



## Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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# INVITATION TO COMMENT

## SPR26-39

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**Title**

Traffic: Trial by Written Declaration Forms

**Proposed Rules, Forms, Standards, or Statutes**

Amend Cal. Rules of Court, rule 4.210;  
revise forms TR-205, TR-215, TR-220,  
TR-225, and TR-235; revoke forms TR-200  
and TR-210

**Proposed by**

Traffic Advisory Committee  
Hon. Maria Lucy Armendariz, Chair

**Action Requested**

Review and submit comments by May 18,  
2026, to [invitations@jud.ca.gov](mailto:invitations@jud.ca.gov)

**Proposed Effective Date**

January 1, 2027

**Contact**

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### Executive Summary and Origin

The Traffic Advisory Committee proposes revocations and revisions to the trial by written declaration forms and corresponding amendments to the relevant rule of court to better assist court users. These proposed revisions include substantive changes, clearer language, and reorganized, more intuitive content. The committee specifically recommends amending rule 4.210 of the California Rules of Court; revising forms TR-205, TR-215, TR-220, TR-225, and TR-235; and revoking forms TR-200 and TR-210.

### Background

Vehicle Code section 40902 (see Link A) allows a defendant to contest a citation in writing and present evidence without having to go to court—a procedure called “trial by written declaration.” For a trial by written declaration, the defendant is required by statute to post bail, essentially the full cost of the traffic ticket.<sup>1</sup> Trials by written declaration are available in cases involving

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<sup>1</sup> Note that the process for a trial by declaration in MyCitations is different than the process set forth in Vehicle Code section 40902. MyCitations is a Judicial Council online tool that allows a defendant to look up an eligible citation, answer several financial questions, and submit a request to the court for a reduction in the amount owed. Through MyCitations, courts are allowed, but not required, to offer online trials by declaration. If the court chooses to offer the trial by declaration feature through MyCitations, a defendant is not generally required to pay bail up front and the defendant does not have the right to a trial de novo. (Gov. Code, § 68645.2(a)(2), (4).) If a court uses

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infraction violations of the Vehicle Code or violations of local ordinances adopted under the Vehicle Code. California Rules of Court, rule 4.210 provides procedures for trials by written declaration.

Under the current rule and set of forms related to trial by written declaration, the defendant is given instructions (form TR-200), pays bail up front, and provides a written statement and evidence as applicable (form TR-205). The law enforcement officer is given instructions (form TR-210) and provides a written statement (form TR-235). The judicial officer makes a decision (form TR-215) and returns the bail if the defendant is found not guilty. If the defendant is unhappy with the decision, they may request a trial de novo (form TR-220), and the judicial officer grants or denies the request for a trial de novo (form TR-225). These forms have not been substantively revised since 1999, and since most traffic defendants are self-represented, the forms can be improved by being easier to follow, using commonly understood language, and providing more intuitive formatting.

## **The Proposal**

The committee proposes revising the forms to improve readability and organization and revoking two instructional forms that the proposed revisions would make redundant. As part of the proposal, the committee recommends corresponding changes to California Rules of Court, rule 4.210. In addition to plain language updates to the forms as well as minor, nonsubstantive updates to rule 4.210, the proposal includes three recommended substantive changes to these forms as described below.

First, the committee recommends adding potential defenses to form TR-205 that the user can raise by checking a box (and elaborating on if desired). The committee was concerned that current form TR-235 (the law enforcement officer's declaration) gives the officer an advantage in the process by providing checkboxes for foundational evidentiary statements without providing something similar to defendants. The committee considered removing the officers' checkboxes on form TR-235 but ultimately determined that adding potential defenses for the defendant on form TR-205 would be a better solution.

Second, the committee recommends adding information to form TR-205 that the prosecution has the burden to prove the case, and the defendant does not have an obligation to prove anything. The committee was concerned that the current forms seem to require a defendant to make statements that may not be in their best interests and are inconsistent with the burden of proof. Therefore, the committee recommends adding advisements that the defendant has no obligation to write anything or provide evidence.

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MyCitations for the trial by declaration, the Government Code requires the court to follow the same procedure for the paper process (see Link B). (Gov. Code, § 68645.2(b).) Six courts are currently using the trial by declaration feature in MyCitations, two are expected to start using it by late 2026, and up to twelve more are expected to start using it after 2026.

The third recommended substantive change relates to the Engineering and Traffic Survey (ETS), which is often needed as evidence in traffic cases. An ETS is a report prepared by civil engineers for municipalities and is “a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation for use by state and local authorities.” (Veh. Code, § 627(a).) An ETS can sometimes be necessary to prove a foundational element in an infraction case involving speeding.<sup>2</sup>

Court staff have repeatedly identified a concern regarding the checkbox on form TR-235 that states the ETS is on file with the court.<sup>3</sup> For courts that do not have the survey on file for a given case, allowing a law enforcement officer to check a box stating that the ETS is on file is problematic for the trial-by-written-declaration process. Additionally, some judicial officers believe that any evidence needed to prove the traffic case should be presented with the trial by written declaration, regardless of whether the ETS is on file, and allowing a law enforcement officer to check a box stating the ETS is on file with the court may lead to cases being dismissed. The committee considered removing the “ETS on file with the court” option entirely from form TR-235, but law enforcement stakeholders indicated some courts do have the ETS on file and removing the box entirely could unnecessarily complicate the ETS process. Additionally, law enforcement stakeholders noted that law enforcement officers are only witnesses in cases, not the prosecution, and requiring law enforcement officers to always provide an ETS may be inconsistent with their obligations.

