

COSMOPOLIS MUNICIPAL COURT

Geoff Arnold, Judge
P O Box 788, Cosmopolis, WA 98537
(360) 532-9264 voicemail only
court@cosmopoliswa.gov

CONTESTED HEARING IN PERSON

The Court is in receipt of your request for a hearing to contest your traffic infraction. You and your witnesses, if any, must personally appear in court (or via Zoom where indicated) on the date and time indicated on the enclosed hearing notice. At your hearing, the court will review the officer's report and take sworn testimony from you and your witnesses. If the court finds that you committed the infraction, you have a right to appeal this decision to Superior Court.

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.

HOW TO SUBPOENA POLICE OFFICERS/WITNESSES

It is your responsibility to subpoena the police officer/witnesses for your hearing. Subpoenas must be served at least 7 days prior to the hearing.

CONTESTED 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 contested hearing by mail. If you decide to proceed with a hearing by mail, you will not be required to appear in court. Instead, you and any witnesses must complete a written statement and (e)mail it to the court so that it is received by the court prior to your scheduled hearing. The court will review your written statement(s) 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 (e)mail of the judge's decision. You do not have a right to appeal from a decision on written statements.

The court, prior to the scheduled hearing date, must receive your written statement(s). Written statements which are not received prior to the hearing date will not be considered. If the court does not receive your written statement(s) 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 probationary period (length to be determined by judge) during which you may not have any further violations, and you must pay a \$175 administrative fee within 30 days of entry. If you comply, the infraction will be dismissed from your record. If you are not licensed in the State of Washington you must provide a copy of your driving record and submit another current record at the end of your deferral period. *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.)**

Signature _____

Name (printed) _____ Date _____

Address _____

Phone: _____ Email: _____

Citation # _____

SEE ATTACHED

THE FOLLOWING IS MY WRITTEN STATEMENT CONTESTING MY INFRACTION OR EXPLAINING ANY MITIGATING CIRCUMSTANCES:

[illegible]

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING STATEMENT IS TRUE AND CORRECT.

Signature _____

Date: _____