



## Black Diamond Municipal Court

25510 Lawson St. • PO Box 599 Black Diamond, WA 98010 | Phone: 360-886-7784 | Fax: 360-886-5354

# Notice of Hearing Instruction Sheet

You have requested a hearing upon the notice of infraction issued to you and the notice for time of hearing accompanies this instruction sheet. **If you choose to send this form to the court, your hearing will be considered cancelled.** You will receive a response from the court in the mail.

### You have the option to:

- 1. Appear at the hearing as directed.** If you have chosen a contested hearing, you may present evidence to show that you did not commit the infraction(s) determined by the police officer in the notice of infraction. If you have chosen a mitigation hearing, you will have the opportunity to explain any circumstances which you believe justify a penalty reduction; OR
- 2. Submit a written statement for decision** (as explained in paragraph 1), by completing the statement form on the reverse side and returning it to the court within 14 days of the issuance date of the enclosed notice.

By sending in this form you do not appear for the scheduled court date. The hearing will be cancelled. You will receive the judge's decision in the mail in approximately 3 weeks.

You cannot appeal decision on written statements, pursuant to IRLJ 3.5(e).

- 3. Seek a deferred disposition by mail or appearance.** You may be eligible for deferral of the infraction if you have not been granted a deferral of another case in the past seven (7) years, and in the case of a motor vehicle violation, you do not hold a commercial driver license. When such a request is granted, the case will be deferred for one year from the date of the order. If a non-refundable \$175.00 monitoring fee is paid within 30 days, and no act is committed which violates the criminal or motor vehicle code during the deferral period, then the court will dismiss the notice of infraction, and it will not appear on the driving record. The court will not defer infractions if the case actually proceeds to a contested hearing. **DO NOT SEND PAYMENT WITH THIS FORM/REQUEST. You will be instructed when to send this form for the judge to review. You will receive paperwork in the mail approximately 3 weeks after the judge reviews.**

FAILURE TO COMPLY WITH THESE INSTRUCTIONS will result in a judgment of committed on all infractions in the notice, imposition of the full penalties and an FTA assessment of \$52.00, and the state Department of Licensing will be notified of the judgment, which may result in the suspension of your privilege to drive. (IRLJ 2.5)

FAILURE TO PAY FINANCIAL OBLIGATIONS within 30 days (unless otherwise permitted by the court) will result in the account being forwarded to a collection agency, which will likely result in the accrual of additional fees and interest.

### COURTROOM RULES

- CELL PHONES OR ELECTRONIC DEVICES MUST BE TURNED OFF IN THE COURTROOM
- NO TALKING WHILE COURT IS IN SESSION
- NO FOOD OR DRINK IN THE COURTROOM
- NO CHEWING GUM ALLOWED
- NO CHILDREN UNDER AGE 10 ALLOWED IN COURTROOM

Appropriate attire is required. Shirts and shoes are required at all times. The following items are not appropriate to be worn to court: ripped or torn clothing, shorts or skirts more than 2 inches above the knee, tank or crop tops, t-shirts with vulgar/offensive expressions and/or sayings. If a hat is worn to court, it must be removed prior to entering the courtroom.



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## WRITTEN STATEMENT FOR DECISION BY MAIL

Name \_\_\_\_\_

Mailing Address (printed) \_\_\_\_\_

Citation Number (see upper right hand corner of citation and/or hearing notice) \_\_\_\_\_

I hereby state as follows:

- I wish to contest the determination that the infraction(s) occurred. I promise that if it is determined that I committed the infraction(s) for which I was cited, I will pay the monetary penalty authorized by law and assessed by the court
- I request a hearing to explain the mitigating circumstances surrounding the commission of the infraction. I promise to pay the monetary penalty authorized by law, or at the discretion of the court, any reduced penalty that may be set.
- I request a deferred finding, if eligible.

Statement (if needed, please attach additional sheets of paper, and any tangible evidence you wish to have considered):

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

\_\_\_\_\_  
Date and Place

\_\_\_\_\_  
Signature