Based on all of these considerations, the committee recommends revising form TR-235 to state that local practices for having the ETS on file with the court may vary and to verify whether it is on file with the court. The committee also recommends—based on a previous stakeholder comment—adding space on the form for the law enforcement officer to include the URL for an ETS if it is available online.

Also, in relation to the ETS, the committee recommends revising the language on current form TR-235 about the five-, seven-, and fourteen-year periods in items 4, 5, and 6. While the current form adequately describes Vehicle Code section 40802 (see Link D), the statute is redundant, and the committee received feedback that form TR-235 is confusing on its face. As a practical matter, stakeholders stated that law enforcement officers generally need to provide evidence (item 5, boxes c, d, and e on the current form) to adequately prove the case, even if they do not need to provide this evidence strictly pursuant to Vehicle Code section 40802. Therefore, the committee is recommending streamlining the form by only including one box for evidence

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<sup>2</sup> For speeding infractions, the Vehicle Code prohibits the use of speed traps as evidence (see Link C). (Veh. Code, §§ 40801–40804.) One of the definitions of a speed trap is a section of highway not justified by an engineering and traffic survey within specified time limits (see Link D).

<sup>3</sup> Although some courts maintain these documents on file, other courts do not. Moreover, because municipalities commission various ETS reports on different timelines, a court may not have a current copy of the relevant ETS on file.

within seven years. There is also an “other” section on the recommended revised form for the officer to articulate any relevant information about the ETS.

Other than the substantive changes described above, the remainder of the recommended changes to the forms are to improve clarity and readability. Proposed revisions are detailed below:

### **Form TR-200**

This is an instruction form that the court user is required to review and acknowledge that they have reviewed. It provides information on the process for asking for a trial by written declaration as well as guidelines to complete form TR-205. The committee recommends revoking this form and instead incorporating all necessary instructions directly into form TR-205.

### **Form TR-205<sup>4</sup>**

This is a form that the defendant must complete to ask for a trial by written declaration. The committee proposes these revisions:

- Reformats the form for clearer organization and improved readability.
- Retitles the form to “Challenge Traffic Ticket Without Going to Court” to be more descriptive.
- Adds a clear instructional section at the beginning of the form addressing:
  - When to use this form;
  - The deadline to file;
  - Whether a filing fee (bail) applies; and
  - Added disclaimers and advisements in an “Important” section to highlight information to defendants.
- Item 1: Adds a section requesting the defendant’s name and preferred method of receiving communications. Court staff recommended requesting the defendant’s preferred method of receiving communication.
- Item 2: Adds checkbox options for potential defenses. It additionally highlights that a defendant has the right to remain silent and has no obligation to prove their case. This item also now contains information from items 2, 5, and 6 of the current form, and includes instructions for attaching evidence.
- Item 3: Adds request regarding traffic school. Court staff recommended this addition.
- Item 4: Adds instructions explaining how to attach supporting evidence.
- Items 5 and 6: Adds numbers next to signatures for the defendant and lawyer (if any) to make the signature lines more visible.
- Adds a “Next Steps” section outlining what happens after submission.

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<sup>4</sup> Because the proposed revisions are so extensive, they are listed here rather than shown in the attached version of the form.

**Form TR-210**

This is an instruction form that informs the law enforcement officer about form TR-235. The committee recommends revoking this form and instead adding the necessary instructions to form TR-235.

**Form TR-215**

This form provides the court's decision (order) for a trial by written declaration. The committee proposes these revisions:

- Reformats the form for clearer organization and improved readability.
- Retitles the form to "Court's Decision on Request to Challenge Ticket."
- Instructions for Use: Adds instructions for the form.
- Item 1: Adds a section asking for defendant information.
- Item 4: Adds Traffic School as a potential court order option.
- Updates the Clerk's Certificate of Mailing with clearer language and revised mailing procedures.

**Form TR-220**

This is a form that the defendant must complete to ask for a trial de novo if a defendant disagrees with the court's decision on the trial by written declaration. The committee proposes these revisions:

- Reformats the form for clearer organization and improved readability.
- Instructions for Use: Adds language explaining when to use the form, clarifying that it should be used if the defendant disagrees with the court's decision on form TR-215, and defines trial de novo as a new trial where the case is reviewed again from the beginning by a judicial officer.
- Filing Deadline: Replaces prior language referencing the mailing date of form TR-215 and the 20-day submission period with a clear statement specifying the exact date by which the court must receive the form to eliminate confusion and simplify the deadline calculation.
- Items 2 and 3: Adds new items requesting defendant contact information (name, telephone number, and email address) to improve consistency across forms and to facilitate communication.
- Which Violations: Adds an option allowing the defendant to specify violations to avoid confusion about whether the defendant is dissatisfied with all or only part of the court's decision.

