

Rule 21
BENCH WARRANTS

(A) Defendants who fail to appear in court for the first time and who have properly been notified to appear for arraignment by means of citation or summons and for whom there is a mandatory court appearance may have bench warrants issued against them by the court.

(B) In those minor misdemeanor cases where defendants do not have a mandatory court appearance and fail to pay the fine and costs or to appear, bench warrants will be issued and the case will be referred to an authorized agency for collection, with the appropriate fee being assessed.

(C) In the case of bailed persons who fail to appear, the court shall issue a bench warrant and the bond shall be forfeited and the clerk shall set a forfeiture hearing.

(D) In cases where the defendant has failed to appear at the end of a stay of a jail sentence, the judge shall order the sentence enforced and further, that a bench warrant be issued for the arrest of the defendant.

(E) Where the court has issued a warrant for the arrest of a person who has previously failed to answer a notice to appear, citation, or summons, or where the court has issued a bench warrant upon the failure of a person to appear in accordance with bail release conditions, upon the apprehension or appearance of defendant upon the warrant, the case shall be brought before the next session of the court, whether or not the defendant is re-released on bond.

(F) In cases of defendants given a notice to appear, citation, or summons to court, who have been previously notified in accordance with Rule 19, an arrest warrant shall issue, subject to proof of service.

(G) In civil cases, bench warrants may be served by the bailiff.

(H) A fee of \$15.00 shall be applied to the case upon the issuance of a bench warrant.

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