

BENTON COUNTY DISTRICT COURT

[Ex. B]

ADVISEMENT OF RIGHTS REGARDING OUTSTANDING LEGAL FINANCIAL OBLIGATIONS

If you owe Legal Financial Obligations (LFOs) to the Benton County District Court, you have the following legal rights:

1. You have the right to ask for a hearing. At the hearing, you can tell the Court about your financial situation. You can use this hearing to ask the Court to: a) reduce your monthly payment; b) defer or postpone your payments for a while; or c) waive some or all of the LFOs that you owe. You have the right to have a private attorney help you at the hearing, but the Court will not appoint a public defender to represent you if the hearing is at your request. To request a hearing, please contact the Benton County District Court Clerk at 7122 W Okanogan Place, Bldg. A, Kennewick, WA 99336; Phone: 509.735.8476
2. If you are accused of failing to pay your LFOs and are ordered to come to Court, then you may have the right to be helped by a public defender. If you would like a public defender to help you, then you must tell the Judge when you show up in Court for the first time. There will be a determination of your eligibility for a public defender (including, whether the failure to pay LFOs may lead to your being put in jail). If you need time to work with your public defender, then the Court will usually allow you to come back to Court at a later date.
3. If you show that you cannot make LFO payments through no fault of your own, the Court cannot put you in jail or on work crew for the missed payments.

When you go to Court (whether requested by you or ordered by the Court), it is important to show the Court that you cannot make LFO payments or that payments will be a serious hardship. To do this you will need to collect documents and information about your finances and situation.

A document called a “**Worksheet for Determining Ability to Pay LFOs**,” is available at the public defender’s office and at the public defender’s website (BentonCountyDefense.org). Please use the Worksheet as a guide and checklist for gathering the information you will present or explain to the Court. You do not have to provide the worksheet itself to the Court. If you are ordered to Court and will be working with a public defender, please discuss the Worksheet with the public defender before the hearing. The public defender’s office is at 7122 W Okanogan Place, Bldg. A, Kennewick, Washington 99336; Phone: 509.222.3700.