

Mitigation of Infraction by Mail/Email

If you wish to request a mitigation hearing, check the mitigation box on your citation and mail or email it to the court. Only use this option if you agree you committed the infraction. You have the following options:

1. Appear in person on the date and time noted on the notice of hearing you receive from the court; or
2. Complete this Mitigation of Infraction by Mail/Email form and return it to the court by mail or email within 30 days of receiving your citation, or in time for it to arrive before your hearing date if one was already set. If received timely, the court will cancel any in-person hearing. You will receive a decision by mail or email.

To have your case decided by mail or email, complete the following and return it to the court prior to any scheduled hearing date.

I wish to submit my case as a Mitigation of Infraction by Mail/Email. I have read and agree to abide by the rules by the rules and procedures governing hearing by mail/email. I promise to pay the monetary penalty (fine) authorized by law, or at the discretion of the court, any reduced penalty (fine) set.

THE FOLLOWING IS MY WRITTEN STATEMENT EXPLAINING MITIGATING CIRCUMSTANCES:

Attach additional pages and/or additional information if needed.

I AM ASKING THE COURT TO TAKE THE FOLLOWING ACTION:

NOTE: You may sign with an electronic signature. Typing "/s/" and your name is acceptable.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.

Signature

Today's Date

City Where Signed

Print Name

Scheduled Hearing Date and Time (if set)

Mailing Address

Infraction Number (required)

City, State, Zip Code

Email Address (optional)

Please send Judge's
decision via email

Mitigation of Infraction by Mail/Email

Mitigation of Infraction by Mail or Email

The court must receive the completed Mitigation of Infraction by Mail-Email form and any additional documentation before any scheduled hearing. Forms not received prior to your court date **will not** be considered. It is your responsibility to ensure your information gets to the court in time. The Judge will review all of the documentation provided and render a decision. You will be notified by mail of the Judge's decision. You may not appeal the Judge's decision. Monetary penalties imposed by the Judge will be based on the facts of the case and your driving record. You agree to pay the penalty within the specified time ordered by the Judge. If you have not received a response within two weeks of mailing your Mitigation of Infraction by Mail-Email form, it is your responsibility to contact the court at the number listed below.

If You Cannot Afford to Pay

You may attest that you do not have the current ability to pay the infraction in full. You may request smaller monthly payments, and/or to perform community service hours which will be credited at a minimum wage. Contact a member of court staff for more information. You may submit evidence of inability to pay by completing a Financial Statement [see form attached here].

Insurance Violation

If you received a citation for **No Proof of Insurance** and had valid insurance at the time of the violation, or have since obtained valid insurance, please attach a copy of your insurance card to your mitigation form. Insurance policies and application forms are not accepted as proper proof of insurance. If you received another violation on your citation in addition to the insurance violation, be sure to address that violation on your form.

The penalty for the following violations may not be waived, reduced, or suspended:

RCW 46.61.527(3) Roadway Construction Zones: A person found to have committed any infraction relating to speed restrictions in a roadway construction zone shall be assessed a monetary penalty equal to twice the penalty assessed under RCW **46.63.110**. This penalty may not be waived, reduced, or suspended.

RCW 46.61.440 Maximum speed limit when passing school or playground crosswalks: A person found to have committed any infraction relating to speed restrictions within a school or playground speed zone shall be assess a monetary penalty equal to twice the penalty assessed under RCW **46.63.110**. This penalty may not be waived, reduced, or suspended.

IF YOU FAIL TO APPEAR IN PERSON OR FAIL TO FILE A HEARING BY MAIL FORM:

- 1. EACH INFRACTION WILL BE FOUND COMMITTED AND FULL FINE ASSESSED.**
- 2. A \$52 PENALTY WILL BE ADDED.**
- 3. THE VIOLATION MAY BE REPORTED TO THE DEPARTMENT OF LICENSING AND MAY RESULT IN THE SUSPENSION OF YOUR PRIVILEGE TO DRIVE.**
- 4. UNPAID FINES MAY RESULT IN REFERRAL TO A COLLECTION AGENCY, AND/OR GARNISHMENT OF WAGES OR OTHER ASSETS.**

WAHKIAKUM DISTRICT COURT
PO Box 144
Cathlamet, WA 98612
Ph: (360) 795-3461 | Fax: (360) 795-6506
districtcourt@co.wahkiakum.wa.us

