

### **Contested In Person Hearing**

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 at the date and time indicated on the enclosed hearing notice unless you wish to have your hearing by mail. 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 ticket will be found committed, a \$52 penalty may be added and the violation will be reported to the Department of Licensing. Unpaid fines may result in referral to a collection agency and suspension of your privilege to drive.

### **Contested Hearing by Mail**

Instead of appearing in court at 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 must complete the second page of this form. If you have any witnesses, their written statement must be attached to this form. The court will review your statements, the police officer's sworn statement, and render a decision. If the court finds that the infraction has been committed, it will impose a monetary penalty. The penalty will be based on the facts of the case and your driving record. If the infraction is found committed, you have NO right to appeal the court's decision. You also 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. If you have not received a response within four weeks of mailing your hearing by mail form, it is your responsibility to contact the court at the number listed above.

The court **must** receive all statements **before** your scheduled hearing. Statements not received before your scheduled hearing will **not** be considered. If the court does not receive your statement before the scheduled hearing date and you also fail to appear for the hearing, the infraction will automatically be found committed, a \$52 penalty may be added and the violation will be reported to the Department of Licensing. Unpaid fines may result in referral to a collection agency and suspension of your privilege to drive.

### **Insurance Violation**

If you received a citation for No Proof of Insurance and had valid insurance at the time of the violation or have currently obtained valid insurance, please attach a copy of your insurance card to this form. Insurance policies and application forms are not accepted as proper proof of insurance. If you received another violation on your citation in addition to the insurance violation, be sure to address that violation on the back of this form. If you had valid insurance at the time of the stop there may be a \$25.00 administrative fee for not showing proof of your insurance card at that time.

### **Deferred Finding for Dismissal**

You may request a Deferred Finding and it will be up to the Judge to grant your request. You may only have ONE (1) deferral for a moving violation and ONE (1) deferral for a non-moving violation within a SEVEN (7) year period. **I hereby certify under penalty of perjury that I have not had a deferred finding for a traffic infraction within the last SEVEN (7) years (see signature on second page of form).**

If the Judge grants your request for a deferred finding, you must pay the \$200 deferred finding fee, comply with all court ordered conditions and have no further law violations for the deferral period. If you comply with **all** court ordered conditions the ticket will be dismissed and will not appear on your driving record. You agree and understand that if you violate any of the court ordered conditions **in any way** that the ticket will be found committed and reported to the Department of Licensing. You also agree and understand that you will be required to pay the original amount of the infraction plus a default penalty in addition to the costs already imposed by the Court and that unpaid fines may result in referral to a collection agency and suspension of your privilege to drive.

**(Please complete the next page of this form.)**

