NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	*(FOR COURT USE ONLY)*
PEOPLE OF THE STATE OF CALIFORNIA **vs.**	
REQUEST FOR TRIAL BY WRITTEN DECLARATION **~~(Vehicle Code § 40902)~~** **(Government Code § 68645.4)**	CITATION NUMBER: CASE NUMBER:

TO BE FILLED OUT BY COURT CLERK

A. DUE DATE (for receipt of this form and any unpaid bail):

B. Bail amount required: **$**

C. Bail amount already deposited by defendant **$**

D. Date mailed or delivered by clerk:

E. Mail or deliver completed form, evidence, and mail to the Clerk of the *(specify):* Court at:*(mailing address)*:

REQUEST FOR TRIAL

1. I have reviewed the *Instructions to Defendant (Trial by Written Declaration)* (form TR-200).
2. I request to have a trial by written declaration.
3. The facts contained in the Declaration of Facts on the reverse are personally known to me and are true and correct.
4. I know that I have the right not to be compelled to be a witness against myself. I understand and agree that by making any statement, I am giving up and waiving that right and privilege.
5. EVIDENCE The following evidence supports my case and includes everything I want the court to consider in deciding my case:

a. ☐ photographs *(specify total number)*: _____
b. ☐ medical record
c. ☐ Registration documents
d. ☐ inspection certificate
e. ☐ diagram
f. ☐ car repair receipt
g. ☐ insurance documents
h. ☐ other *(specify):*

(Declaration continued on reverse)

PEOPLE v. DEFENDANT *(Name)*;	CASE NUMBER:

6. DECLARATION OF FACTS *(Type or print only. State what happened and explain all of the items of evidence you checked in Item 5 on the reverse and tell how they support your case. You may add additional pages.)*

(Name):

(Current mailing address):

STATEMENT OF FACTS *(begin here)*:

7. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME) (SIGNATURE)

INSTRUCTIONS TO DEFENDANT
(Trial by Written Declaration)
(Government Code § 68645.4)

Government Code § 68645.4 allows a defendant to contest citations in writing or online, without having to make a personal court appearance. This procedure is called a "trial by declaration." Trials by declaration are available in cases involving infraction violations of the Vehicle Code or of local ordinances adopted under the Vehicle Code. Government Code section 68645.4 allows courts to offer trials by declaration through an online tool. That online option is available at: https://MyCitations.courts.ca.gov. If you do not want to use the online option available through your court, the following instructions tell you how to obtain a trial by written declaration from a court offering online trials through MyCitations.courts.ca.gov:

1. Completely fill out the *Request for Trial by Written Declaration* (TR-205) and sign it (*type or print clearly*). You may include evidence such as photographs and diagrams. You should also attach your written statement of what happened (*type or print clearly*). In your statement, you must describe all the items of evidence (if any) that you are including with your request. Your written statement must include the following language: "I declare under penalty of perjury that this statement is true and correct." You must sign and date each written statement (these statements are called "declarations.").

2. Return the completed and signed *Request for Trial by Written Declaration* (TR-205). A completed *Request for Trial by Written Declaration* form must be received by the clerk by the due date indicated unless the court has granted you an extension, or the court permits you to have a trial at a later date. (See item A on the request form for the due date.) If the clerk receives the form after the due date, you will not be eligible for trial by written declaration. **The court generally will not require you to submit fines, fees, or bail in advance, unless the court makes express findings to you as to why you are required to submit money prior to the court's review of the signed *Request for Trial by Written Declaration* form.**

3. After the clerk receives the Request for Trial by Written Declaration (TR-205), the clerk will notify the officer who issued you the citation. The officer will be given an opportunity to submit a declaration regarding the citation by a specified due date. You will be notified by mail of the court's decision.

4. Always include your citation number in any correspondence with the court.

5. IMPORTANT: You have the right to an in-person trial before a judge (rather than a trial by written declaration). At a court trial you have the following rights:

   - To be represented by an attorney employed by you.
   - To have a speedy and public trial.
   - To testify, to present evidence, and to use court orders without cost to compel the attendance of witnesses and the production of evidence on your behalf.
   - To have the witnesses against you testify under oath in court, and to question such witnesses.
   - To remain silent and not testify and not incriminate yourself.

By filing a declaration in a trial by a written declaration, you are waiving and giving up the rights to remain silent and not to incriminate yourself.