

Effective 10/1/2020

77-7-19 Appearance required by citation -- Arrest for failure to appear -- Transfer of cases -- Disposition of fines and costs.

- (1) An individual receiving a citation issued pursuant to Section 77-7-18 shall appear in the court designated in the citation on or before the time and date specified in the citation unless:
 - (a) the citation states that the court will, within five to 14 days, notify the individual of when to appear; or
 - (b) the individual is permitted to remit the fine and other penalties without a personal appearance in accordance with a uniform fine schedule adopted by the Judicial Council or by court order under Section 77-7-21.
- (2) A citation may not require an individual to appear or contact the court sooner than five days or later than 14 days following its issuance.
- (3) If the individual cited does not appear before the court as directed by the citation or the court, or pay the fine as allowed by Section 77-7-21, the court may issue a bench warrant for the individual's arrest.
- (4)
 - (a) Clerks and other administrative personnel serving the courts shall identify for the judge any citations over which the court may lack jurisdiction.
 - (b) Upon determining that the court lacks jurisdiction over a citation, the court shall:
 - (i) transfer the case to a court with jurisdiction;
 - (ii) if the court cannot readily identify a court with jurisdiction, dismiss the charges contained in the citation; and
 - (iii) notify the prosecutor of the transfer or dismissal.
 - (c) Any fine, fee, or forfeiture collected by a court that lacks jurisdiction shall be:
 - (i) transferred to the court receiving the case; or
 - (ii) if the case is dismissed, returned to the defendant.

Amended by Chapter 185, 2020 General Session