



Kent Municipal Court

1220 Central Ave. South, Kent, WA 98032 | Phone: 253-856-5730 | Fax: 253-856-6730

Prehearing Conference Information Sheet

The Court has received your request for a contested hearing. By requesting this type of hearing, you are telling the Court that you did not commit the infraction(s). You have been scheduled for a Pre-Hearing Conference (see enclosed hearing notice). At this hearing you have the right to have an attorney present **but one will not be provided for you.** If you choose to obtain an attorney it is suggested, but not required, that he or she be present at this hearing. You may waive your appearance at the pre-hearing conference by completing and submitting a waiver form approved by the court (available at the courthouse). **The waiver must be RECEIVED by the Court no later than the Pre-Hearing Conference date.**

At the Pre-Hearing Conference you will have the following options:

- 1) **Appear and mitigate the infraction:** You may change your request to a mitigation hearing and seek a reduction of the fine. You will have the opportunity to explain the circumstances regarding this incident and the Court will consider a reduction of the fine. However, by doing this you are admitting that you committed the infraction. The Department of Licensing will be notified of the committed infraction(s) (unless it is a non-traffic infraction or parking ticket). If you choose this option, you will have no other court dates and your case will be closed upon payment of the fine.
- 2) **Appear and seek a deferred finding:** This option is discretionary with the Court and is only available if you have not received a deferred finding in the past seven years. You will be required to pay a \$150 administrative fee, have no traffic infractions or criminal charges within the deferred period and may be required to comply with other conditions. If you comply with the conditions, the charge will be dismissed at the end of the deferred period and will not go on your driving record. If you choose this option, you will have no other court dates and your case will be closed at the end of the deferred period.
- 3) **Appear and request a contested hearing:** If you choose to proceed with a contested hearing, you will lose the option to seek a deferred finding. You will be required to fill out an Order on Pre-Hearing Conference and will be given another court date for your Contested Hearing. If you lose at trial you will be required to pay the infraction fine amount IN FULL.
- 4) **Seek a decision on written statement:** You may elect to mitigate or contest an infraction in writing by filling out the form on the reverse side. This request must be received by the Court prior to the Pre-Hearing Conference date (in which case you do not need to appear). Alternatively, you may appear at the Pre-Hearing Conference and file your written statement at that time. If you appear at the Pre-Hearing Conference and request that the matter proceed to a Contested Hearing, you may still mitigate or contest in writing by filing your written statement no later than 14 days prior to the date set for the in-court hearing.

Pursuant to IRLJ 3.5(e) and KMC-IRLJ 3.5(e), there shall be no appeal from a decision on written statement.

IF YOU FAIL TO APPEAR AND FAIL TO FILE A TIMELY AND PROPER WAIVER:

- **A JUDGMENT OF COMMITTED WILL BE ENTERED ON THE CHARGED INFRACTION(S)**
- **AN ASSESSMENT OF \$52.00 WILL BE ADDED TO THE FINE(S)**
- **THE DEPARTMENT OF LICENSING WILL BE NOTIFIED OF THE JUDGMENT ENTERED AND THEY WILL TAKE ACTION TO SUSPEND YOUR DRIVING PRIVILEGES IF THE CHARGES ARE TRAFFIC INFRACTIONS**
- **THE FINES WILL BE FORWARDED TO A COLLECTION AGENCY AND YOU WILL BE REQUIRED TO PAY ADDITIONAL COLLECTION FEES AND INTEREST.**



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Request for Decision on Written Statement - Contested Hearing

Your Name (please **PRINT**): _____

Your Address (please **PRINT**):

Citation Number: _____

(see upper right corner of citation and/or hearing notice)

I wish to mitigate the infraction(s) and seek a fine reduction

I wish to contest the infraction(s)

Statement:

(If you need more space, please attach additional sheets of paper, along with any other evidence/documentation you want the Court to consider)

I declare under penalty of perjury of the laws of the State of Washington that the above information, and the information contained in the attachments hereto, is true and correct. **I understand there can be no appeal from a decision on a written statement**, pursuant to IRLJ 3.5(e) and KMC-IRLJ 3.5(e).

Executed this _____ day of _____, 20_____, at _____
(city, state)

Signature