

BDMCLC-IRLJ 4.3

**DECISIONS ON WRITTEN STATEMENTS.**

(a) **Request for Decision on Written Statement.** If the defendant submits a timely request for a hearing to contest or mitigate an infraction, the defendant may elect to seek a decision on written statement pursuant to the provisions of IRLJ 3.5 and BDMC Local Rule 4.3. A defendant who elects to contest or mitigate an infraction by decision on written statement shall be deemed to have waived an in-court hearing to contest or 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 or contested hearing.

(c) **Declaration for Written Statement Required.** A defendant wishing to proceed by decision on written statement 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 citation):  
 Violation Date:

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 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)-(d).

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

Effective July 1, 2021