JOHN HARVEY
Justice of the Peace

(541) 374-8558
Fax (541) 374-8121

JUSTICE COURT
440 Wanapa
Post Office Box 536
Cascade Locks, Oregon 97014

Date:

Citation #:
Defendant Name:
Defendant Address:

REQUEST FOR TRIAL BY AFFIDAVIT:

In order for the Court to process your trial by affidavit request or not guilty plea with written testimony, the enclosed Trial by Affidavit – Waiver of Rights form **must be signed and returned with your notarized written statement, if not previously submitted, to the Court by your scheduled court appearance date.**

The Court will mail to you notification of judgment and the amount of the fine imposed when bail has not been posted. If you fail to satisfy judgment, Notice of Court Action against your Driver License will be sent to Oregon Department of Motor Vehicles Division, pursuant to ORS 809.210. If the assessed fine remains unpaid, your account will be assigned to a collection agency.

Please print and sign below.

I, _____, have read and understand all of the above.
Defendant's signature (Please print)

_____
Mailing address City State Zip

IN THE JUSTICE COURT FOR THE DISTRICT OF CASCADE LOCKS

COUNTY OF HOOD RIVER, STATE OF OREGON

TRIAL BY AFFIDAVIT – WAIVER OF RIGHTS

STATE v. _____
Docket #
Citation#

I, _____, wish to enter a plea of **Not Guilty** to the charge
(Print name)
of_____. I request a Trial by Affidavit as per ORS.153.080 and as per PROCEDURES IN RE: TESTIMONY BY AFFIDAVIT provided by the Justice Court for the District of Cascade Locks. I understand that by submitting this signed waiver, I waive my right to trial and to have testimony presented orally in court.

_____ _____/_____/_____
Defendant's Signature Date signed

State of
County of

Subscribed and sworn to before me this _____day of_____20_____.

_____ _____
Notary Public My commission expires

IN THE JUSTICE COURT FOR THE DISTRICT OF CASCADE LOCKS

COUNTY OF HOOD RIVER, STATE OF OREGON

TRIAL BY AFFIDAVIT – WAIVER OF RIGHTS

STATE v. _____
Docket #
Citation#

I the undersigned Defendant, having entered a plea of Not Guilty to the Violation(s) charged in the above case, hereby submit my own Affidavit testimony in lieu of my personal appearance at trial. Although I do not give up my right to a trial, I do waive my right to appear at trial, to offer oral testimony in open court at trial, and to confront any witnesses called against me. I further understand and consent that the State's witnesses may give oral testimony, or may submit testimony by Affidavits.

My testimony is as follows: (attach additional sheet if necessary):_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

STATE OF_____)
COUNTY OF _____)

Defendant

Subscribed and sworn to before me this _____day of_____20_____.

_____
Notary Public

_____
My commission expires

IN THE JUSTICE COURT FOR THE DISTRICT OF CASCADE LOCKS
COUNTY OF HOOD RIVER, STATE OF OREGON

PROCEDURES IN RE:	)	
	)	**ORDER**
TESTIMONY BY AFFIDAVIT	)	
	)	

INASMUCH as Oregon Revised Statute 153.080 sets forth standards governing Testimony by Affidavit in violation proceedings and requires courts to establish procedures,

IT IS HEREBY ORDERED that the following rules shall govern construction, admissibility, and interpretation of Testimony by Affidavit in the Justice Court for the District of Cascade Locks, to wit:

1. Prior to or along with Motion to Admit Affidavit in Lieu of Testimony, Defendant shall present a signed Waiver of Trial to the Court. Defendants affidavit will not be accepted without the signed Trial by Affidavit Waiver of Rights form. All affidavits shall be submitted no later than seven (7) days prior to trial date.

2. Affidavits shall be signed before a Notary Public. Any affidavit accepted under this Order shall be received in the same manner as testimony given at trial.

3. By submitting a signed notarized Trial by Affidavit Waiver of Rights form, Defendant waives his/her right to trial.

4. Otherwise admissible Testimony by Affidavit previously submitted by either party shall be considered by the Court, subject to a ruling by the Court, on any objections filed by either party.

Dated this 1st day of January 2017.

JOHN A. HARVEY
Judge

For your information, and to request discovery, mailing addresses and phone numbers:

Hood River County Sheriff's Office
309 State St.
Hood River, OR 97031
541 386-2098

Oregon State Police The Dalles
3313 NE Bret Clodfelter Way
The Dalles, OR 97058
541 296-9646

Motor Carrier Services
500 SE Frontage Rd.
Cascade Locks, OR 97014
541 374-8980

Hood River County District Attorneys Office
309 State St.
Hood River, OR 97031
541 386-3103