

77-36-2.6 Appearance of defendant required -- Determinations by court -- Pretrial protective order.

- (1) A defendant who has been arrested for an offense involving domestic violence shall appear in person or by video before the court or a magistrate within one judicial day after the arrest.
- (2) A defendant who has been charged by citation, indictment, or information with an offense involving domestic violence but has not been arrested, shall appear before the court in person for arraignment or initial appearance as soon as practicable, but no later than 14 days after the next day on which court is in session following the issuance of the citation or the filing of the indictment or information.
- (3) At the time of an appearance under Subsection (1) or (2), the court shall determine the necessity of imposing a pretrial protective order or other condition of pretrial release including, but not limited to, participating in an electronic or other type of monitoring program, and shall state its findings and determination in writing.
- (4) Appearances required by this section are mandatory and may not be waived.

Amended by Chapter 384, 2010 General Session