

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

2 **Intent:**

3 To establish a procedure for handling cases in which the defendant fails to appear and fails to forfeit
4 bail.

5 **Applicability:**

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

7 **Statement of the Rule:**

8 (1) When a case is filed, the clerk may mail to the defendant a notice indicating the bail amount. If the
9 defendant fails to appear or forfeit the bail amount within fourteen days after receiving a citation, the
10 clerk may increase the bail amount by \$50 and mail the defendant a delinquency notice.

11 (2)(A) If the defendant fails to appear or forfeit the bail amount within forty days after receiving a
12 citation, the court may increase the bail amount by \$75 and issue a warrant for failure to appear; ~~a
13 separate offense of Failure to Appear need not be filed.~~

14 (2)(B) If the defendant is a juvenile, the court may issue a bench warrant or order to take the
15 defendant into custody. If a bench warrant is issued, a special designation or "flag" shall be placed on
16 the warrant indicating that the defendant is a juvenile.

17 (3) If a minor fails to appear in juvenile court on a charge which would constitute an infraction if
18 committed by an adult:

19 (3)(A) The court shall not issue an Order for Detention.

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