

vs.

Case No. _____
Waiver and Declaration
Under Penalty of Perjury

Defendant.

WAIVER

I, _____, have plead NOT GUILTY and requested a trial in the above-captioned case.

As authorized by ORS 153.080, I hereby waive my right to have my testimony and the testimony of the officer presented orally in court, and I agree that testimony may be presented by sworn affidavit or by declaration under penalty of perjury. I understand that, if I do choose to appear in person for trial after signing this declaration under penalty of perjury, a copy of the police officer's written testimony will be presented to me at that time. The police officer may not be present.

I am not represented by an attorney in this matter. If I retain counsel, I will advise the court immediately.

INSTRUCTIONS: If you waive your right to have testimony presented orally in court, please fill out the below Testimony by Declaration Under Penalty of Perjury and return all documents to the court at least two weeks prior to the trial date. The judge will give your declaration the same consideration as a personal appearance.

TESTIMONY BY DECLARATION UNDER PENALTY OF PERJURY

I, _____, state that I am the

Police Officer Defendant

in the above violation offense. Pursuant to ORS 153.080, this declaration represents my testimony concerning the above violation offense. (Continued on reverse side.)

(You may attach additional pages if necessary.)

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty of perjury.

Date

Signature