**Form TR-225**

This form provides the court's decision (order) on the defendant's request for a trial de novo. The committee proposes these revisions:

- Reformats the form for clearer organization and improved readability.

- Court Instructions: Adds directions that the court will complete the form to provide clarity for defendants reviewing the order.
- Item 1: Adds section asking for the defendant’s name.
- Order Structure: Reorganizes the form to list granted requests before denied requests to improve logical flow and readability.
- Denial Language: Simplifies “otherwise not in compliance with law or rules (explain)” to “Other (explain)” to make the language clearer and easier to understand.
- Instructional Box: Revises the instructional box directing defendants to appear ready for trial with witnesses and evidence to be more understandable.
- Clerk’s Certificate of Mailing: Updates the language in accordance with revised mailing procedures.

### **Form TR-235**

This is a form that the law enforcement officer completes after the court notifies the law enforcement officer that the defendant has requested a trial by written declaration. The committee proposes these revisions:

- Reformats the document for improved readability.
- Changed title of form.
- Instructions: Updates the language for clarity and consistency.
- Item 1: Adds sections for the clerk to complete and renumbers sections accordingly.
- Items 4a and 4b: Converts these items to yes/no checkbox options to make completion easier for the law enforcement officer and reduce confusion.
- Items 4c and 4i: Reformats these items to clarify available options for the law enforcement officer completing the form.
- Items 6–8: Revises information about the ETS for clarity. Adds that local practices for having the ETS on file with the court may vary.

### **California Rules of Court, rule 4.210**

This rule of court describes the procedures for trial by written declaration. The committee proposes these amendments to comport with the form changes:

- Removes references to forms being revoked by this proposal.
- Updates references to form names.
- Updates grammar and stylistic conventions in the rule, including verb redundancies and references to “mail.”

### **Alternatives Considered**

The committee considered making no changes to the forms, but determined the forms are out of date and potentially cause barriers to access to justice, especially because most defendants are self-represented in these types of cases. Additionally, the committee has received comments from stakeholders about these forms, particularly regarding the ETS. The committee considered creating MyCitations trial by declaration forms in this proposal but ultimately concluded it

would be helpful to have the Judicial Council revise these forms to guide potential future MyCitations trial by declaration forms.

The committee considered whether recommended form TR-205 encourages defendants not to testify or provide evidence which may ultimately hurt the defendant's case. However, the committee determined that it is important to adequately advise defendants of their right to not testify. The committee considered removing the law enforcement officer's evidentiary checkboxes on form TR-235 but ultimately determined adding potential defenses for the defendant would be a better solution. The committee considered removing the "ETS on file with the court" option entirely from form TR-235, but law enforcement stakeholders indicated some courts do have the ETS on file and removing the box entirely could complicate the ETS process.

### **Fiscal and Operational Impacts**

Courts will need to reprogram court case management systems, update any printed court material, and provide training for court staff and judicial officers regarding new forms.

## Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Do the potential defenses on form TR-205 better assist defendants in the trial by declaration process than the current form?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?
- Is the clerk's certificate of mailing helpful or necessary, particularly as courts may be using electronic service?
- Does the information about the ETS on file with the court on form TR-235 adequately describe variations in local practices?

## Attachments and Links

1. Cal. Rules of Court, rule 4.210, at pages 9–12
2. Forms TR-200, TR-205, TR-210, TR-215, TR-220, TR-225, and TR-235, at pages 13–26
3. Link A: Veh. Code, § 40902,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=40902.&lawCode=VEH](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=40902.&lawCode=VEH)
4. Link B: Gov. Code, § 68645.4,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=68645.4.&lawCode=GOV](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=68645.4.&lawCode=GOV)
5. Link C: Veh. Code, § 40803,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=40803.&lawCode=VEH](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=40803.&lawCode=VEH)
6. Link D: Veh. Code, § 40802,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=40802.&lawCode=VEH](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=40802.&lawCode=VEH)

Rule 4.210 of the California Rules of Court would be amended, effective January 1, 2027, to read:

1 **Rule 4.210. Traffic court—trial by written declaration**

2  
3 **(a) Applicability**

4  
5 This rule establishes the minimum procedural requirements for trials by written  
6 declaration under Vehicle Code section 40902. The procedures established by this  
7 rule must be followed in all trials by written declaration under that section.  
8

9 **(b) Procedure**

10  
11 (1) *Definition of due date*

12  
13 As used in this subdivision, “due date” means the last date on which the  
14 defendant’s appearance is timely.  
15

16 (2) *Extending due date*

17  
18 If the clerk receives the defendant’s written request for a trial by written  
19 declaration by the appearance date indicated on the *Notice to Appear*, the  
20 clerk must, within 15 calendar days after receiving the defendant’s written  
21 request, extend the appearance date 25 calendar days and must give or mail  
22 notice to the defendant of the extended due date on the *Request for Trial by*  
23 *Written Declaration Challenge Traffic Ticket Without Going to Court* (form  
24 TR-205) a copy of the *Instructions to Defendant* (form TR-200) and with any  
25 other required forms.  
26

