

## JUSTICE COURT #2

COUNTY OF GRAHAM STATE OF ARIZONA  
PO BOX 1159, 136 W CENTER STREET, PIMA AZ 85543, Ph(928)485-2771, Fx(928)485-9961

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### RESOLVING TRAFFIC TICKETS (Citations) ARE EXPLAINED HERE

**FORMS are attached, that you can Print, Fill-in,  
and Return to the court. (some restrictions  
apply)**

#### **Important information on your citation;**

Your Citation Number is written in the "complaint" box, in bold. Be sure to read all of the information pertaining to your rights and case.

#### **Civil or Criminal-**

To the right of each charge is a designation of whether the charge is civil or criminal. If any of the charges are CRIMINAL (or criminal-traffic), the remaining options listed here do not apply, and you must come to the court and personally enter a plea. If you live more than 100 miles away, you may call the court for appearance options on your criminal case.

If your charge is CIVIL, you may either appear by coming to court "on or before" your date, or;

- 1.-pay by mail, (see option)
- 2.-request a hearing by mail, (see option)
- 3.-attend Defensive Driving School. (see option)

#### **Appearance Date**

This date is in the lower right portion of your citation (above the signatures). You must appear in some manner on or before this date.

#### **Failure to Appear-**

You may "Appear" either in person or by mail, but if you fail to appear;

1. Default judgment will be entered against you.
2. Failure to Appear charges/fines will be added.
3. A late fee of \$20 will be added
4. MVD will suspend your driver's license. The suspension will remain until your total fine is paid. Driving on a suspended license is an arrestable offense and the vehicle is usually impounded. In addition, there may be processing and collection fees, including tax refund intercept, F.A.R.E., etc.

#### **Fine \$ Amounts**

Laws that are more frequently violated are listed at: [graham.az.gov/Departments/Courts/JP#2](http://graham.az.gov/Departments/Courts/JP#2).

The listed fines include the court fines and the state surcharges. They do not include the mandatory enhancement fee, optional late fees, suspension fees, warrant fees, or time payment fees (when applicable).

#### **What does the Law Say?**

You can examine the statute itself that you are accused of violating at [www.graham.az.gov/Departments/Courts/JP#2/Arizona Revised Statutes](http://www.graham.az.gov/Departments/Courts/JP#2/Arizona Revised Statutes) and selecting the TITLE of your code.

For example:

- Title 4 (Alcohol)
- Title 28 (Traffic)

Then select the statute number. For example; Title 28-855, referring to stop signs. Title 28-701, referring to speed.

#### **Do I need a lawyer?**

A lawyer can represent you in your civil traffic case, just as they can in a criminal case, but no one else can represent you.

If you desire to have an attorney, the attorney must make their "Notice of Appearance" 10 legal days before your Hearing date, so the other side can also be notified. Failure to make this 10-day notice may waive your right to appear with a lawyer.

#### **Juvenile**

If you are under the age of 18, you must appear with your parent or guardian.

If you are under the age of 18, and are eligible to attend Defensive Driving School, and you in fact complete the class, one violation will be dismissed. If you decide to not attend the school, and pay the sanction instead, or if you are found responsible by the court of any charge, you will be required by MVD to attend Traffic Survival School.

**OPTION #1**

**To Pay the Civil Obligation by Mail :**

To process payment on-line, see the Online Payment option.

(Sign) \_\_\_\_\_

**"I waive my rights to a hearing & enter a plea of responsible for the violation(s) below".**

The court will enter judgment of responsible against you and will report the findings to MVD. Points may be assessed by MVD to your driving record for any moving violation.

CITATION # \_\_\_\_\_

PRINT LEGIBLY (See the upper right corner of the citation form)

Name on citation \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_, ST \_\_\_\_\_ Zip \_\_\_\_\_

Day Ph. \_\_\_\_\_ Other Ph \_\_\_\_\_

Below, in the same order as listed on your citation, circle the letter (charge) you admit to. Next, under SECTIONS CODE, enter the violation code (from your citation). Then, write in the FINE amount(s) as listed from the "Fines" section of the web page, or on the Fines printout. (see fines amounts above) Total payments due and make payment to the court.

CHARGES	SECTION CODE	FINES
A	_____	\$ _____
B	_____	\$ _____
C	_____	\$ _____
D	_____	\$ _____
E	_____	\$ _____
<b>Subtotal</b>		<b>\$ _____</b>

Court Enhancement fee (mandatory) \$ **37 • 00**

Late fee (\$20 if applicable) \$ \_\_\_\_\_

**TOTAL \$ \_\_\_\_\_**

**Method of payment:**

\_\_\_\_ Cashier's check    \_\_\_\_ Money Order

Credit card payments to be made online

**NO personal checks. DO NOT MAIL CASH**

Delivered to the court: -before your court date/time.

