**IN THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*Justice Court, Justice Court of Record, Municipal Court, City Court, City Court of Record),*

**COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, STATE OF MONTANA**

*(County)*

|  |  |
| --- | --- |
| State of Montana  vs.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Defendant. | **Case No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   OMNIBUS WAIVER |

I, *(your name)* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, have entered a plea of not guilty in this case:

1. The judge must hold an omnibus hearing not less than 30 days before my trial.
2. At the omnibus hearing, the prosecutor and my lawyer (or me if I do not have a lawyer) will appear and discuss my case. The items that will be discussed include:

* Any possible plea agreements;
* The evidence in the case;
* Any affirmative defenses;
* Any pretrial motions.

1. At the end of the hearing, the judge, the prosecutor, my lawyer (or me if I do not have a lawyer) will sign an omnibus memorandum detailing what was discussed at the hearing.
2. I am not under an impairment or disability that would prevent me from understanding this waiver.
3. **I waive or give up my right to an omnibus hearing and ask the judge to schedule my trial.**

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| --- | --- | --- | --- |
| Dated: |  |  |  |
|  |  |  | Defendant’s Signature |

|  |  |  |  |
| --- | --- | --- | --- |
| Dated: |  |  |  |
|  |  |  | Defendant’s Attorney’s Signature |

cc: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Prosecutor  Defendant’s attorney  Defendant