27  
28  
29 The defendant must file a *Request for Trial by Written Declaration* (form  
30 TR-205) with the clerk by the appearance date indicated on the *Notice to*  
31 *Appear* or the extended due date as provided in (2). The *Request for Trial by*  
32 *Written Declaration* (form TR-205) must be filed in addition to the  
33 defendant’s written request for a trial by written declaration, unless the  
34 defendant’s request was made on the election form.  
35

36  
37  
38 The defendant must deposit bail with the clerk by the appearance date  
39 indicated on the *Notice to Appear* or the extended due date as provided in (2).  
40

41 (5) *Instructions to arresting officer*

1 If the clerk receives the defendant's *Request for Trial by Written Declaration*  
2 *Challenge Traffic Ticket Without Going to Court* (form TR-205) and bail by  
3 the due date, the clerk must deliver ~~or mail~~ to the arresting officer's agency  
4 ~~*Notice and Instructions to Arresting Officer* (form TR-210) and *Officer's*~~  
5 *Declaration* (form TR-235) with a copy of the *Notice to Appear* and a  
6 specified return date for receiving the officer's declaration. After receipt of  
7 the officer's declaration, or at the close of the officer's return date if no  
8 officer's declaration is filed, the clerk must submit the case file with all  
9 declarations and other evidence received to the court for decision.

10  
11 (6) *Court decision*

12  
13 After the court decides the case and returns the file and decision, the clerk  
14 must immediately deliver or mail the *Decision and Notice of Decision* (form  
15 TR-215) to the defendant and the arresting agency.

16  
17 (7) *Trial de novo*

18  
19 If the defendant files a *Request for New Trial (Trial de Novo)* (form TR-220)  
20 by within 20 calendar days after the date of delivery or mailing of the date  
21 indicated on the Decision and Notice of Decision (form TR-215), the clerk  
22 must set a trial date within 45 calendar days of receipt of the defendant's  
23 written request for a new trial. The clerk must deliver or mail to the defendant  
24 and to the arresting officer's agency the *Order and Notice to Defendant of*  
25 *New Trial (Trial de Novo)* (form TR-225). If the defendant's request is not  
26 timely received, no new trial may be held and the case must be closed.

27  
28  
29  
30 The clerk must deliver or mail the *Decision and Notice of Decision* (form  
31 TR-215) within 90 calendar days after the due date. Acts for which no  
32 specific time is stated in this rule must be performed promptly so that the  
33 *Decision and Notice of Decision* can be timely delivered or mailed by the  
34 clerk. Failure of the clerk or the court to comply with any time limit does not  
35 void or invalidate the decision of the court, unless prejudice to the defendant  
36 is shown.

37  
38 (c) **Due dates and time limits**

39  
40 Due dates and time limits must be as stated in this rule, unless changed or extended  
41 by the court. The court may extend any date, but the court need not state the  
42 reasons for granting or denying an extension on the record or in the minutes.

1     **(d) Ineligible defendants**

2  
3     If the defendant requests a trial by written declaration and the clerk or the court  
4     determines that the defendant is not eligible for a trial by written declaration, the  
5     clerk must extend the due date 25 calendar days and notify the defendant by mail of  
6     the determination and due date.

7  
8     **(e) Noncompliance**

9  
10    If the defendant does not comply with this rule (including submitting the required  
11    bail amount, signing and filing all required forms, and complying with all time  
12    limits and due dates), the court may deny a trial by written declaration and may  
13    proceed as otherwise provided by statute and court rules.

14  
15    **(f) Evidence**

16  
17    Testimony and other relevant evidence may be introduced in the form of a *Notice to*  
18    *Appear* issued under Vehicle Code section 40500; a business record or receipt; a  
19    sworn declaration of the arresting officer; and, on behalf of the defendant, a sworn  
20    declaration of the defendant.

21  
22    **(g) Fines, assessments, or penalties**

23  
24    The statute and the rules do not prevent or preclude the court from imposing on a  
25    defendant who is found guilty any lawful fine, assessment, or other penalty, and the  
26    court is not limited to imposing money penalties in the bail amount, unless the bail  
27    amount is the maximum and the only lawful penalty.

28  
29    **(h) Additional forms and procedures**

30  
31    The clerk may approve and prescribe forms, time limits, and procedures that are not  
32    in conflict with or not inconsistent with the statute or this rule.

