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Judge  
Linda S. Portnoy

Administrator  
Kelley Gradwohl

Probation  
Phil Stanley

## MUNICIPAL COURT

### CONTESTED HEARING IN PERSON

The Court is in receipt of your request for a hearing to contest your traffic infraction. You and your witnesses, if any, must personally appear in court at the date and time indicated on the enclosed hearing notice. At your hearing, the court will review the officer's report and take sworn testimony from you and your witnesses. If the court finds that you committed the infraction, you have a right to appeal this decision to Superior Court.

If you fail to appear for your hearing, the infraction will be found committed, a \$52 default penalty will be added, and reported to the Department of Licensing. Unpaid fines may result in referral to a collection agency and suspension of your driving privilege.

### HOW TO SUBPOENA POLICE OFFICERS/WITNESSES

LFP local rules require you to subpoena the police officer/witnesses for your hearing. Subpoenas must be served **at least 7 days prior** to the hearing. You must contact the clerk of the court for a subpoena packet or download forms and instructions from the website.

### CONTESTED HEARING BY MAIL OR E MAIL (cityofflp.com)

Instead of appearing in court at the date and time scheduled on your hearing notice, you also have the option of a contested hearing by mail or E mail. If you decide to proceed with a hearing by mail or E mail, you will not be required to appear in court. Instead, you must complete the declaration on the reverse side of this form and mail it to the court so that it is received by the court prior to your scheduled hearing. If you have any witnesses, they too must submit a declaration. The court will review the declarations filed and the police officer's sworn statement and render a decision. If the court finds that the infraction has been committed, it will impose a monetary penalty. The penalty will be based on the facts of the case and your driving record. If the infraction is found committed, you have no right to appeal the court's decision. You must also agree to pay the court ordered penalty within the specified time ordered by the judge. You will be notified by mail of the judge's decision. You do not have a right to appeal from a decision on written statements.

The court, prior to the scheduled hearing date, must receive all declarations. Declarations which are not received prior to the scheduled hearing date will not be considered. If the court does not receive your declaration by the hearing date and you also fail to appear for the hearing, the infraction will be found committed, a \$52 default penalty will be added and reported to the Department of Licensing. Unpaid fines may also result in referral to a collection agency and suspension of your privilege to drive.

### DEFERRED FINDING PROGRAM

If you have not had a deferred finding within the past 7 years, you may be eligible for the Deferred Finding Program. This program allows you to keep the infraction off your driving record. You must admit the offense, enter into a 6 month probationary period during which you may not have any further violations, and you must pay a \$175 administrative fee within 30 days of entry. If you comply, the infraction will be dismissed from your record.

### TEEN COURT

If you are a high school student (16 or 17 yrs old) you may be eligible to participate in Teen Court. Please contact the Court for further information.

Make only 1 choice. **The judge's decision is final.**

I wish to submit my case to the court on my written statements. I have read and agree to abide by the rules and procedures as explained above. **(Proof of valid license, insurance or registration required if the charge is related to one of these infractions.)**

If I am eligible for the Deferred Finding Program, I agree to abide by the conditions and pay the fee. **(Proof of valid license, insurance or registration required if the charge is related to one of these infractions.)**

**I PROMISE THAT IF IT IS DETERMINED THAT I COMMITTED THE INFRACTION FOR WHICH I WAS CITED, I WILL PAY THE MONETARY PENALTY AUTHORIZED BY LAW AND ASSESSED BY THE COURT.**

Defendant signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Address \_\_\_\_\_

Citation # (Required) \_\_\_\_\_

Phone # \_\_\_\_\_

**SEE REVERSE SIDE**

**THE FOLLOWING IS MY WRITTEN STATEMENT CONTESTING MY INFRACTION OR EXPLAINING ANY MITIGATING CIRCUMSTANCES:**