Case Name: _____ Case Number: _____

Financial Statement (Attachment)			
1. My name is:		I can afford to pay \$ _____ per month	
2. <input type="checkbox"/> I provide support to people who live with me: How many? _____ Age(s): _____			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input type="checkbox"/>	Unemployed <input type="checkbox"/>	Rent/Mortgage:	\$ _____
Employer's Name:		Food/Household Supplies:	\$ _____
Gross pay per month (salary or hourly pay):	\$ _____	Utilities:	\$ _____
Take home pay per month:	\$ _____	Transportation:	\$ _____
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$ _____
Source:	\$ _____	Ordered Child Support actually paid:	\$ _____
Source:	\$ _____	Clothing:	\$ _____
Source:	\$ _____	Child Care:	\$ _____
Source:	\$ _____	Education Expenses:	\$ _____
Sub-Total:		Insurance (car, health):	\$ _____
<input type="checkbox"/> I receive food stamps.		Medical Expenses:	\$ _____
Total Income, lines 3 (take home pay) and 4:		Sub-Total:	\$ _____
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ _____		\$ _____
Checking Account Balance:	\$ _____		\$ _____
Savings Account Balance:	\$ _____		\$ _____
Auto #1 (Value less loan):	\$ _____		\$ _____
Auto #2 (Value less loan):	\$ _____	Sub-Total:	\$ _____
Home (Value less mortgage):	\$ _____	8. My Other Debts with Monthly Payments:	
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____	Sub-Total:	\$ _____
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	\$ _____
Date:		Signature:	

WAHKIAKUM COUNTY DISTRICT COURT COMMUNITY SERVICE HOURS RECORD SHEET

Name _____ Case # _____

Total number of hours completed _____

Date	Authorized Signature	Organization	Type of Work	Hours

Participant Signature

Date

**** MUST BE RETURNED TO DISTRICT COURT OFFICE TO RECEIVE CREDIT ****

Community Service Options for Wahkiakum County

<u>Location</u>	<u>Contact</u>	<u>Phone</u>
Bradley Memorial Library		(360) 795-3254
Cathlamet Town Hall		(360) 795-3203
Chamber of Commerce		(360) 795-9996
Clothing Bank	SDA Church	(360) 795-0425
Community Gardens	Winnie Lousma	(360) 849-4108
Elochoman Slough Marina	Todd Souvenir	(360) 795-3501
Grays River Grange		(360) 465-2268
Johnson Park @ Rosburg School Bldg	Denise Blanchard	(360) 465-2310
Lions Club	Renee Robert	(360) 849-4003
Naselle Food Bank		(360) 484-3306
Pioneer Community Association	Larry Hendrickson	(360) 430-6422
Redman Hall	Friends of Skamokawa	(360) 795-3007
Seal River Cemetery	Kari Kandoll	(360) 849-4353
Vista Park		(360) 795-8605
Wahkiakum Animal Advocacy Group	Wendy Edwards	(360) 504-6336
Wahkiakum Co Fair	Patty Dursteller	(360) 795-3480
Wahkiakum Co Food Bank	HHS	(360) 795-8630
Wahkiakum Co Historical Museum	Kari Kandoll	(360) 849-4353
Wahkiakum Co Human Services	Karisa Nogueira	(360) 795-8630
Wahkiakum Co Sheriff's Office	Vernon Barton	(360) 795-3242
West End Food Pantry	Shonda Ware	(360) 795-2722

Also, any type of Non-profit or Government Organization within Wahkiakum County, for example:

Cathlamet Swimming Pool
Local Fire Departments

Community Service outside Wahkiakum County **MAY** be permitted on a case-by-case basis. Requirements are:

1. That it be approved *in advance* by the court, based on a specific reason.
2. That it be performed for a governmental agency or nonprofit organization.
3. That the agency submits on letterhead proof of:
 - The name of the person performing community service
 - The dates, number of hours, and tasks performed
4. That it be signed by an employee or officer, with contact information provided for verification.

WAHAKIACUM CO DISTRICT COURT

64 Main Street / PO Box 144

Cathlamet, WA 98612

Email: districtcourt@co.wahkiakum.wa.us

Phone: (360) 795-3461 / Fax: (360) 795-6506