33  
34    **(i) Forms**

35  
36    The following forms are to be used to implement the procedures under this rule:

37  
38    ~~(1) — *Instructions to Defendant* (form TR-200)~~

39  
40    ~~(2) (1) Request for Trial by Written Declaration Challenge Traffic Ticket Without~~  
41    ~~Going to Court (form TR-205)~~

42  
43    ~~(3) — *Notice and Instructions to Arresting Officer* (form TR-210)~~

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~~(4) *Officer's Declaration* (form TR-235)~~

~~(5) *(2) Decision and Notice of Decision Court's Decision on Request to Challenge Ticket* (form TR-215)~~

~~(6) *(3) Request for New Trial (Trial de Novo)* (form TR-220)~~

~~(7) *(4) Order and Notice to Defendant of New Trial (Trial de Novo)* (form TR-225)~~

~~(8) *(5) Officer's Declaration* (form TR-235)~~

**(j) Local forms**

A court may adopt additional forms as may be required to implement this rule and the court's local procedures not inconsistent with this rule.

**INSTRUCTIONS TO DEFENDANT**  
**(Trial by Written Declaration)**  
**(Vehicle Code, § 40902)**

Vehicle Code section 40902 allows a defendant to contest citations in writing, without having to make a personal court appearance. This procedure is called a "trial by declaration." Trials by written declaration are available in cases involving infraction violations of the Vehicle Code or of local ordinances adopted under the Vehicle Code. The following instructions tell you how to obtain a trial by written declaration:

1. Completely fill out the *Request for Trial by Written Declaration* (form 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* and pay the required bail amount to the court. A completed *Request for Trial by Written Declaration* form and the required bail amount must be received by the clerk by the due date indicated. (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. **Failure to deposit bail by the due date may subject you to other charges, penalties, assessments, and actions.**
3. After the clerk receives the *Request for Trial by Written Declaration*, 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. If you are dissatisfied with the court's decision, you may ask for a new trial ("trial de novo"). In order to obtain a new trial, you must file the *Request for New Trial (Trial de Novo)* (form TR-220) within 20 days after the date the court's decision was mailed to you.
5. Always include your citation number in any correspondence with the court.
6. **IMPORTANT:** You have the right to an in-person trial before a judge (rather than a trial by written declaration). You also have a right to a new trial if you are dissatisfied with the court's decision in your 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 written declaration, you are waiving and giving up the rights to remain silent and not to incriminate yourself.

*Clerk stamps date here when form is filed.*

**03/24/2026  
DRAFT  
Not approved by  
the Judicial Council**

**When to use this form?**

If you do not agree with your citation (ticket) and you want the court to dismiss your ticket, you may complete this form and file it with the court. This procedure is called a trial by written declaration. You will not get a court date. The court will decide your case based on what you write on this form, any evidence you include, and any statement filed by the officer in your case.

**When is the deadline to file this form?**

You must file this request by *(date provided by court clerk)*: \_\_\_\_\_ or as listed on the Courtesy or Reminder Notice sent to you from the court. If you did not receive the notice, contact the court in the county where you received the ticket.

**Is there a fee to file this request?**

You must pay bail of \$ \_\_\_\_\_ when you turn in this request. Traffic bail is how much you owe on your ticket. Your bail amount is listed on your Courtesy or Reminder Notice. If your ticket is dismissed, the money you paid for bail will be returned to you. If you are found guilty, you can ask for a new trial or accept that the court found you guilty and bail will not be returned to you.

**Important Information**

- Anything you write on this form can be used against you in court.
- Once you turn in this form, it is a public document. This means anyone can access your form and any evidence you include. Do not include sensitive information like your social security number.
- You have the right to a court trial in front of a judicial officer without paying bail first, but you may have to go to more than one court date. Do not use this form if you want to appear in front of a judicial officer for trial.
- If you are dissatisfied by the result of this trial by written declaration, you will be able to ask for a new trial (also called a trial de novo) after the court makes a decision. Do not use this form to ask for a new trial .

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in the case number and ticket number (if you have it):*

**Case Number:** \_\_\_\_\_

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**Ticket Number:** \_\_\_\_\_

**1 Your information**

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Preferred method of receiving information from the court *(check one)*:

Email: \_\_\_\_\_

Mailing address: \_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code)

**Your lawyer's information (if you have one)**

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**This is not a court order**



2 Request to challenge ticket without going to court

a. Potential defenses (optional)

(Check all that apply. You may attach evidence or provide statements below.)

- There was unclear signage or an issue with signage for the alleged violation.
The violation was impossible under the alleged circumstances.
An emergency necessitated the alleged violation.
I did not commit the alleged violation.
I was not driving the vehicle involved in the alleged violation.
I do not own the vehicle involved in the alleged violation.
Other as explained below in 2b.

b. Your statement (optional)

(You may use the space below to explain any of the checkboxes above and what happened and why you are not guilty. Any facts you give must be based on your personal knowledge. Note that you do not have to give a statement because you have the right to remain silent. The prosecution must prove that you are guilty beyond a reasonable doubt. If you do provide a statement, it may be used against you.)

Multiple horizontal lines for writing a statement.

c. Do you have evidence to include with this request? (optional)

(Note: You don't have to include evidence, but if you have any, it could help the court decide your case.)

