

## **Instructions regarding filing and serving a DECLARATION REQUESTING THE COURT TO VACATE JUDGMENT DUE TO MISTAKEN IDENTITY.**

### **A. How to File and Serve a DECLARATION REQUESTING THE COURT TO VACATE JUDGMENT DUE TO MISTAKEN IDENTITY.**

If you believe that you were wrongly identified as a person who committed an infraction as a result of having your identity stolen, you may request that the court to vacate the judgment for mistaken identity. To do so, you must do each of the following:

1. Fully complete a DECLARATION REQUESTING THE COURT TO VACATE JUDGMENT DUE TO MISTAKEN IDENTITY as required by IRLJ 6.7(b). PDF versions of IRLJ 6.7 and the Declaration form are available online at [www.seattle.gov/courts/general/false\\_id.htm](http://www.seattle.gov/courts/general/false_id.htm). You may also obtain these forms in person at the Court Records Department, Seattle Municipal Court, 600 Fifth Avenue, Seattle, WA between the hours of 8 AM to 4:30 PM, Monday through Friday.
2. Make two copies of the completed Declaration.
3. Serve one copy of the completed Declaration on the Seattle City Attorney. You should deliver a copy of the Declaration by hand to the Seattle City Attorney, 701 Fifth Avenue, Suite 2050; Seattle, WA 98104-7097. When you serve a copy of the Declaration, obtain a date stamp from the City Attorney's office on the original Declaration to show the date you served the declaration.
4. File the original Declaration (showing the date from the City Attorney's Office) at the Court Records Department, Seattle Municipal Court, 600 Fifth Avenue, Seattle, WA. You may file the Declaration by delivering it by hand or mailing to the Court Records Department.
5. Keep the other copy for your records.

### **B. After the Declaration is Filed**

1. Hearing. After a fully-completed Declaration is filed, the Court will set a hearing not less than 14 days nor more than 120 days from the date the Declaration is filed with the Court. The Court will send you a written notice of date of the hearing. After reviewing your declaration, the Court may, at its discretion, set aside a default judgment pending the hearing.
2. Disposition at Hearing. If the Court determines that you were the person identified by the citing officer as the person who committed the infraction or that you were served with the infraction, the notice of infraction will remain committed or re-adjudicated as committed.