Mail to the court: -5 days before your court date.

**Clerk counter open: MON - THUR, 7-6, CLOSED FRIDAY**

**OPTION #2**

**To Request a Hearing by Mail/Not Responsible**

Complete this option only if you wish to contest the charge(s) and have a hearing before a judge.

(Sign) \_\_\_\_\_

(MUST BE SIGNED to "Appear" by Mail)

**Note:** This option waives your right to attend defensive driving school and the dismissal of the charges contested.

CITATION # \_\_\_\_\_

PRINT LEGIBLY (See the upper right corner of the citation form)

Name on citation \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_, ST \_\_\_\_\_ Zip \_\_\_\_\_

Day Ph. \_\_\_\_\_ Other Ph \_\_\_\_\_

Below, in the same order as listed on your citation, circle the letter (charge) you plead "Not Responsible" to and want a hearing for. Under SECTIONS CODE enter the violations code (from your citation).

**CHARGES SECTION CODE**

- A \_\_\_\_\_
- B \_\_\_\_\_
- C \_\_\_\_\_
- D \_\_\_\_\_
- E \_\_\_\_\_

Complete this form and mail (or deliver) to the court at least 5 days prior to your appearance date. When the Court receives this request, the Court will vacate your original appearance date, set a Hearing date/time, and mail you notice of the new date/time to appear.

If you do not receive notice of the new Date/Time before your old "appearance date" call the court for verification or check on the web site (court calendar) to see if your hearing date is on or off. Otherwise, you must appear at the old date/time.

Be prepared for your hearing and arrive early. If a Hearing Date/Time is set, and you do not appear for the hearing, a default judgment of Responsible will be entered against you, fines will be assessed, and MVD may suspend your license.

(See "Do I Need a Lawyer" explanation above)

\_\_\_\_ I will be representing myself.

\_\_\_\_ I will be represented by attorney,

\_\_\_\_\_ Attorney Name

## **OPTION #3**

### **DEFENSIVE DRIVING SCHOOL (DDS)**

#### **YOU MUST NOTIFY THE COURT OF YOUR INTENT TO ATTEND DDS**

**NOTE: This option is time sensitive;** you must complete the DDS class 7 days prior to your "Appearance date" if attending in person, and 14 days prior if taking "online" DDS classes. You must "register" for the class before that.

Time is of the essence. Register ASAP.

#### **ADVANTAGES**

**Arizona Statutes** provides that under certain circumstances, a person may "divert" a traffic violation (for one violation only) through attendance at a defensive driving class.

Advantages of completing DDS:

1. You need not appear in court for that charge.
2. The charge will be dismissed
3. No fine will be assessed for that charge.
4. No points are added to your driving record for that charge.

#### **AM I ELIGIBLE?**

You may be eligible for the DDS program if;

1. You have not attended defensive Driving class within the last 2 years (per violation date).
2. You have a valid driver's license or valid LD.
3. If you call the DDS to verify that your violation is eligible for the program.
4. Your citation did not result from an accident involving death or serious injury.
5. Your citation was not for a "major traffic" violation.
6. Your citation has not already been set for a traffic hearing or trial.

#### **IF YOU DESIRE TO ATTEND D.D.S.**

1. Call the DDS school within the first few days of receiving the citation:  
at..... 1-800-279-2477 Graham County  
at ..... 1-888-334-5565, Other County  
Or online class ..... [www.azdrive.com](http://www.azdrive.com)
2. Register for Class
3. Attend and satisfactorily complete the class before citation "Appearance date" for court.
4. Take a copy of your Citation, Driver license, and Pen/Pencil with you, to class.
5. BE EARLY; If you are late, you will be turned away.

Be aware that Traffic Survival School is different from Defensive Driving School.

## **(DDS information continued)**

The School will;

1. Verify your eligibility,
2. Register you for the class, and
3. Upon your completion, report your attendance to the court. (Completion must be 7 days before your original court appearance date.)

#### **MULTIPLE CHARGES ON THE CITATION**

If you receive multiple charges on your citation, only one can be dismissed through this Option. You must decide whether to plead responsible for each of the other charges, or conversely to request a hearing to contest each remaining charge.

Indicate your choices for DDS, Paying, or Requesting a Hearing, or any combination of the above, by registering and completing the appropriate sections under Option 1 and/ or Option 2, above. Make certain you indicate your choice for each charge on your citation other than the charge that you are attending DDS for.

**NOTICE:** Effective 8-25-04; Holders of CDL licenses are no longer eligible for defensive driving school diversion, per ARS 28-3392

If you are under 18 years and are found responsible for any moving violation by the court, you will be required by MVD to attend a Traffic Survival School. This is a different school than Defensive Driving School

**Your Notes Here:** \_\_\_\_\_ **date called**  
(DDS time / date / place / contact person )