

You Have a Traffic Ticket – Now What?

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Over 5 million traffic tickets are issued every year in California. However, only 7% of those tickets are ever contested. What's stopping drivers from fighting their traffic tickets? Is it the promise of convenience and making it "go away" by paying the fine, or is it the lack of understanding and knowledge about all the options you have to handle a traffic ticket? And if you don't pay the fine or appear in court due to financial constraints, you run the very real risk of having your license suspended. There are core injustices and inconveniences in the California traffic ticketing system that can make the process unduly expensive, time-consuming, and unfair for drivers across the state.

After the shock of receiving a traffic ticket wears off and the thought of losing your job, it's now time to figure out just what you're going to do about that darn ticket.

First, turn over your traffic ticket and read the back to gather valuable information. On the back of every traffic ticket you will see a list of all your options. The truth is most people are so frustrated at the fact that they even received a traffic ticket that they just throw it in the glove box or on the floor and don't read the information provided to them. All your available options are there for you including:

1. Pay the fine (bail)
2. Appear in court
3. Correct the violation (if applicable)
4. Request traffic school (if eligible)
5. Request Trial by Written Declaration
6. It's Best to Fight That Traffic Ticket

Receiving a traffic ticket is a very frustrating experience and the thought of having to fight that ticket can make it even worse. However as frustrating and complicated as it may seem it's not as bad as it sounds. In fact, once you've already received the ticket, it can only get better.

If you're like most people you've finally come to the conclusion that it's best for you to fight that traffic ticket. This is a great choice because no matter what type of ticket it is you should never give up your rights and just accept the ticket along with the hefty fine and point on your driving record. Always fight that traffic ticket!

The Best Way to Contest Your Traffic Ticket

If you want to fight your traffic ticket - and we think that you should - you have basically two options:

Contest your traffic ticket in court – This will either be time consuming if you decided to do it on your own or costly if you decide to hire an attorney.

OR

A Trial by Written Declaration - This provides you the opportunity to contest your case in court without actually having to go to court. It's almost like winning the lottery. You can say everything you want to say without the fear of the judge throwing you out of the courtroom - because you never even have to go to court. This is a real court trial, just in written form instead of in person.

Some people believe that you don't need to know what to say, how to say it, or most importantly what not to say when filing a

Trial by Written Declaration. This can't be further from the truth. There are many services out there, *GetDismissed.com* included, that provide assistance completing and filing a proper Trial by Written Declaration so that you are maximizing your chances of getting your traffic ticket dismissed.

If your Trial by Written Declaration is successful it will prevent a negative point from going on your driving record and the court will refund 100% of the bail you deposited with them. Almost as good, a Trial by Declaration has one other advantage: you are allowed to take "two bites of the apple." This means that, even in a worst-case scenario (for example, if you are found guilty on a Trial by Written Declaration), you actually still get to have your day in court by filing a Trial de Novo (the request for a new trial). This will put you right back where you started, meaning you can still go to court to contest your traffic ticket; that's the proverbial second bite of the apple.

Now you can see why the best way to contest a traffic ticket in California is with a Trial by Written Declaration; it saves you time and money! Not to mention you still retain all your rights under the law for a court trial if you so desire.

History of a Trial by Written Declaration

California courts are extremely over-crowded. Every time someone comes to court to contest a traffic ticket, it takes up valuable court time and money. In 1978 California began a new program to free up court time while still allowing individuals all the rights afforded to them under the law. California created a "Trial by Written Declaration" to free up the court's time and save the court money.

A Trial by Written Declaration will allow you to contest your traffic ticket without the need to actually go to court. If the ticket is dismissed, then no points will be added to your record and the court will refund your bail in full. If your ticket is not dismissed you can still either request traffic school, if you are eligible, or request a new trial in the courtroom to contest your ticket again.

It makes total sense for anyone who receives a traffic ticket in the state of California to file a Trial by Written Declaration first instead of wasting their time going to court, attending traffic school, or just paying the fine.

The beauty of a Trial by Declaration is that even if your ticket is not dismissed fully or reduced to your liking you can still ask for the new trial by filing form TR-220 with the court within 20 days of the court finding you guilty. At the new trial, you will have to appear in court but this still gives you a fresh start and a second opportunity at getting your ticket dismissed. This is considered a completely new trial.

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