

ATTORNEY OR PARTY WITHOUT ATTORNEY: Name: Address: Phone:	FOR COURT USE ONLY <input type="checkbox"/> CA/T <input type="checkbox"/> CA/P <input type="checkbox"/> TIA
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS TRAFFIC DIVISION 2260 Floyd Avenue Modesto, CA 95355	
PEOPLE OF THE STATE OF CALIFORNIA, <div style="text-align: right;">Plaintiff</div> vs. <hr style="width: 200px; margin-left: 0;"/> <div style="text-align: center;">Defendant. </div>	
DEFENDANT'S REQUEST FOR ORDER - TRAFFIC: <i>(Check all that apply):</i> <input type="checkbox"/> To Vacate Civil Assessment <input type="checkbox"/> To Modify Fine Amount <input type="checkbox"/> To Pay Fine Amount in Installments <input type="checkbox"/> To Release Driver's License Hold with Department of Motor Vehicles <input type="checkbox"/> To Perform Community Service in lieu of Total Fine <input type="checkbox"/> Other _____	CASE NO: _____ <input type="checkbox"/> Date and Time of Hearing: _____

1. **Request to Vacate Civil Assessment** – I did not appear in court or did not pay a fine ordered by the court because of the following reasons *(check all that apply)*:
- | | |
|--|---|
| <input type="checkbox"/> HOSPITALIZATION | <input type="checkbox"/> MILITARY DUTY |
| <input type="checkbox"/> RESIDENTIAL DRUG/ALCOHOL TREATMENT | <input type="checkbox"/> THE DEATH OF FAMILY MEMBER |
| <input type="checkbox"/> INCARCERATION (In jail or state prison) | <input type="checkbox"/> NOT PERSON CITED |
| <input type="checkbox"/> A FINANCIAL HARDSHIP | <input type="checkbox"/> OTHER (Explain below) |

The Court will not consider your request unless you attach documents that support your request (if available) and provide a detailed explanation of why you failed to appear in court or pay your fine. If you are claiming a financial hardship, you must complete and submit a Financial Hardship Declaration.

The following is my explanation of my failure to appear and/or pay (please print):

Explanation is continued on additional page(s)

Name of Case: People vs. _____ (Your Name)	Case # _____
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2. **Request to Modify Fine Amount** – I am requesting the court to modify my fine based on my inability to pay due to a financial hardship. I have completed a Financial Hardship Declaration and submitted it to the court. (Please mark one of the following):

- This is my first request to modify fine amount.
- I have submitted a previous request to modify fine amount in this case.

3. **Request to Pay Fine Amount in Installments**

Due to a financial hardship, I am requesting to pay the fine amount, including the Civil Assessment, in installments of \$_____ per month (the installment payment must be at least \$10.00 per month). I have also completed a Financial Hardship Declaration and submitted it to the court with my Defendant's Request for Order - Traffic.

I understand that if I miss an installment payment, the court may consider the entire unpaid balance is immediately due and payable and the court may send my case to the Franchise Tax Board (FTB) or other agency for collection. I also understand that if I need an extension of time, I must contact the Court to arrange an extension on or before my due date.

4. **Request to Release Driver's License Hold with Department of Motor Vehicles** – I am requesting the court to release the hold on my driver's license with the Department of Motor Vehicles.

5. **Request to Perform Community Service in lieu of Total Fine** – Due to a financial hardship, I am requesting the court to allow me to perform community service in lieu of my total fine. For the purposes of this section, the term "total fine" means the total bail, including the base fine and all assessments, penalties, and additional moneys to be paid.

I understand that if I fail to perform or fail to submit proof of completion for court ordered community service, the court may consider the entire unpaid balance is immediately due and payable and the court may send my case to the Franchise Tax Board (FTB) or other agency for collection. I also understand that if I need an extension of time, I must contact the Court to arrange an extension on or before my due date.

6. **Request for Other Order(s)**: I request the court make the following other order(s): (Please include a detailed explanation for what you are requesting and why you are making this request.) _____

Name of Case: People vs. _____ (Your Name)	Case # _____
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I understand that I am required to provide proof of any statements related to my financial declarations if I am asking the Court to consider a financial hardship. In the event that I have not been able to provide this documentation, I understand that my request may be denied by the Court.

