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**MUNICIPAL COURT OF _____
COUNTY OF _____
STATE OF WASHINGTON**

City of _____,

Plaintiff,

vs.

_____,
Defendant.

No.

**MOTION TO REMOVE TICKET[S]
FROM COLLECTION AND
ESTABLISH A PAYMENT PLAN BY
COMMUNITY SERVICE OR
REASONABLE PAYMENT PLAN
AND DECLARATION IN SUPPORT**

I. Relief Requested

Defendant [*your name*] _____ requests that the court remove the above-referenced ticket[s]t from collections and establish a payment plan and/or order community service.

II. Legal Authority: A court may enter into a payment plan with or order community service for a defendant who is unable to pay the fine in full. RCW 46.63.110.

RCW 46.63.110(1) authorizes the court to order a driver who commits a traffic infraction to pay a fine or face the suspension of his/her license. The court can refer unpaid fines to collection agencies. RCW 46.63.110(6)(b). It can also recall fines from collections to do any of these:

- waive, lower, or suspend the penalty

- enter the driver into a payment plan
- order the driver to perform a number of hours of community restitution instead of paying a fine

RCW 46.63.110(6) and RCW 46.63.120(2).

A payment plan is appropriate when a court determines a person is not able to pay a fine in full. RCW 46.63.110(6). The court *must* order a payment plan if the driver requests one within one year of the fine coming due. If more than a year has passed, the court *can* (for example, based on a good cause standard) *but does not have* to order a payment plan. RCW 46.63.110(6). The payments must be reasonable based on the person's ability to pay. The person can voluntarily pay more, or make an extra payment, at any time in addition to what the payment plan requires. RCW 46.63.110(6). A court can also order community service, if a defendant requests it. RCW46.63.120(2).

In this case, Defendant's Declaration shows that good cause exists for removing the fine(s) from collection, lowering the balance, and ordering a community service plan and/or payment plan. The Court should grant the relief Defendant has requested

III. Defendant's Declaration

I, [your name] _____, declare:

My total monthly income is _____ from these sources:

I [check one] do do not expect my income to remain the same in the future.

My total monthly expenses are:

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I am currently [*check one*] unemployed employed.

My birth date is _____.

[] [*Check if you need to*] Additional pages attached.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this _____ day of _____, 201_ at _____, WA.

Defendant's Signature

Defendant's Printed Name

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