

COSMOPOLIS MUNICIPAL COURT

The Honorable Geoff Arnold

Tel: (360) 532-9264

Email: court@cosmopoliswa.gov

MITIGATION HEARING IN PERSON

The Court is in receipt of your request for a hearing to mitigate (explain the circumstances) your traffic infraction. You must appear in court on the date and time indicated on the enclosed hearing notice unless you wish to have your hearing by mail. If you choose a mitigation hearing, you have admitted guilt and the charge will appear on your driving record. At a mitigation hearing, the judge can reduce the penalty based on the circumstances and your driving record.

If you fail to appear for your hearing, the infraction will be found committed, a \$52 default penalty will be added, and reported to Department of Licensing. Unpaid fines may also result in referral to a collection agency and suspension of your privilege to drive.

MITIGATION HEARING BY MAIL

Instead of appearing in court on the date and time scheduled on your hearing notice, you also have the option of a mitigation hearing by mail. If you decide to proceed with a hearing by mail, you will not be required to appear in court. Instead, you must complete the declaration on the reverse side of this form and mail it to the court so that it is received by the court prior to your scheduled hearing. The court will review your declaration, and the police officer's sworn statement and render a decision. If the infraction is found to have been committed, a monetary penalty will be determined. The penalty will be based on the facts of the case and your driving record. You must agree to pay the court ordered penalty within the specified time ordered by the judge. You will be notified by mail of the judge's decision.

The court, prior to the scheduled hearing date, must receive your declaration. Declarations which are not received prior to the hearing date will not be considered. If the court does not receive your declaration by the hearing date and you also fail to appear for the hearing, a \$52 default penalty will be added and reported to the Department of Licensing. Unpaid fines may also result in referral to a collection agency and suspension of your driving privilege.

DEFERRED FINDING PROGRAM - RCW 46.63.070 (5)(a)

If you have not had a deferred finding within the past 7 years, you may be eligible for the Deferred Finding Program. This program allows you to keep the infraction off your driving record. You must admit the offense, enter into a 12 month probationary period during which you may not have any further violations, and you must pay a \$100 administrative fee within 120 days of entry. If you comply, the infraction will be dismissed from your record. *Holders of an active commercial driver's license may not receive a deferral under this section.*

Please make a selection(s) below: **The judge's decision is final.**

- I wish to submit my case to the court on my written statement. I have read and agree to abide by the rules and procedures as explained above. **(Proof of valid license, insurance or registration required if the charge is related to one of these infractions.)**
- If I am eligible for the Deferred Finding Program, I agree to abide by the conditions and pay the fee. **(Proof of valid license, insurance or registration required if the charge is related to one of these infractions.)**

Defendant's Signature _____

Name _____

Date _____

Address _____

Citation # (Required) _____

Phone # _____

Email: _____

SEE ATTACHED

