

STANDING ORDER NO. 97-22

SUPERIOR AND MUNICIPAL COURTS OF SAN MATEO COUNTY COUNTY OF SAN MATEO, STATE OF CALIFORNIA

IN THE SUPERIOR COURT)
AND MUNICIPAL COURTS)
COUNTY OF SAN MATEO) ss.
STATE OF CALIFORNIA)

FILED
SUPERIOR AND MUNICIPAL COURTS
OF SAN MATEO COUNTY

JUN 16 1997

Peggy Thompson Cl. Executive Officer/Clerk
By:  Deputy

STANDING ORDER RE: CIVIL PURSUIT OF TRAFFIC INFRACTIONS AND AUTHORIZATION TO ASSESS \$250 FOR FAILURE TO APPEAR [VC 40903 (a); PC 1214, 1214.1,]

WHEREAS, Vehicle Code Section 40903 provides 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 two hundred and fifty dollars (\$250) 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 San Mateo County Superior and Municipal Courts wish to implement these statutes;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the defendant, in all traffic infraction citations wherein the defendant has failed to appear and the citation has remained unpaid for a period of six (6) months following the placement of a failure to appear notice with

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the Department of Motor, shall be deemed to have elected to have a trial by written declaration, may be tried in absentia and a Judgment entered for the sum of the bail for the underlying offense(s) and a civil assessment in the amount of two hundred and fifty dollars (\$250) for failure to appear.

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

This order shall supersede any previous order(s) and shall remain in effect indefinitely and until such time as the order is vacated or superseded by the Presiding Judge.

Dated: 6-16-97



Mark R. Forcum

Mark R. Forcum, Presiding Judge