

KENT MUNICIPAL COURT

Hearing Request Form Photo Enforcement Program

REQUEST FOR HEARING: A person receiving a Notice of Infraction based on evidence by an automated traffic safety camera may respond to the notice by mail. You may submit a hearing request using the front of the coupon below.

You may request a Mitigation or a Contested Hearing. Guidelines for each are defined below. Indicate your choice on the hearing coupon below and mail it to the Kent Municipal Court at the address listed on the coupon below so that your request is postmarked by the due date on the coupon.

If you have any questions regarding your hearing, please call Kent Municipal Court at 253-856-5730 during the hours of 8:30 AM to 4:30 PM Monday through Friday.

MITIGATION HEARING (IN PERSON): By requesting a mitigation hearing (in person), you agree to appear at your scheduled hearing and will be deemed to have committed the infraction. You may not subpoena witnesses for this hearing. You would request a mitigation hearing if you agree the infraction was committed but believe the circumstances may be such that the court could reduce the penalty. You will be notified in writing of your mitigation hearing date.

MITIGATION HEARING (BY MAIL): Instead of appearing in court, you have the option of a mitigation hearing (by mail); you will not be required to appear in court. Instead, you must write a Statement and Declaration on the back of this form and mail it to the address below. The court will review your declaration, the video/images of the incident and the police officer's sworn statement and render a decision. The infraction will be found committed and a monetary penalty will be determined. The judge may reduce the penalty depending on any mitigating circumstances. You will be notified by mail of the judge's decision and you agree to pay the penalty within 30 days of the decision. You may not appeal the court's determination or order.

CONTESTED HEARING (IN PERSON): At a contested hearing the City has the burden of proving by a preponderance of the evidence that the infraction was committed. By requesting a contested hearing (in person), you agree to appear at your scheduled hearing. You may subpoena witnesses including the officer who issued this Notice of Infraction. You will be notified in writing of your contested hearing date.

CONTESTED HEARING (BY MAIL): Instead of appearing in court, you have the option of a contested hearing (by mail); you will not be required to appear in court. Instead, you must write a Statement and Declaration on the back of this form and mail it to the address below. The City has the burden of proving by a preponderance of the evidence that the infraction was committed. The court will review your declaration, the video/images of the incident, and the police officer's sworn statement and render a decision. The judge will not reduce the penalty if the infraction is found to have been committed. You will be notified by mail of the judge's decision and you agree to pay the penalty within 30 days of the decision. You may not appeal the court's determination or order.

PLEASE REVIEW YOUR VIDEO AND IMAGES PRIOR TO YOUR HEARING.

Failure to appear for a requested hearing, or failure to pay a penalty imposed after a hearing will result in your Notice of Infraction being referred to a collection agency; additional penalties plus collection fees will be added to the original penalty. Failure to appear for a requested hearing, and/or failure to pay may also result in non-renewal of your vehicle license.

When mailing this hearing request, make sure the address on the coupon is showing through the envelope window.

TO REQUEST A HEARING, please select your hearing type; indicate whether you need an interpreter and the language.

- () Mitigation Hearing (In-Person)
() Mitigation-by-Mail Hearing (My statement is on the reverse)
() Contested Hearing (In-Person)
() Contested-by-Mail Hearing (My statement is on the reverse)
() I request an interpreter; Language: _____

Failure to enter a check mark will result in a contested hearing.

I promise to appear on the date and time set by the Court for my **in person** hearing.

Your Signature

Date

Your Address

City

State

Zip

NAME: JOHN R SMITH		DUE: Issue Date+21	
NOTICE #: 0990900012345	VERSION: 1	ISSUED: 07/01/2009	
PLATE: 533YBO	STATE: WA	TYPE:	

HEARING COUPON

Kent Municipal Court
1220 Central Ave South
Kent, WA 98032