

1 **Rule 4-701. Failure to Appear.**

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3 **Intent:**

4 To establish a procedure for handling cases in which the defendant fails to appear and fails to
5 ~~forfeit bail~~remit a fine.

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7 **Applicability:**

8 This rule shall apply to cases in which the defendant's appearance is not required.

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10 **Statement of the Rule:**

11 (1) When a case is filed, the clerk may mail to the defendant a notice indicating the ~~bail~~fine
12 amount. If the defendant fails to appear or ~~forfeit the bail~~remit the fine amount within fourteen
13 days after receiving a citation, the clerk may increase the ~~bail~~fine amount by \$50 and mail the
14 defendant a delinquency notice.

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16 (2) If the defendant fails to appear or ~~forfeit the bail~~remit the fine amount within forty days after
17 receiving a citation, the court may increase the ~~bail~~fine amount by \$75 and issue a warrant for
18 failure to appear.

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20 (3) If the defendant is a juvenile, the court may issue a bench warrant or order to take the
21 defendant into custody. If a bench warrant is issued, a special designation or "flag" shall be
22 placed on the warrant indicating that the defendant is a juvenile.

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24 (4) If a minor fails to appear in juvenile court on a charge which would constitute an infraction if
25 committed by an adult:

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27 (4)(A) The court shall not issue an Order for Detention.

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29 (4)(B) The court may authorize the probation department to file an order to show cause.

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31 *Effective ~~November 1, 2018~~May 12, 2020*