

**MARANA MUNICIPAL COURT**

11555 W. CIVIC CENTER DRIVE BLDG.C MARANA, AZ. 85653

PHONE: (520) 382-2700 FAX: (520) 382-2701

STATE OF ARIZONA,  PLAINTIFF  VS.  _____,  DEFENDANT	DOCKET#  _____  _____	MISDEMEANOR OR CIVIL TRAFFIC COMPROMISE  DECLARACION JURADA DE COMPROMISO
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I/YO, \_\_\_\_\_, being first duly sworn, upon oath, say as follows/habiendo  
(Name of victim/Nombre de la victim)  
prestado el debido juramento, declare to siguiente:

I/YO, \_\_\_\_\_, am the person who sustained damages and/or injuries as a result  
(Name of Victim/ Nombre de la victima)  
of the incident which gave rise to the/soy las persona que ha sufrido danos o perjuicios debido al:

- Civil traffic charge/incidente que dio lugar al cargo civil de trafico:
- Criminal misdemeanor charge of/de delito menor de:

against / contra \_\_\_\_\_, the accused, on /el acusado el: \_\_\_\_\_  
(Name of Accused / Nombre del acusado) (Day, month, year/ dia, mes, ano)

I understand I have a civil remedy for the injuries or damages sustained/ Entiendo que tengo derecho a una accion civil pro los danos o perjuicios sufridos.

Mark one of the following / Marque uno de los siguientes:

- I have been fully compensated by the defendant for my losses/ he sido completamente recompensado por el acusado pro mis perdidas.
- I do not seek compensation / No busco compensacion.

I do not wish to appear in Court and consent to dismissal of the charge against the defendant/ No pienso aparecer en la corte para testificar contra el acusado y doy consentimiento a que se revoque el cargo civil de traffic.

\_\_\_\_\_  
Signature of victim or legal guardian / Firma de la victim – Padre o guardian legal debe firmar por un menor

State of Arizona  
County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By \_\_\_\_\_.

My commission Expires:

\_\_\_\_\_  
NOTARY PUBLIC / NOTARIO PÚBLICO

## **MISDEMEANOR/ CIVIL COMPROMISE INSTRUCTIONS**

### **WHAT IS A MISDEMEANOR COMPROMISE?**

A misdemeanor compromise is an agreement between a defendant and a victim in which the victim recommends that misdemeanor charge/charges involving the defendant be dismissed.

### **WHAT IS A CIVIL TRAFFIC COMPROMISE?**

A civil traffic compromise is an agreement between a defendant and a victim in which the victim recommends that civil traffic charge/charges involving the defendant be dismissed.

### **TYPES OF CASES THAT CAN BE DISMISSED PURSUANT TO A MISDEMEANOR COMPROMISE:**

Criminal cases such as shoplifting, theft, criminal damage, assault, trespass, harboring a biting dog, and making threatening statements.

### **TYPES OF CASES THAT CAN BE DISMISSED PURSUANT TO A CIVIL TRAFFIC COMPROMISE:**

Civil traffic cases involving accidents.

### **TYPES OF CASES THAT CANNOT BE DISMISSED PURSUANT TO A MISDEMEANOR COMPROMISE:**

Any case involving DOMESTIC VIOLENCE, DUI, or an assault upon a police officer during the execution of his/her duties cannot be dismissed pursuant to a compromise.

### **HOW DOES A MISDEMEANOR COMPROMISE WORK?**

You may contact the victim directly, unless you have been ordered by the court or requested by the victim to stay away from him or her. If so, contact the Town Prosecutor's Office at (520) 382-1942 and request that they forward your paperwork to the victim. You should include in your request an address and a telephone number where you may be reached if the victim wishes to compromise the case. You should fill out the top portion of the form, indicating your name and the docket number of your case. If there are multiple victims in your case, each must sign a separate compromise form. The form must be signed by the victim and notarized. When complete, the form should be taken to the town prosecutor's office at least one week prior to your court date, or presented to the prosecutor at your court date. If you have not received a written dismissal of the case from the prosecutor, you must appear at the next court date.

### **HOW DOES A CIVIL TRAFFIC COMPROMISE WORK?**

You may contact the victim directly, unless you have been ordered by the court or requested by the victim to stay away from him or her. If so, contact the Town Prosecutor's Office at (520) 382-1942 and request that they forward your paperwork to the victim. You should include in your request an address and a telephone number where you may be reached if the victim wishes to compromise the case. You should fill out the top portion of the form, indicating your name and the docket number of your case. If there are multiple victims in your case, each must sign a separate compromise form. The form must be signed by the victim and notarized. When complete, the form should be turned in to the court at least one week prior to your court date. If you have not received a written dismissal of the case from the court, you must appear at the next court date.

**IS A VICTIM REQUIRED TO COMPROMISE MY CASE?** No. A victim's decision to dismiss the criminal or civil traffic case is entirely voluntary. Remember, the victim is giving up the right to sue you in a civil court when the compromise is signed. A victim can demand any compensation he or she thinks is fair. This payment can be made directly to the victim by you or through your insurance company.

**AM I REQUIRED TO PAY CIVIL DAMAGES TO A VICTIM?** You must pay any damages caused by you if, 1) A guilty verdict is entered in your criminal case and the court orders you to pay restitution to the victim, or 2) The victim sues you in a civil court and has damages awarded. You are not required to pay for any damages before the entry of judgment against you unless you wish to enter a misdemeanor/civil traffic compromise with the victim.