- No
Yes (if yes, check all types of the evidence that you are attaching with this form.)
Photos, Registration documents, Insurance documents, Car repair receipt, Inspection certificate, Diagram, Medical record, Other (describe):

Instructions for attaching evidence

- Black out sensitive information like your social security number.
Make a copy of the evidence for your own records. The court will keep any evidence you include with your request and you will not get it back.
If you are not filing this request electronically, staple your evidence to this form.

This is not a court order



Case Number: \_\_\_\_\_

**3 If you are found guilty, do you want the court to allow you to attend traffic school?**

*(If you are found guilty, the court can allow you to attend traffic school if you are eligible. For more information on the possible benefits of traffic school, go to [selfhelp.courts.ca.gov/traffic/traffic-school](http://selfhelp.courts.ca.gov/traffic/traffic-school).)*

- No
- Yes

**4 Additional Pages**

Number of pages attached to this form, if any: \_\_\_\_\_  
*(This includes any evidence you are attaching to this form.)*

**5 Your signature**

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

▶ \_\_\_\_\_  
*Sign your name*

**6 Your Lawyer's Signature (if you have one)**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Lawyer's name*

▶ \_\_\_\_\_  
*Lawyer's signature*

**Your Next Steps**

- Make at least one copy of your completed form and file the original with the court and keep the copy for your records. Make sure you attach any evidence you want the court to consider. Make sure to include your bail.
- After you file this form, the law enforcement officer in this case will have a chance to file a statement.
- The court will make a decision. A copy of the decision will be sent to you.
- For more information about this process, go to [selfhelp.courts.ca.gov/traffic/trial-declaration](http://selfhelp.courts.ca.gov/traffic/trial-declaration).

**This is not a court order**

NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<b>FOR COURT USE ONLY</b>
DEFENDANT: <p style="text-align: center;">PEOPLE OF THE STATE OF CALIFORNIA vs.</p>	
<b>NOTICE AND INSTRUCTIONS TO ARRESTING OFFICER VEHICLE CODE INFRACTION (Trial by Written Declaration—Vehicle Code, § 40902)</b>	

CITATION NUMBER:
CASE NUMBER:

The defendant has elected a trial by written declaration.

- 1. a.  A copy of the citation is attached.
- OR**
- b.  (1) Agency:  
 (2) Officer name & I.D. number:  
 (3) Citation number:  
 (4) Citation date:

2. Return date:

3. INSTRUCTIONS TO ARRESTING OFFICER: Complete, date, and sign an officer's declaration, attach it to this notice, and file it with the court by the return date (see item 2 above).

4. File with or mail to the Clerk of the (specify): \_\_\_\_\_ Court at (mailing address): \_\_\_\_\_

# REVOKED

# January 1, 2027

5. For information, call the court clerk's office at (telephone no.): \_\_\_\_\_

6. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

### CLERK'S CERTIFICATE OF MAILING

- 1. I am not a party to this action.
- 2. I served the *Notice and Instructions to Arresting Officer* by enclosing a copy in an envelope addressed to (specify agency name and address): \_\_\_\_\_

and caused the envelope to be deposited with the United States Postal Service with first-class postage fully prepaid at (city): \_\_\_\_\_, California  
 on (date): \_\_\_\_\_

3. I certify that the foregoing is true and correct.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

For your protection and privacy, please press the Clear button after you have printed the form.

17

Print

Save

Clear

Clerk stamps date here when form is filed.

**03/24/2026**  
**DRAFT**  
**Not approved by**  
**the Judicial Council**

*(This form is completed when the court has made a decision on a defendant's form TR-205 (Request to Challenge Ticket Without Going to Court). The court sends a copy of this form to the defendant. If any amount is owed by the defendant, the defendant must pay the amount that is on this order. If the defendant is owed a refund, the court will mail the amount owed within 60 days of the court's decision.)*

**1 Defendant's Name:** \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

**2** The bail amount in this case was \$ \_\_\_\_\_

**3 Court Findings and Orders**

Fill in the case number and ticket number (if you have it):

**Case Number:**  
\_\_\_\_\_  
**Ticket Number:**  
\_\_\_\_\_

a. The court has reviewed the:

- (1) Request by defendant (form TR-205)
- (2)  Officer's statement (form TR-235)

b. Based on its review, the court:

(1) For **alleged** violation #1 (describe): \_\_\_\_\_

- Dismisses the violation.
- Finds the defendant not guilty.
- Finds the defendant guilty.

(List any fine or fee for this violation):

Fine: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

(2) For **alleged** violation #2 (describe): \_\_\_\_\_

- Dismisses the violation.
- Finds the defendant not guilty.
- Finds the defendant guilty.

(List any fine or fee for this violation):

Fine: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

(3) For **alleged** violation #3 (describe): \_\_\_\_\_

- Dismisses the violation.
- Finds the defendant not guilty.
- Finds the defendant guilty.

