

FILED
SAN MATEO COUNTY

STANDING ORDER 05-79

DEC 29 2005

Clerk of the Superior Court

By [Signature]
DEPUTY CLERK

IN THE SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

SUPERIOR COURT OF CALIFORNIA) STANDING ORDER RE: CIVIL
COUNTY OF SAN MATEO) PURSUIT OF TRAFFIC INFRACTIONS
) **AND AUTHORIZING ASSESSMENT OF**
) **\$300 FOR FAILURE TO APPEAR**
)
) **[Veh.Code § 40903(a); Pen.Code §§ 1214, 1214.1]**
)

WHEREAS, Vehicle Code section 40903 provide that any person who fails to appear may be deemed to have elected to have a trial by written declaration; and

WHEREAS, Penal Code section 1214.1 provides that , subject to specified procedures including notice to the defendant and the recalling of bench warrants that may be outstanding for failure to appear, the court may impose a civil assessment of up to three hundred dollars (\$300) against any defendant who fails, after notice and without good cause, to appear; and

WHEREAS, Penal Code section 1214(a) provides that if the judgment is for a fine, including a restitution fine, the judgment may be enforced in the manner provided for the enforcement of money judgments generally; and

WHEREAS, the Superior Court in the County of San Mateo wish to implement these statutes;

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that a defendant, in all traffic infraction citations wherein the defendant has failed to appear and the citation remains unpaid for a period of six (6) months following the placement of a Failure to Appear notice with the California Department of Motor Vehicles, shall be deemed

1 to have elected to have a trial by written declaration, may be tried in absentia and a Judgment
2 entered for the sum of the bail for the underlying offense(s) and a civil assessment in the amount
3 of three hundred (\$300) for failure to appear.

4 **IT IS FURTHER ORDERED** that all traffic infraction judgments that are not vacated
5 or set aside within thirty (30) days following the date on which the Notice of Entry of Judgment
6 was mailed, become final, that no further court proceedings shall be had, and all unpaid
7 judgments are to be transferred to the Revenue Services Division of the County of San Mateo's
8 Employee and Public Services Department, to be civilly pursued.

9 **IT IS FURTHER ORDERED** that this order shall supersede Standing Order 97-22 and
10 any previous order(s) regarding this subject matter and shall remain in effect indefinitely and
11 until such time as the order is vacated or superseded by order of the Presiding Judge.

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13 Dated: DEC 29 2005

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15 George A. Miram, Presiding Judge

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