

MARYSVILLE MUNICIPAL COURT
1015 State Avenue
Marysville, WA 98270
360-363-8050

CONTESTED HEARING IN PERSON

The Court is in receipt of your request to contest your traffic infraction. You must appear in court on the date and time indicated on the enclosed hearing notice. The procedure at the hearing will be for the Judge to review the sworn statement filed by the citing officer and you may testify or present any evidence or witnesses that you wish. The judge will decide the case on the preponderance of the evidence, that is, whether it is more likely than not that the infraction was committed. If you request the presence of the Officer at the contested hearing, the court will set such hearing on the Prosecutor's calendar for the city in which you received the citation. You may, at your own expense, have an attorney appear and represent you at your hearing. If the infraction is found to have been committed, the full amount of the penalty will be imposed and is due within 60 days of the date of your hearing. In the event you subpoena witnesses, you may also be required to pay court costs if the infraction is found committed. You have the right to appeal a committed finding to the Superior Court within 30 days of the decision. There is a fee for filing an appeal. Fees assessed for a deferred finding, if granted, are due the date of the hearing. Deferred Findings are not reported to Dept of Licensing. If the infraction is found not committed, it will not be reported to Dept of Licensing. You may not request to have your finding deferred after a contested hearing has been held and the court has found that the infraction was committed.

If you fail to appear for your hearing, the infraction will be found committed, a \$52 default penalty will be added, and the infraction will be reported to the Department of Licensing. Once Department of Licensing has been notified of a committed finding, it **cannot** be removed from your driving record. Unpaid penalties may also result in a referral to a collection agency and suspension of your privilege to drive.

CONTESTED HEARING BY MAIL or ONLINE at marysvillewa.gov

Instead of personally appearing in court for your hearing, you have the option of a contested hearing by mail or **online**. If you decide to proceed with a hearing by mail or **online**, you will not be required to appear in court. Instead you must complete the Defendant's Statement and the Declaration on the reverse side of this form and mail them to the court **7 days prior** to your scheduled hearing. Also, if you were charged with No Proof of Insurance under RCW 46.30.020, and you have proof that you were properly insured on the date and time of the violation, please include a copy of that proof along with your declaration. The court will review your declaration and the police officer's sworn statement and render a decision. If the infraction is found not committed the infraction will not be reported to Dept of Licensing. If the infraction is found to be committed, the full amount of the penalty will be imposed and the finding will be reported to the Department of Licensing. You agree to pay the court-ordered penalty within 60 days of receipt of the court's judgment. You will be notified by mail of the judge's decision. You do not have the right to appeal a hearing by mail.

*The court must receive your declaration **7 days PRIOR** to the scheduled hearing date. Failure to file timely may result in the loss of the deferred finding option as well as a committed finding being sent to Dept of Licensing.*

If the court does not receive your Declaration by the hearing date and you fail to appear for the hearing, the infraction will be found committed, a \$52 default penalty will be added, and the finding will be reported to the Department of Licensing. Once Department of Licensing has been notified of a committed finding, it **cannot** be removed from your driving record. Unpaid penalties may also result in a referral to a collection agency and suspension of your privilege to drive.

