

REQUESTING AN ABILITY TO PAY HEARING FOR RHODE ISLAND TRAFFIC TRIBUNAL VIOLATIONS

A.) YOU HAVE BEEN CHARGED WITH A CIVIL VIOLATION

- 1.) If you have been charged with a civil violation, you will receive a summons.
- 2.) The summons will charge you with the violation and order your appearance for a hearing. The summons states the offense, the time, and place where you should appear.

B.) YOU APPEAR IN COURT

- 1.) If you appear at the hearing and admit to the charged violation or have a judgment entered against you, but you do not have the ability to pay the **full** amount of the summons immediately following the hearing, you may request an ability to pay assessment from the court.
- 2.) You will receive a new hearing time and date, at which the court will assess your ability to pay the full summons amount.
- 3.) Before appearing at the ability to pay hearing, you must fill out and sign a Financial Statement form describing your total assets and liabilities for the court. The Financial Statement form is confidential. Click [here](#) to fill out a form.

C.) THE COURT ASSESSES YOUR ABILITY TO PAY

- 1.) At the ability to pay hearing, the court will assess your ability to pay the summons amount using the information you provide in your Financial Statement form and your answers to questions the court may have for you.
- 2.) The court may question you about any and all information relevant to your present ability to pay the summons amount.

D.) AFTER THE ABILITY TO PAY HEARING

- 1.) After the ability to pay hearing, the court must determine whether you are actually unable to pay the summons in full.
- 2.) If the court finds that you are unable to pay in full, it may choose to reduce the amount owed or enter an order requiring you to make regular, periodic payments until the summons is paid in full.

E.) PAYING YOUR SUMMONS

- 1.) You must make each of your periodic payments by the dates listed in your order or appear in court to explain why a periodic payment cannot be made. If you are unable to make your periodic payments, the court may schedule a new hearing to assess your present ability to pay.
- 2.) However, if the court finds that you have willfully failed to make your periodic payments, the court may suspend your license and/or registration, and/or issue a civil body attachment against you in the manner set forth in G.L. 1956 § 8-8.2-3.