



**JUSTICE COURT** 411 SW 9<sup>th</sup> St. Rm. 230 ♦ Redmond, OR 97756 ♦ (541) 617-4758  
Office hours: Monday-Friday, 8:00 a.m. - 12:00 p.m. & 1:00 p.m. - 4:00 p.m.

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## INFORMATION CONCERNING TRIAL BY AFFIDAVIT

If you wish to appear by affidavit instead of in person, please fill out and return the enclosed forms to the court seven days prior to your scheduled appearance.

### Waiver

Only the defendant has the authority to waive any party's presence at trial. Fill out this form if you wish to waive your right to have testimony presented orally at trial, and to waive your right to personally appear at trial. You will also be allowing the deputy/officer or witnesses to appear by sworn affidavit.

You may also choose to allow parties to appear by sworn affidavit, but elect to be present at the time of trial.

### Testimony by Affidavit

This form is for you to state the facts of the trial just as you would tell the judge if you appeared in person. The judge will consider this information to be your written testimony and will give it the same consideration as a personal appearance. If you chose to appear by affidavit, you will be informed of the judge's decision by mail after the trial date. If you attach additional pages to the affidavit, please check the box by your signature and enter the number of pages attached.

If you want a witness to testify by affidavit, you may use this affidavit to provide sworn statements by your witnesses. Witness testimony by affidavit will also be given the same consideration as a personal appearance.

**All Testimony by Affidavit forms must be signed before a Notary Public  
or before a Justice Court Clerk.**

**IF THE AFFIDAVIT IS NOT NOTARIZED, IT WILL NOT BE CONSIDERED BY THE JUDGE  
AT THE TIME OF TRIAL.**

### Counsel

If you plan to retain an attorney, you must immediately advise the court. All correspondence regarding this case will then be directed to your attorney.

If you have questions, please contact Deschutes County Justice Court. Return all forms to:

Deschutes County Justice Court  
P O Box 1750  
Redmond, OR 97756

IN THE JUSTICE COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF DESCHUTES

STATE OF OREGON, )  
 )  
Plaintiff, )  
vs. ) Case No. \_\_\_\_\_  
 )  
 )  
\_\_\_\_\_, ) WAIVER OF APPEARANCE  
 )  
Defendant. )

I, \_\_\_\_\_, have plead Not Guilty and requested a trial in the above-entitled case. Pursuant to ORS 153.080, I hereby waive my right to have the testimony presented orally in court at trial and agree that all testimony may be presented by sworn affidavit.

(Please check box):

- I agree that the court may make a decision on any sworn affidavits submitted in this case and I hereby waive my right to be personally present for a trial.

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

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

Return to: Deschutes County Justice Court  
411 SW 9<sup>th</sup> St. Rm. 230  
Redmond, OR 97756  
(541) 617-4758