(List any fine or fee for this violation):

Fine: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_



- 3 b. (4) For **alleged** violation #4 (*describe*): \_\_\_\_\_
- Dismisses the violation.
  - Finds the defendant not guilty.
  - Finds the defendant guilty.
- (*List any fine or fee for this violation*):  
 Fine: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- (5) For **alleged** violation #5 (*describe*): \_\_\_\_\_
- Dismisses the violation.
  - Finds the defendant not guilty.
  - Finds the defendant guilty.
- (*List any fine or fee for this violation*):  
 Fine: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

**Additional alleged violations:**  Additional pages attached.  
 Number of pages attached to this form, if any: \_\_\_\_\_

4 **Payment or Reimbursement**

Based on the court's decision above (*check a or b*):

- a.  **Defendant must pay the amount listed below in a(5):**
- (1) Total fines: \$ \_\_\_\_\_
  - (2) Total fees: \$ \_\_\_\_\_
  - (3) Total fines and fees ((1) plus (2)): \$ \_\_\_\_\_
  - (4) **Bail** amount paid by defendant: \$ \_\_\_\_\_
  - (5) Total amount owed ((3) minus (4)): \$ \_\_\_\_\_ must be paid by (*date*): \_\_\_\_\_
- (6)  **Traffic school granted (See 5)**
- b.  **The court clerk must refund the defendant the amount listed in b(5):**
- (1) Bail amount paid by defendant: \$ \_\_\_\_\_
  - (2) Total fines (if any): \$ \_\_\_\_\_
  - (3) Total fees (if any): \$ \_\_\_\_\_
  - (4) Total fines and fees ((2) plus (3)): \$ \_\_\_\_\_
  - (5) Total amount to be refunded ((1) minus (4)): \$ \_\_\_\_\_

(*Defendant should receive refund within 60 days of this order.*)

**Certificate of mailing on reverse**



Case Number: \_\_\_\_\_

**5 Other Orders** *(including any orders for traffic school)*

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**Judicial Officer's Signature**

Date: \_\_\_\_\_



\_\_\_\_\_

*Judicial Officer*

**Clerk's Certificate of Mailing**

For the Decision and Notice of Decision, the clerk certifies:

- a. I am not a party to this action.
- b. I placed a filed copy of the following forms in a sealed envelope.  
 Form TR-215 *(Court's Decision on Request to Challenge Ticket)*
- c. This envelope was mailed by U.S. mail, with full postage,  
from *(place)*: \_\_\_\_\_ on *(date)*: \_\_\_\_\_  
to *(address for defendant)*:

d. Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is not a court order**

For your protection and privacy, please press the Clear button after you have printed the form.

20  
**Print**

**Save**

**Clear**

*Clerk stamps date here when form is filed.*

**When to use this form**

Use this form if you do not agree with the court's decision on form TR-215. If you complete and turn this form in by the deadline, the court will give you a new trial (trial de novo). A **trial de novo** is a new trial. This means you will get a court date for a new trial. A judicial officer will look at your case again from the start.

**03/24/2026  
DRAFT  
Not approved by  
the Judicial Council**

**Instructions**

The clerk will complete items ① and ②.

The Defendant must complete and sign the rest of the form and return it by the deadline listed in ①.

*Court fills in the court name and street address:*

**Superior Court of California, County of**

① **The court must receive this form by (date):** \_\_\_\_\_

② **Defendant's Name:** \_\_\_\_\_

*Court fills in the case number and ticket number:*

**Case Number:**

**Ticket Number:**

*(Defendant to complete the rest of this form)*

③ **Defendant's Contact Information**

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Preferred method of receiving information from the court (check one):

Email: \_\_\_\_\_

Mailing address: \_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code)

**Your lawyer's information (if you have one)**

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

④ **Request for New Trial**

I am dissatisfied with the court's decision. I request a new trial (trial de novo) for all violations.

I am dissatisfied with the court's decision. I request a new trial (trial de novo) for some violations. I request a new trial for these violations (please list): \_\_\_\_\_

⑤ **Your signature**

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 your name*

\_\_\_\_\_  
*Sign your name*

**This is not a court order**

*Clerk stamps date here when form is filed.*

**04/03/2026**

**DRAFT**

**Not approved by  
the Judicial Council**

**(This form will be completed by the court)**

**Defendant Instructions**

Come to court at the time and date listed in item ②a. You can bring a lawyer with you if you want one. If you have any witnesses, make sure to bring them. If you have any other evidence, make sure to bring it with you.

*Court fills in the court name and street address:*

**Superior Court of California, County of**

*Court fills in the case number and ticket number:*

**Case Number:**

**Ticket Number:**

① **Defendant's Name:** \_\_\_\_\_

② **Court Order**

The court has received your request for a new trial and *(check one)*:

a.  Grants your request. Your new trial is scheduled for:

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Name and address of court if different from above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  Denies your request. The request was not received on time.

Additional information *(explain if needed)*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Judicial Officer's signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**This is a court order**



## Clerk's Certificate of Mailing

### Clerk's Certificate of Mailing

For the Order and Notice to Defendant of New Trial, the clerk certifies:

- a. I am not a party to this action.
- b. I placed a filed copy of the following forms in a sealed envelope.  
 Form TR-225 (*Order and Notice to Defendant of New Trial*)
- c. This envelope was mailed by U.S. mail, with full postage,  
from (*place*): \_\_\_\_\_ on (*date*): \_\_\_\_\_  
to: \_\_\_\_\_

d. Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a court order**



*Clerk stamps date here when form is filed.*

**03/24/2026**

**DRAFT**

**Not approved by  
the Judicial Council**

**Instructions**

The defendant in this case has asked for a trial by written declaration under Vehicle Code section 40902.