I declare under penalty of perjury that the foregoing statement is true and correct to the best of my knowledge and that any written proof is attached to this form.

Executed at: _____ on _____
City and State *Date Signed*

Address of defendant: _____
Mailing Address, City, State and Zip Code

Telephone or Message Phone Number: (_____) _____

Signature _____
(Defendant's Signature)

CONFIDENTIAL

FINANCIAL DECLARATION

PERSONAL INFORMATION

Name: _____ Birthdate: _____ CASE # _____

Address: _____ Phone #: _____

Marital Status: Single Married Divorced Separated

Social Security number: _____

Number of dependents: _____

Court ordered child support payments: \$ _____

EMPLOYMENT

Are you currently employed? Yes No How long have you been unemployed?: _____

Employer: _____ How long: _____ Monthly Income: \$ _____

Spouse's employer: _____ How long: _____ Monthly Income: \$ _____

OTHER MONTHLY INCOME

Unemployment \$	Disability \$	Retirement \$	Child Support \$	Spousal Support \$
General Relief \$	Social Security \$	SSI \$	AFDC \$	Other \$

HOUSING: Renting Own Your share of the monthly payment: \$ _____

Other, please explain: _____

MOTOR VEHICLES (Including motorcycles, boats motor homes, trailers, etc.)

Year & Make _____ Own Lease Monthly payment: \$ _____

Year & Make _____ Own Lease Monthly payment: \$ _____

(Bills that you pay/owe)

CREDITORS (VISA, department stores, medical bills, etc.)

Creditor _____ Monthly payment: \$ _____

Creditor _____ Monthly payment: \$ _____

Creditor _____ Monthly payment: \$ _____

ASSETS

IMPORTANT:
 Each of the questions about assets must be answered. Do not leave any of the lines blank. If the answer is \$0.00 then enter a 0.

Checking Account Balance \$ _____
 Savings Account Balance \$ _____
 Money owed to you \$ _____
 Equity in property you own \$ _____
 Other assets \$ _____

Declaration Under Penalty of Perjury:

I understand that I am required to provide proof of any statements related to my financial declarations if I am asking the Court to consider a financial hardship. In the event that I have not been able to provide this documentation, I understand that my request may be denied by the Court.

I am unable to provide proof of (specify) _____
_____ for the following reason(s): _____

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and that all available written proof is attached to this form.

Executed at: _____ on _____
City and State *Date Signed*

Signature _____
(Defendant's Signature)

Number of pages attached (specify) _____.



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF STANISLAUS
TRAFFIC DIVISION**

Advisement, Waiver of Rights and Plea Form

This form is provided for filing by a person who has never submitted a plea in the case, who is requesting an order to be made by the Court on a pending case.

If a Judicial Officer (Judge or Court Commissioner) has not asked you for a plea in this case, or if you have not been convicted in previously or submitted a written plea in this case, you must complete the attached plea form if you are wishing to enter a guilty or no contest plea to request the Judicial Officer to consider your Request for Order regarding Fines, Fees, and/or late fees.

- Read the form thoroughly, so you are aware of your rights.

- Complete the following:
 - 1) Your name, address and phone number must be completed.
 - 2) Your case number must be written on the form.
 - 3) Under section entitled "PLEA", you must select one of the two options:
 - a. "I plead guilty" or
 - b. "I plead Nolo Contendere (No Contest)"
 - 4) Under the section "Waiver of Rights", read the waiver, and if you agree, sign your name and include the date you signed the form.

- Submit the form along with your Request for Order packet documents.



**Superior Court of California
County of Stanislaus
Traffic Division**

ADVISEMENT, WAIVER OF RIGHTS, AND PLEA

For Use By Clerk

Name: _____

Address: _____

City _____ State _____ Zip _____

Phone #: (_____) _____

Case # _____

ADVISEMENT OF RIGHTS

By choosing to enter a plea of Guilty or Nolo Contendere (No Contest), you will be giving up the following rights:

- A. To appear in court for formal arraignment, plea and sentencing;
- B. To have a court trial and to challenge the charges;
- C. To have a speedy court trial and have the charges dismissed if a speedy trial is requested by not provided;
- D. To be represented by an attorney at your own expense;
- E. To subpoena or present witnesses and physical evidence using the power of the court at no cost to you and to testify on your own behalf;
- F. To confront and cross-examine all witnesses under oath testifying against you; and
- G. To remain silent and not testify.

