

SAN JUAN COUNTY DISTRICT COURT

350 Court Street - P.O. Box 127 - Friday Harbor, WA 98250
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dstct@sanjuanco.com

Carolyn M. Jewett
Judge

Melissa I. Derksema
Court Administrator

REQUEST TO MITIGATE/CONTEST INFRACTION BY MAIL

Name _____ Infraction No. _____ Hearing Date _____
Address _____ Violation Date _____
City/State/Zip _____ Telephone No _____

Count #1 _____ Count #2 _____ Count #3 _____

I want to contest (challenge) this matter. I want the Court to consider my written statement to support my belief that I did not commit the violation. Please see my statement below.

I want to mitigate (I committed the violation but ask the court for leniency). I want the Court to consider my written statement explaining the circumstances surrounding this incident. Please see my statement below.

I have read and agree to the rules and procedures described below in Infraction Rule 3.5 for Courts of Limited Jurisdiction. I agree to pay any penalty imposed in the time period set by the court. I understand that I cannot appeal the court's decision based upon written statements.

I understand making a false statement under oath is a gross misdemeanor. I declare under penalty of perjury under the laws of the State of Washington that the following statement is true and correct.

Date and Place of signing (City)

Signature

I incorporate the attached written statement(s) dated _____.

Summary of Infraction Rule 3.5 for Courts of Limited Jurisdiction.

For Contested Hearings, I understand that the court shall examine my sworn statement and the citing officer's report. This will occur within 120 days after I file my written response to the notice of infraction. The examination may be held in chambers and shall not be governed by the Rules of Evidence. **Factual Determination:** The court will determine whether it has been proven by a preponderance of the evidence submitted by the parties that I have committed the infraction. **Disposition:** If the court determines that the infraction has been committed, it may assess a penalty. **Notice to Parties:** The court shall notify the parties in writing whether an infraction was found to have been committed and what penalty, if any, was imposed. **No Appeal Permitted:** There shall be no appeal from a decision on written statements. **For Mitigation Hearings,** decisions based upon written statements may be made in chambers.

THE COURT MUST RECEIVE THIS STATEMENT NO LATER THAN THE DAY BEFORE YOUR SCHEDULED HEARING DATE.