The court clerk will complete items ① through ③.

The officer must complete and sign the rest of the form and return it by the deadline listed in ①.

① **The court must receive this form by (date):** \_\_\_\_\_

② **Defendant's Name:** \_\_\_\_\_

③ **Case Information**

a. Date Issued for Citation: \_\_\_\_\_

b. Arresting or Citing Officer (name): \_\_\_\_\_  
(ID number): \_\_\_\_\_

*Court fills in the court name and street address:*

**Superior Court of California, County of**

*Court fills in the case number and ticket number:*

**Case Number:**

**Ticket Number:**

*(Officer to complete the rest of this form)*

④ **Officer's Declaration**

Except as expressly stated below, I have personal knowledge of the facts stated herein. The events occurred in the County of (specify): \_\_\_\_\_

at about the date, time, and location stated in the citation.

a. At the time of the citation I was a peace officer on duty for the exclusive or main purpose of traffic enforcement.

Yes  No

At the time of the citation I was wearing a uniform as required by Vehicle Code section 40800.

Yes  No

Any vehicle used by me complied with Vehicle Code section 40800.

Yes  No

b. The offenses were committed in my presence.

Yes  No

c.  Any statements made by the defendant were voluntary,

recorded verbatim, and are reasonably complete and accurate in substance, or

not recorded verbatim, and are reasonably complete and accurate in substance.

d.  Safety is an element of the violation alleged. In my opinion, the defendant's operation of the vehicle was unsafe.

e.  Any equipment used by me to gather evidence in support of this violation was properly maintained, in good working order, and I have been trained in its use.

f.  Any traffic sign, signal, or device mentioned was official and properly located, maintained, in good working order, and clearly visible to a driver of a vehicle controlled, governed, or affected by such sign, signal, or device.

**This is not a court order**



- 4 g.  Any diagrams submitted are not exact or to scale, but are reasonably complete, accurate, and fairly depicts the location, situation, and events described.
- h.  Speed supported by the patrol vehicle's speedometer was a significant factor. Pursuant to department policy, the patrol vehicle used in connection with this citation was officially calibrated on *(date)*:  
The result was *(specify)*:  
The calibration was considered by me in determining defendant's speed.
- i.  Defendant was identified by  
 Driver's License, or  
 Other *(specify)*: \_\_\_\_\_

5 **The Methods Used to Determine the Speed of the Involved Vehicle Were:**

- Odometer  Laser
- Visual estimation  Aircraft
- Pacing  Other *(specify)*: \_\_\_\_\_
- Radar (see items 3, 4, 5, below)

6 **Engineering and Traffic Survey**

- Engineering and traffic survey (ETS) not required per Vehicle Code section 40802(a)(2).
- Engineering and traffic survey (ETS) completed within seven (7) years prior to the date of alleged violation.
- ETS completed **more than seven (7) but less than** fourteen (14) years prior to date of alleged violation. A registered engineer has evaluated the section of the highway in question and has determined that no significant changes in roadway or traffic conditions have occurred.
- ETS attached.
- ETS on file with the court (**local court practices for retaining a current ETS may vary; verify that your court has one on file before checking this box**)).
- ETS is available online (provide web address (URL)):
- Other information about the ETS:

7 **Other Requirements Under Vehicle Code Section 40802**

- Arresting/citing officer has successfully completed a radar operator course of not less than 24 hours approved and certified by the Commission on Peace Officer Standards and Training (POST).
- Laser or other electronic device was used to measure speed. Arresting/citing officer successfully completed an additional training course of not less than two (2) hours approved and certified by POST.
- The speed measuring device used to measure the speed of defendant (Serial No: \_\_\_\_\_) meets or exceeds the minimum operational standards of the National Highway Traffic Safety Administration (NHTSA) and was last calibrated on \_\_\_\_\_ *(date)*: \_\_\_\_\_ by an independent certified laser/radar repair and testing/calibration facility.

**This is not a court order**



Case Number: \_\_\_\_\_

7  Equipment accuracy check conducted on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  
and again on (date): \_\_\_\_\_ at (time): \_\_\_\_\_

8 **Facts and Circumstances**  
(Type or print only. State what happened):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continued on attachment.

9 **Other Evidence and Statements**  
(Explain any other evidence and statements):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continued on attachment.

10 **Diagrams**  
(Specify):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continued on attachment.

11 **Number of pages attached:**

12 **Your signature**

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 your name*

▶ \_\_\_\_\_  
*Sign your name*

ID Number: \_\_\_\_\_

Agency NCIC Number: \_\_\_\_\_

**This is not a court order**

For your protection and privacy, please press the Clear button after you have printed the form.

26  
**Print**

**Save**

**Clear**