

NAME OF COURT: STREET ADDRESS: PHONE NUMBER:	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT (Name):	
NOTICE AND WAIVER OF RIGHTS AND AGREEMENT FOR REMOTE TRAFFIC VIDEO PROCEEDING (Veh. Code, § 40901)	CITATION NUMBER/CASE NUMBER:

The arraignment is for the Judicial Officer to advise you of your constitutional rights and the charges against you. In all matters, **you have the following rights:**

Right to trial within 45 days from arraignment. Right to an attorney (due to the nature of the case & the alleged violation consequences do not call for custody time, you will NOT be appointed an attorney). You may hire your own attorney. Right to confront and cross examine witnesses. Right to subpoena witness and/or documents. Right to remain silent. Right to a court trial.

Waiver of Rights and Agreement for Remote Traffic Video Proceeding

a. I need an interpreter: Yes No (language): _____

b. I have an attorney to represent me Yes No (name of attorney) _____

c. I, (print name): _____, am the defendant in this traffic infraction case and understand that my rights include those listed above and the right to hire an attorney and subpoena witnesses. I understand that a remote traffic video proceeding (RTVP) 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 RTVP the court allows me to proceed without being physically present in the courtroom. I voluntarily elect to waive (give up) the following rights for the hearing at which I will appear by RTVP.

INITIALS:

- Right to trial within 45 days from arraignment
- Right to an attorney (due to the nature of the case and the alleged violation), consequences do not allow for custody time. You will NOT be appointed an attorney. You may hire your own attorney.
- Right to confront and cross examine witnesses
- Right to subpoena witnesses and/or documents
- Right to remain silent
- Right to court trial

I hereby authorize the Court to conduct a Trial in Absentia should I fail to appear at the proper date and time set for my court trial. In other words, my trial may be heard without my personal appearance should I fail to appear. Furthermore:

- a. I specifically waive any obligation the Court may have to make a finding as to whether my absence was voluntary
- b. If I am found guilty, I specifically agree that the Court may pronounce immediate sentence, waiving any right to delay sentencing from 6 hours to 5 days.

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct. I promise to appear for all proceedings ordered 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 and/or impose a civil assessment up to \$100 under Penal Code 1214.1.

DATE: _____ Defendant's Signature

Attorney appearing pursuant to Penal Code Section 977 _____ Attorney for Defendant

(Defendant Phone Number) (Defendant Street Address/City/State/ZIP) (Defendant Email Address)

PLEASE RETURN THIS FORM TO THE COURT CLERK AT THE ABOVE LISTED COURT