ENTRY OF PLEA

Select only one (1) of the following plea options:

_____ I plead Guilty _____ I plead Nolo Contendere (No Contest)

_____ I previously entered a plea in Court, and now wish to vacate Traffic School.

_____ I previously forfeited bail and am now requesting Traffic School. I understand that I am entering a plea of either guilty or nolo contendere to be allowed to reopen this matter to attend Traffic School.

VACATING TRAFFIC SCHOOL

_____ I previously was granted Traffic School and want to vacate it to proceed with a payment plan.

WAIVER OF RIGHTS

By signing below, I declare that I have read and understand these rights and that I am knowingly and voluntarily giving up these right and that I understand and accept the terms and consequences of my plea.

SIGNED: _____

DATE: _____

ATTORNEY OR PARTY WITHOUT ATTORNEY: Name: Address: Phone: SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS TRAFFIC DIVISION 2260 Floyd Avenue Modesto, CA 95355	FOR COURT USE ONLY <input type="checkbox"/> CAT <input type="checkbox"/> CAP <input type="checkbox"/> TIA
PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. _____ Defendant.	CASE NO: _____ <input type="checkbox"/> Date and Time of Hearing: _____
ORDER ON DEFENDANT'S REQUEST FOR ORDER - TRAFFIC: (Check all that apply): <input type="checkbox"/> To Vacate Civil Assessment <input type="checkbox"/> To Modify Fine Amount <input type="checkbox"/> To Pay Fine Amount in Installments <input type="checkbox"/> To Release Driver's License Hold with Department of Motor Vehicles <input type="checkbox"/> To Perform Community Service in lieu of Total Fine <input type="checkbox"/> Other _____	

COURT ORDER ON DEFENDANT'S REQUEST FOR ORDER - TRAFFIC

The Court has Reviewed and considered the defendants request(s) and makes the following orders:

1. **Request to Vacate Civil Assessment:**

The Court finds does not find that good cause exists for the request to vacate civil assessment. It is hereby ordered that the request to vacate the Civil Assessment is:

- | | | |
|----------------------------------|---|--|
| <input type="checkbox"/> Denied | <input type="checkbox"/> With Prejudice | <input type="checkbox"/> Without Prejudice |
| <input type="checkbox"/> Granted | <input type="checkbox"/> FTA Vacated | <input type="checkbox"/> FTA Reduced to \$ _____ |
| | <input type="checkbox"/> FTP Vacated | <input type="checkbox"/> FTP Reduced to \$ _____ |

2. **Request to Modify Fine Amount:**

The Court finds does not find good cause to modify the fine amount. It is hereby ordered that the request to modify fine amount is:

- | | | |
|----------------------------------|--|--|
| <input type="checkbox"/> Denied | <input type="checkbox"/> With Prejudice | <input type="checkbox"/> Without Prejudice |
| <input type="checkbox"/> Granted | <input type="checkbox"/> Fine amount reduced to \$ _____ | |

3. **Request to Pay Fine Amount in Installments:**

The Court finds does not find that good cause for allow payment of the fine in installments. It is hereby ordered that the request to pay fine amount installments is:

- | | | |
|-----------------------------------|--|--|
| <input type="checkbox"/> Denied | <input type="checkbox"/> With Prejudice | <input type="checkbox"/> Without Prejudice |
| <input type="checkbox"/> Granted. | <input type="checkbox"/> Defendant is ordered to pay the fine amount, plus an administrative fee of \$35.00, to be in monthly installments of at least \$ _____. | |

ORDER ON DEFENDANT'S REQUEST FOR ORDER

Name of Case: People vs. _____ (Your Name)

Case # _____

The first payment is due on _____ and the _____ day of each month until the fine amount is paid in full. Extension requests on due dates must be submitted to the Clerk of the Court in a timely manner. If Traffic School is granted with installment payments, a failure to pay the installment, or failure to request an extension of time by the due date will result in the Court issuing a Notice of Failure to Pay letter. If you do not take action by the due date on the letter, the fines will be sent to a collection agency, and the case will be reported to DMV as a conviction and as a point on your driving record. You can request an extension by contacting the Court Clerk's Office.

