TMCLIR 3.1
HANDLING OF REQUESTS FOR CONTESTED HEARINGS AFTER FAILURE TO RESPOND

A. If a defendant who has failed to appear or respond to a notice of infraction, on not more than one occasion, as required by RCW 46.63.070 and Rule 2.4 of the Infraction Rules for Courts of Limited Jurisdiction (IRLJ), requests that the court set his/her case for a contested hearing, and upon payment of a $50.00 processing fee, the Clerk of the Court shall be authorized to set a date for a contested hearing, and retrieve/recall FTA's, pleadings and/or correspondence from the Department of Licensing reflecting the failure to respond or appear, if any was sent, on the following conditions:

(1) The defendant, within one week of the date by which a request for a contested hearing should have been received by the court, delivers to the court an envelope containing his/her request for a contested hearing, with a postmark clearly indicating that the envelope was addressed and mailed to the Municipal Court within the time frame for requesting contested hearings pursuant to statute and court rule, and with the envelope indicating that it was returned to the defendant, for whatever reason; or,

(2) The court, within one week of the date by which a request for a contested hearing should have been received by the court, receives in the mail an envelope containing the defendant's request for a contested hearing, with the envelope showing a postmark clearly indicating that the envelope was mailed to the court within the time frame for requesting contested hearings pursuant to statute and court rule.

B. In all other cases, the defendant shall not be entitled to a contested hearing, and the disposition of his/her infraction shall be dealt with as provided for in the statute and/or court rule for failures to respond or appear, or as otherwise determined by the court.

C. If a defendant fails to respond to a notice of infraction within the time frames set forth in 3.0 and 3.1 above, in addition to any amount imposed by the court as a fine, the court may impose a $50.00 infraction processing fee in addition to the scheduled bail amount or fine set by the court at the time the infraction is adjudicated.