

## Superior Court of California, County of Contra Costa

☐ Pittsburg      ☐ Richmond      ☐ Walnut Creek  
1000 Center Drive      100 37 Street      640 Ygnacio Valley Road  
Pittsburg, Ca 94565      Richmond, Ca 94805      Walnut Creek, CA 94596

FOR COURT USE ONLY

### **NOTICE AND WAIVER OF RIGHTS AND REQUEST FOR REMOTE VIDEO PROCEEDING**

Your Name: \_\_\_\_\_

Case/Citation Number: \_\_\_\_\_ Telephone #: \_\_\_\_\_

#### **1. Notice to Defendant of Rights:**

- You have the right to appear in person in court before a judicial officer for arraignment, to be informed of the charges against you, to be advised of your rights, and to enter a plea without deposit of bail.
- You have the right to be represented by an attorney at your own expense.
- You have the right to request at arraignment that a court trial be scheduled for a date after your arraignment.
- You have the right to a speedy trial within 45 days of submitting your request for a trial.
- You have the right to be physically present in court for trial and sentencing and all other stages of the proceedings, including, but not limited to, presentation of testimony and evidence and arguments on questions of law.
- You the right to have witnesses testify under oath in court and to confront and cross-examine them in court.

#### **2. Waiver of Rights and Request for Remote Video Proceeding for: \_\_\_\_Traffic Arraignment \_\_\_\_Traffic Trial**

I, (print name) \_\_\_\_\_: am the defendant in this traffic infraction case and understand that my rights include those listed above. I understand that a remote video proceeding (RVP) uses two-way electronic audiovisual communication between the court and me at the remote location instead of having me physically appear in the courtroom. By requesting RVP I agree to appear at the designated off-site location and agree that the court may order me to appear in my case by RVP for any related proceedings. By requesting that the court allow me to proceed without being physically present in court and appear for all proceedings by RVP, I **voluntarily elect to waive (give up) the following rights for (check one)** ☐ arraignment ☐ trial

- My right to appear for arraignment in person in court before a judicial officer: \_\_\_\_\_ (initials)
- My right to a speedy trial within 45 days; \_\_\_\_\_ (initials)
- My trial right after arraignment to be physically present in the court for trial and sentencing and all other stages of the proceedings, including, but not limited to, presentation of testimony and evidence and arguments on questions of law, and confrontation and cross-examination of witnesses in court. (You will not be able to see witnesses including the Police Officer) \_\_\_\_\_ (initials)
- I understand that the court may permit the officer who issued the ticket and any other witnesses to appear in court to testify and be cross-examined while I appear at the remote location and may deny my request at any time and order me to be present in the courtroom for any proceedings conducted in this case. \_\_\_\_\_ (initials)
- I understand that it is my responsibility to check the court website for RVP (zoom) information. \_\_\_\_\_ (initials)
- I understand that it is my responsibility to log on to RVP on the date and time provided by Court. \_\_\_\_\_ (initials)
- I understand that if I do not log on/appear for my trial at the time and date provided by the Court, the trial will proceed without me. \_\_\_\_\_ (initials)
- I understand that I must file this form with the Court at least 5 court days before due date or trial date. \_\_\_\_\_ (initials)

Do you need an interpreter: \_\_\_\_ No \_\_\_\_ Yes      Language \_\_\_\_\_

*I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form is true and correct. I promise to appear for all proceedings orders by the court in this case. I understand that if I do not appear as promised the court may forfeit any bail that I posted; hold the trial in my absence; impose a civil assessment of up to \$100 under Penal Code 1214.1.*

Date: \_\_\_\_\_  
\_\_\_\_\_ Defendant's Signature

Your Phone Number: \_\_\_\_\_

Street Address \_\_\_\_\_

**A PERSON APPEARING REMOTELY SHOULD CONDUCT THEMSELVES AS THOUGH APPEARING IN COURT IN PERSON.**

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TO BE COMPLETED BY CLERK

Date: \_\_\_\_\_ Approved by: \_\_\_\_\_, Deputy Clerk

Hearing set for: \_\_\_\_\_ on date: \_\_\_\_\_ at time: \_\_\_\_\_

Location: \_\_\_\_\_

Copy provided to Defendant at counter on date: \_\_\_\_\_ Notice sent by mail on date: \_\_\_\_\_