4. **Request to Release Driver's License Hold with Department of Motor Vehicles:**

The request to release driver's license hold with DMV is hereby ordered:

- Denied With Prejudice Without Prejudice
 Granted

5. **Request To Perform Community Service in lieu of Total Fine:**

The Court finds does not find good cause to perform community service in lieu of total fine. It is hereby ordered that the request to perform community service is:

- Denied With Prejudice Without Prejudice
 Granted Defendant is ordered to pay the total fine amount of \$ _____.
 Defendant is ordered to perform a total of _____ hours of community service.

You are responsible for signing up with a non-profit agency, such as a governmental or faith based entity, that arranges for community service work to be performed. You will have 90 days to complete your court ordered community service. You must submit the "Defendant's Declaration and Proof of Completion of Court Ordered Community Service" form on or before your due date of _____ to the Superior Court of California, County of Stanislaus, Traffic Court Division located at 2260 Floyd Avenue, Modesto, CA 95355 as proof of completion for court ordered community service.

I understand that if I fail to perform or fail to submit proof of completion for court ordered community service, the Court may consider the entire unpaid balance is immediately due and payable and the Court may send my case to the Franchise Tax Board (FTB) or other agency for collection. I also understand that if I need an extension of time, I must contact the Court to arrange an extension on or before my due date.

6. **Request for Other Order(s)**

The request for other orders of the Court is hereby ordered:

- Denied With Prejudice Without Prejudice
 Granted

The court makes the following additional orders:

ORDER ON DEFENDANT'S REQUEST FOR ORDER	
Name of Case: People vs. _____ (Your Name)	Case # _____

7. The Court finds that a hearing is required to consider defendant's request.

The defendant's hearing on a Request for Order is hereby set for law and motion hearing on _____, at _____ a.m./p.m., at the Superior Court of California, County of Stanislaus, Traffic Court Division located at 2260 Floyd Avenue, Modesto, CA 95355. If the defendant fails to appear at the date and time set for hearing, the Request for Order will be denied.

IT IS SO ORDERED.

Date _____

Signature _____

Judicial Officer

CLERK'S CERTIFICATE OF MAILING

I, the below-named Deputy Clerk of the above-entitled Court, do hereby certify that I am not a party to the cause herein, and that on this date, I served the Order on the Defendant's Request for Order upon the defendant or defendant's counsel as indicated below:

- by placing it for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Modesto, California. One copy of the original filed in a sealed envelope to the address of record with the postage thereon fully prepaid, in accordance with court practices.
- by personally providing a copy to the defendant.

Date: _____

By _____

, Deputy Clerk

ATTORNEY OR PARTY WITHOUT ATTORNEY: Name: Address: Phone: ()	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS TRAFFIC DIVISION 2260 Floyd Avenue Modesto, CA 95355	
PEOPLE OF THE STATE OF CALIFORNIA, <div style="text-align: right;">Plaintiff</div> vs. <hr style="width: 20%; margin-left: 0;"/> <div style="text-align: right;">Defendant.</div>	
DEFENDANT'S DECLARATION AND PROOF OF COMPLETION OF COURT-ORDERED COMMUNITY SERVICE	CASE NO:

INSTRUCTIONS:

1. Complete, date and sign this form as proof that you completed the required number of hours of court-ordered community service.
2. Please attach a letter from the volunteer organization where you performed the community service. An authorized representative of the organization must sign the letter and state the number of hours of community service you performed. The letter must be on the organization's letterhead stationery.
3. The court must receive the signed form **and** the organization's letter on or before the completion date given to you by the Judicial Officer or court clerk. If you are unable to complete your hours by the deadline, contact the Traffic Court Clerk's office before your due date to see if you are eligible for a one-time extension.

1. Defendant's Name: _____
2. Name of Non-Profit Agency: _____
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Phone: _____ Name of Supervisor: _____
3. Number of Community Service Hours Performed: _____
4. Date(s) Community Services Hours Performed: _____

I declare under penalty of perjury of the laws of the State of California that the information contained in this form is true and correct, and I personally performed the required number of community service hours set forth in item number 3 listed above.

Date: _____ Defendant's Signature: _____

Number of pages attached: _____