

Attorney or Party Without An Attorney (Name, State Bar No. & Address)	<i>FOR COURT USE ONLY</i>
Telephone:	
NAME OF COURT: <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO</b> STREET ADDRESS: MAILING ADDRESS: CITY, STATE ZIP: DISTRICT NAME:	
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:	
<b>WAIVER OF ARRAIGNMENT &amp; COURT TRIAL SETTING</b>	CASE NUMBER

The charges are infractions:

You are advised that you have the following constitutional rights:

- To a public trial
- To a speedy trial (within 45 days from the date the court receives this signed form).
- To a trial by court
- To see, hear and question all the witnesses against you
- To present evidence in your favor and either to testify for yourself or if you wish, to remain silent
- To have the trial judge order into court all of the evidence and witnesses in your favor without cost to you
- To have a qualified lawyer defend you before, during and after the trial at your own expense
- To be admitted to a reasonable bail
- To contest the alleged traffic violation without the deposit of bail
- To have an extension of seven days to consult with an attorney before signing this form, or choosing not to
- To know the nature of the charge[s] and the possible penalties  
(Most Vehicle Code infractions carry a maximum penalty of \$100 plus mandatory penalty assessments)

You are entitled to appear in court to be informed of the charges against you, to be advised of your rights and to enter a plea. This procedure is called an arraignment.

For your convenience, by signing this form you agree that you have read and understood your rights, that you are waiving formal arraignment in open court, and that you are entering a plea of not guilty to the charge or charges. This permits you to have your court trial set without the necessity of making a separate appearance before the court for arraignment or posting of bail.

## **You must appear on your trial date or you will be tried in absentia.**

I am pleading not guilty, and request that my case be set for court trial. I understand I will have a trial by a Judge or Commissioner. I agree to appear for Court Trial at the Court where my citation was filed.

**I have read and signed this form acknowledging that I fully understand my constitutional rights, enter my plea of not guilty and will appear in court for trial at the above time and place. Once this form is received by the court you will be notified of your Court Trial Date.**

Date:

\_\_\_\_\_  
(sign here), Defendant or Attorney

Attorney appearing pursuant to Penal Code Section 977:

**\*\*\*Your Court Trial will not be set until the Court received your signed Trial in Absentia form and your Waiver of Arraignment & Court Trial Setting Forms (2 signed forms)\*\*\***