

BMC LCrRJ 3.2.2

RELEASE OF THE ACCUSED

- (1) Any person arrested on Probable Cause (without a warrant) for an offense classified as a Domestic Violence offense under Chapter 10.99 of the Revised Code of Washington as the same exists or shall hereafter be amended shall be held in jail pending the defendant's first appearance in the absence of a judicial order.

(Effective September 1, 2020)

BMC LCrRLJ 3.4 (d) (2)

AGREEMENT

(2) Agreement. Other trial court proceedings including the entry of a Statement of Defendant on Plea of Guilty as provided for by CrRLJ 4.2 may be conducted by video conference only by agreement of the parties, either in writing or on the record, and upon the approval of the trial court judge.

(Effective September 1, 2005)

BMC LCrRLJ 4

JURY COST

Jury costs in the amount of \$125.00 may be imposed in addition to any other courts costs on all cases that have a jury confirmed and result in a conviction or plea of guilty. These costs shall be waived if the court is notified in sufficient time to cancel the services of the jury prior to the City incurring any costs.

(Effective September 1, 2013)

BMC LCrRLJ 5

JURY TRIAL CONFIRMATION

The defendant (if pro se) or the defendant's attorney shall contact the Court Clerk's office no later than 12:00 noon 3 business days prior to any scheduled jury trial and confirm the case will proceed to trial. Failure to confirm any jury trial by the deadline may result in no jury being present for the scheduled trial, and the trial will be continued, in the administration of justice.

The City may also confirm the trial, no later than 12:00 noon 3 business days prior to the trial day.

(Effective September 1, 2016)

BMC LCrRLJ 6

RELEASE OF ACCUSED – BONDING REQUIREMENTS

- (a) Surety under CrRLJ 3.2 or for any other purpose may be posted by any company and any agent authorized, licensed and/or justified to post bonds by the Washington State Department of Licensing under RCW 18.185 and by the Superior Court of Kitsap County.**

- (b) When a Surety seeks remittance of a forfeited bond under RCW 10.19.140, costs of \$150 shall be deducted from the amount returned, unless law enforcement files an itemization showing a higher cost of transporting, locating, apprehending or processing the return of the defendant.**

(Effective September 1, 2016)

BMC LARJ 10

ANTI-HARASSMENT PROTECTION ORDER PROCEDURE

Pursuant to RCW 10.14.150, as amended by HB 1296 (2005), the Bremerton Municipal Court may hear and adjudicate petitions for anti-harassment protection orders filed under Chapter 10.14 RCW.

(Effective September 1, 2005)

BMC LIRLJ 3

DEFECTIVE EQUIPMENT CORRECTION FORM

If a defective equipment correction form is given to a defendant by a Bremerton Police Officer and

- The defective item has been repaired or corrected; and
- The form is completed and signed by a mechanic, service station operator or a commissioned police officer, who either did the work or verified the work has been completed; and
- The signed form and the notice of infraction is submitted to the Bremerton Municipal Court within 15 calendar days of the infraction being issued;

The infraction shall be dismissed by the court clerk with no penalty involved.

In the event that the form is not properly filled out or not filed timely, the clerk has no authority to dismiss the citation and it will be processed as a failure to appear or respond.

(Effective September 1, 2016)

BMC LIRLJ 3.5

DECISIONS ON WRITTEN STATEMENT

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

- (b) Time for Submitting Request for Decision on Written Statement. The request for a decision by written statement shall be submitted no later than fourteen (14) days prior to the date set for the in-court mitigation hearing.

- (c) Declaration for Written Statement Required. A defendant wishing to proceed by decision on written statements shall provide a written statement which sets forth the facts and/or defense(s) that the defendant would like the court to consider. A written statement 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 the citation)
Violation Date

I wish to mitigate the infraction []
I wish to defer 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 _____
at _____ (city/state).

Signature

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

- (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).
- (e) Court May Require In-Person Appearance. In its discretion, the court may deny a defendant's request to proceed to Decision on Written Statement and may require the defendant to appear for an in-person hearing before the court.
- (f) No Appeal Permitted. There shall be no appeal from a Decision on Written Statement.

(Effective September 1, 2019)

BMC LIRLJ 6.6 (a) (1)

SPEED MEASURING DEVICE EXPERT

(a) (1) All subpoenaed appearances for an electronic or laser speed measuring device (SMD) expert will be conducted telephonically.

(Effective September 1, 2005)