

**WRITTEN ACKNOWLEDGMENT
OF RIGHTS AND REQUEST FOR
A TRIAL TO THE COURT**

IN THE COUNTY COURT OF _____ COUNTY, NEBRASKA

State of Nebraska
Plaintiff

Case No. TR _____

vs.

Defendant

**WRITTEN ACKNOWLEDGMENT
OF RIGHTS AND REQUEST
FOR A TRIAL TO THE COURT**

I, _____, acknowledge that, on the ____ day of _____, 20____, I was issued a citation for the following traffic offense(s):

_____ **which I wish to contest.** I request that a single date be set for me to appear for arraignment, entry of plea, and trial. In support of that request, I acknowledge the following:

RIGHTS OF A DEFENDANT

- I have a right to a trial to the court on the charge stated in the citation.
- I am presumed to be innocent of the charge(s).
- I have a right to require the State to prove me guilty beyond a reasonable doubt.
- I have a right to confront and cross examine any witnesses the State would call to prove the case.
- I have a right to present witnesses in my defense and to use the subpoena power of the court to secure the attendance of any witness who would not come to court voluntarily.
- I have a right to testify in my own defense or to remain silent as I choose. If I choose to testify I understand that I will be subject to cross examination by the State; if I choose to remain silent, that silence cannot be used against me for any reason.
- I am entitled to a speedy trial being one within six months of the date the citation was filed.
- I have a right to be represented by an attorney of my choice, at my own expense; I understand that since the charge(s) have no possibility of a jail sentence, I am not entitled to a court appointed attorney.
- If I disagree with the final judgment of the court, I have a right to appeal that judgment and to have a complete record of the proceedings to enable that appeal.

WHAT I NEED ON THE DAY OF TRIAL

I must appear in person. If I have retained an attorney, that attorney must be present and ready for trial. Any witnesses I wish to present must be present, in person, on the day of trial.

I further recognize that, **if I fail to appear for any subsequent hearing dates regarding this matter,** the Court may authorize a bench warrant for my arrest for failure to appear.

THE SUBPOENA POWER

If you wish to present testimony of a person who may not appear voluntarily, you may request a subpoena for that person to be served as required by law. You must file a request with the court, known as a praecipe for subpoena. After that request is processed by the court, the subpoena must be served upon that person at least six (6) days before the date of the trial. Timely requesting the subpoena is your responsibility. You should also understand that should you be found guilty of the charge(s), you may be required to pay, as a part of the court costs, any witness fees and the costs of service of any subpoena, and that would be in addition to any fine assessed by the court. If you are found not guilty, the State will be responsible for those costs.

I have read and understand the foregoing advisement. Once I sign and submit this request to the court, I recognize that the court will contact me for future hearing dates regarding this case (using the information legibly printed and provided below).

_____	Date _____
Signature	
_____	_____
Name of Defendant	Street Address/P.O. Box
_____	_____
Bar Number and Firm Name (attorneys only)	City/State/ZIP Code
_____	_____
Phone	E-mail Address

ORDER

NOW on this ____ day of _____, 20____, this matter comes before the court on the Written Acknowledgment of Rights and Request for Trial as set forth above. The arraignment, plea and trial of this matter are set for the _____ day of _____, 20____, at _____ . m.

Judge/Clerk Magistrate

Cc: Prosecuting Attorney
Defendant
Defendant's Attorney (if Defendant has retained an attorney)