

# YUMA MUNICIPAL COURT

## INSTRUCTIONS FOR FILING A REQUEST FOR A DOCUMENTARY HEARING (formerly known as hearing in absentia)

You may file a written request for a documentary hearing (without a personal appearance). You must show why attending a civil traffic hearing would cause a substantial hardship. A substantial hardship is more than mere inconvenience and must be based on extraordinary circumstances. Along with this request, you MAY tender the civil sanction listed in the court's fine schedule for the civil traffic violation(s) to be posted as a bond pending the outcome of the hearing. It is recommended that you post the fine in advance to eliminate the statutory time payment fee requirement if a ruling of responsible is rendered against you.

**IF YOU HAVE A SUBSTANTIAL HARDSHIP** which prevents you from attending a hearing **AND** you wish to plead **not responsible** for the violation(s), you may qualify for a documentary hearing pursuant to Rule 10 Civil Traffic Rules. This will allow you to file a written declaration of the facts surrounding the violation rather than appear in person at a hearing. The written request for a documentary hearing **must** be received prior to your appearance date.

### DOCUMENTARY HEARING INSTRUCTIONS

1. To receive the Request Form, read and sign the following statement:

*I believe that I qualify for a documentary hearing and would like to receive the Request Form. (Forms are also located on our website at <http://www.YumaAZ.gov>)*

\_\_\_\_\_  
Signature

2. Write the traffic complaint number below:

\_\_\_\_\_

3. **POSTING A BOND.** A bond is not required, but by posting a bond, you will eliminate any requirement to pay the mandatory \$20 Time Payment Fee if you are found responsible. The bond amount is equal to the total fine for the violation(s) on your traffic complaint.

**YOU MUST APPEAR IN COURT ON THE COURT DATE SHOWN ON YOUR COMPLAINT if the following applies:**

- For any violation code on your complaint that does not appear on the Fine/Fee Schedule.
- If your complaint was issued as a result of an accident involving death or serious injury.
- If you want to contest your charge(s), you will not be able to do so on your appearance date. Your charges will be set for a trial/hearing on another date. (see Option 3 – Request a Hearing on page 4 of the fine pamphlet, if one was provided to you.)

**Please Note:** It is the defendant's responsibility to follow up with the court to ensure that the payment or correspondence sent via mail was received by the court. Failure to appear in court on or before the court date listed on your complaint may result in the issuance of a warrant for your arrest on any criminal charge, and/or driver license suspension with additional monetary penalties being imposed on any civil violation.