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## Selah Municipal Court

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### SEMIR 3.5 Written Statements

The court authorizes written statements for mitigation, contested hearings, proof of and requests for deferred infractions in lieu of the defendant's personal appearance.

(a) A defendant may submit a written statement as a response to a notice of infraction within 15 days of the date the notice is personally served or, if the notice is served by mail, within 18 days of the date the notice is mailed.

(b) A written statement may be submitted through the court by mail, fax or by requesting a hearing through the city website 1 day prior to the day of hearing.

Address: Selah Municipal Court  
115 W Naches Ave  
Selah, WA 98942  
Fax: (509) 698-7338  
Website: [www.selahwa.gov](http://www.selahwa.gov)

(c) A written statement must include an address where the disposition may be mailed to notify the requestor of the mitigated fine amount and payment options.

(d) If the type of hearing being requested is not clearly stated it will be treated as a mitigation hearing.

(e) If a person who has been cited with a violation of RCW 46.30.020 (failure to provide proof of liability insurance) presents to the Court Clerk evidence that the person had in effect, at the time of the citation, liability insurance as required by RCW 46.30.020, then, upon payment of twenty-five dollars (\$25.00), administrative costs, the case shall be dismissed and the Court Clerk shall be authorized to make appropriate notation of the dismissal in the Courtfile. This section is applicable only if the person charged has otherwise complied with all rules and procedures that govern responding to notices of infraction.

#### Decision on Written Statements

The court is authorized to enter decisions based upon written statements on infraction cases involving contested, mitigation and request for deferred infractions.

(a) Factual Determination: Concerning contested hearing, the court shall determine whether the plaintiff has provided preponderance of all evidence submitted that defendant has committed the infraction.

(b) Disposition: A request for a deferred infraction if denied shall be treated as a mitigation hearing. If the court determines the infraction has been committed an appropriate penalty will be applied with any additional permitted cost if applicable.

(c) Notice to Parties: The court shall notify the party in writing of the penalty imposed on the committed infraction or penalty imposed on a granted deferred infraction and mailed to the address provided to the court.

Effective September 1, 2017

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