

## **Rule 17**

### **APPEARANCE FOR TRAFFIC OR MINOR MISDEMEANORS**

(A) Those receiving traffic or minor misdemeanor citations in which a plea of guilty and payment of a set fine and costs may be mailed or paid to the clerk of court's office shall be given a court arraignment date by the citing officer no more than 10 calendar days from the date of citation unless the 10th day falls on a Saturday, Sunday, or court holiday. The court appearance for minor misdemeanors shall be scheduled for 1:00 p.m. in courtroom #4.

(B) Pursuant to Rule 4.1 of the Ohio Rules of Criminal Procedure, a defendant charged with a minor misdemeanor may, in lieu of appearing in court, sign a plea of guilty and pay out the fine in accordance with the schedule established by the court pursuant to Rule 4.1(E) and posted in the clerk of court's office.

(C) Those charged with operating a motor vehicle while under the influence of alcohol or any drug of abuse shall be given a court arraignment date no more than five calendar days from the date of the citation. Those charged as first offenders shall appear in courtroom #4 at 1:00 p.m. Repeat offenders shall appear in courtroom #4 at 9:00 a.m.

(D) All other traffic, including:

- (1) Leaving the scene of an accident;
- (2) Driving while under suspension or revocation of driver's or commercial driver's license;
- (3) Driving without being licensed to drive, except where the driver's or commercial driver's license had been expired for six months or less;
- (4) A third moving traffic offense within a 12-month period;
- (5) Failure to stop and remain standing upon meeting or overtaking a school bus stopped on the highway for the purpose of receiving or discharging a school child;
- (6) Willfully eluding or fleeing a police officer;
- (7) Drag racing

(E) Minor misdemeanor offenders shall be given a court arraignment date by the citing officer of at least 10 but not more than 14 calendar days from the date of citation at the 1:00 p.m. misdemeanor/traffic arraignment session.

(F) Where an on view stop by a citing officer would result in the issuance of a citation or complaint, of such a degree that a summons for a court appearance could be issued, and a record check of that person reveals active bench warrants on unrelated minor misdemeanors, the citing officer may issue a summons for those unrelated minor misdemeanors, in lieu of arrest.

The citing officer shall verify defendant's correct local address, phone number, and place of employment on the citation.

The citing officer shall inform the defendant that proof of compliance with the Financial Responsibility Act, Ohio Revised Code Chapter 4509, will be required at arraignment, and that a Bureau of Motor Vehicle report must be filed in the event of damage.

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