

**16.061 TRIAL BY AFFIDAVIT OR DECLARATION UNDER PENALTY OF PERJURY**

- (1) Testimony by affidavit or by declaration under penalty of perjury shall be allowed in violation cases only upon receiving a signed statement from the defendant waiving the right to have the testimony presented orally in court. The declaration and statement may be filed in the form set forth in the appendix of forms, form number 16.061.
- (2) At the commencement of any violation trial, any and all affidavits which have been filed by that time with the Trial Court Administrator shall be deemed offered by the party who tendered them to the court or on whose behalf they were tendered to the Court, and such affidavits shall then be received and considered by the court as substantive evidence in that case.

**FORM 16.061**

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

State of Oregon

v.

Case No: \_\_\_\_\_

DEFENDANT'S DECLARATION

\_\_\_\_\_  
Defendant

(Trial by Declaration)

I waive my right to appear personally at trial and submit my evidence by this Declaration to the court. I understand that I will be notified by mail of the court's decision.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional page attached

Certificate of Document Preparation. Check all that apply:

- I chose this form for myself and completed it without paid help
- A legal help organization helped me choose or complete this form, but I did not pay money to anyone
- I paid (or will pay) \_\_\_\_\_ for help choosing, completing, or reviewing this form

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

\_\_\_\_\_  
Date

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Contact Phone

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

State of Oregon  
v.

Case No: \_\_\_\_\_

Citation No: \_\_\_\_\_

REPORTING OFFICER'S  
DECLARATION  
(Trial by Declaration)

\_\_\_\_\_  
Defendant

The Defendant has entered a plea of Not Guilty and requested a Trial by Declaration. Please submit your Declaration of the facts to the Court before \_\_\_\_\_.

I am the Reporting Officer in this case and I submit the following facts to the court:

\_\_\_\_\_  
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Additional page attached

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

\_\_\_\_\_  
Date

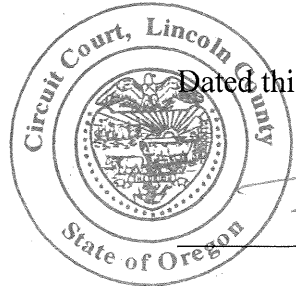
\_\_\_\_\_  
, Officer (signature)

\_\_\_\_\_  
Contact Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Contact Phone

I certify the attached rule is a true and correct copy of the out of cycle Supplemental Local Rule 16.061 of the Circuit Court of the State of Oregon for Lincoln County.



Dated this 24<sup>th</sup> day of November, 2015.

*B. Savage*

Bonnie R. Savage, Trial Court Administrator

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