

77-7-21 Proceeding on citation -- Voluntary forfeiture of bail -- Parent signature required -- Information, when required.

- (1)
 - (a) A copy of the citation issued under Section 77-7-18 that is filed with the magistrate may be used in lieu of an information to which the person cited may plead guilty or no contest and be sentenced or on which bail may be forfeited.
 - (b) With the magistrate's approval, a person may voluntarily forfeit bail without appearance being required in any case of a class B misdemeanor or less.
 - (c) Voluntary forfeiture of bail shall be entered as a conviction and treated the same as if the accused pleaded guilty.
 - (d) If the person cited is under 18 years of age, and if any of the charges allege a violation of Title 41, Motor Vehicles, the court shall promptly mail a copy of the citation or a notice of the citation to the address as shown on the citation, to the attention of the parent or guardian of the defendant.
- (2) An information shall be filed and proceedings held in accordance with the Rules of Criminal Procedure and all other applicable provisions of this code if the person cited pleads not guilty to the offense charged.
- (3)
 - (a) The information is an original pleading.
 - (b) If a person cited waives by written agreement the filing of the information, the prosecution may proceed on the citation.

Amended by Chapter 292, 2009 General Session