# KMCLIR 4
## DECISIONS ON WRITTEN STATEMENTS

(a) Request for Decision on Written Statement or E-mail. If the defendant submits a timely request for a hearing to contest or mitigate an infraction, the defendant may elect to seek a decision or request for Deferred Finding on written statement, or email, pursuant to the provisions of IRLJ 3.5 and KMCLIR 4. A defendant who elects to contest or mitigate an infraction by decision on written statement or email shall be deemed to have waived an in-court hearing to contest or mitigate the infraction in person.

In the case where a defendant requests or petitions for a Deferred Finding which is denied by the court, will be treated as a request for a mitigation hearing on written statement or email.

(b) Time for Submitting Request for Decision on Written Statement or E-mail. The request for a decision or request for a Deferred Finding by written statements or email shall be submitted no later than the scheduled hearing time or they will not be considered.

(c) Declaration for Written Statement or E-mail Required. A defendant wishing to proceed by decision or request for Deferred Finding on written statement or email shall provide a written statement or email which sets forth the facts and/or defense(s) that the defendant would like the court to consider. A written statement or email submitted pursuant to this rule shall be submitted by declaration as follows:

"I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct," and shall be in substantially the following form:

Name of Defendant:

Address:

Infraction Number (upper right corner of citation):

Violation Date:

I wish to request a Deferred Finding [ ]
I wish to mitigate the infraction [ ]
I wish to contest the infraction [ ]

Statement:

_____
_____
_____
_____
_____
_____
_____
_____

I declare under penalty of perjury under the laws of the state of Washington that the above information is true and correct.

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

_____
Signature

The written statement or email shall be submitted at the same time as the request for decision on written statement or email.

(d) Time for Examination, Factual Determination, Disposition and Notice to Parties. The time for examination, factual determination, disposition and notice to parties shall be pursuant to IRLJ 3.5(a)-(b).

(e) No Appeal Permitted. There shall be no appeal from a decision on written statements or email.

[Adopted effective September 1, 2001; Amended effective September 1, 2011]