

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
FOR LEWIS COUNTY

State of Washington,
County of Lewis, or
City of _____,

Plaintiff,

vs.

Defendant.

Cause No. _____

Petition for Mitigation Hearing on Infraction(s)
via Written Statement

This is the form used to request a deferred finding and/or a mitigation hearing by mail. **Fill out the FRONT and BACK of this form, sign it, and return it as indicated below.**

Check this box if you wish to request a finding of committed be deferred.

A deferred finding is available only for traffic infractions. Within a seven-year period, a person may receive one deferred finding on a moving violation and one deferred finding on a nonmoving violation. A deferred finding is discretionary, and the Judge may not grant deferred findings on some infractions. Drivers with CDLs or who committed infractions in a commercial vehicle are ineligible. In Lewis County, a person who lacks a valid license and insurance is also ineligible. If the judge grants your deferred finding, the decision on your case will be deferred for between 6 and 12 months. (You will be notified of the duration.) During that time, you must commit no crimes nor infractions and pay an administrative fee of \$175.00 (+\$10.00 time payment fee if assessed). If you satisfy both conditions, your infraction(s) will be dismissed. If not, the infraction(s) will be found committed, you will be assessed the penalty amount and a \$52.00 penalty in addition to the administrative fee of \$175.00 (+\$10.00 time payment fee if assessed). The finding will be reported to the Washington Department of Licensing (DOL), who may begin processing your driver's license for suspension. If any charges are pending, the deferral period will be tolled until they are resolved. Fill out the rest of this form even if you are requesting a deferred finding. If you request a deferred finding using this form, but are not granted the deferred, the Court will conduct a mitigation hearing based upon your statement below.

I request a mitigation hearing by written statement.

The undersigned Defendant requests that the Court review this declaration made under penalty of perjury and reduce the amount of the penalty set by law for the infraction(s) charged.

I have received a notice of infraction for the following offense(s):

1. _____ Penalty \$ _____

2. _____ Penalty \$ _____

3. _____ Penalty \$ _____

I admit that I committed these infractions. I ask the court to reduce the penalty for the following reasons: (lines continue on back of form; you may also attach additional materials if needed) **Note:** Anything submitted to the court will not be retained or returned.

I promise to pay the monetary penalty authorized by law or, at the discretion of the Court, any reduced penalty that may be set.

Payment is due within 30 days of judgment. If you require more time to pay, you may ask the court for a payment plan. The court may charge a \$10 time payment fee in addition to the imposed fine.

I request the following payment plan and understand the court will charge an additional \$10 time payment fee: _____ months (4 months maximum) to pay the penalty in full.

I understand there shall be no appeal from a decision on written statements pursuant to LLIRLJ 3.5.

I declare under penalty of perjury under the laws of the State of Washington that all of the statements above are true and correct.

[Date and Place Signed]

[Defendant’s Signature]

Defendant’s printed name and mailing address: _____

Defendant’s phone number, in case needed: _____

Defendant’s email address: _____

Within 15 days of receipt of this form, submit the completed form at the District Court counter or by mail to Lewis County District Court, Law and Justice Center, 345 W. Main St. 3rd Floor, Chehalis, WA 98532-4802.