I.M.C.R. 11. Failure to Appear.

Idaho Misdemeanor Criminal Rule 11. Failure to Appear.

(a) Failure to appear on citation. In the event the defendant fails to appear at the time promised in the citation, the court may take one or more of the following actions:

(1) Notice to appear or pay fine. Mail a notice to the defendant at the address stated in the citation requesting the defendant to appear before the court as promised on the uniform traffic citation or to pay the fine to the court.

(2) A warrant of arrest. Issue a warrant of arrest on the basis of the citation if the defendant fails to appear or pay the fine within the time set in the citation if probable cause has been shown as required by Rules 4 and 5 of the Idaho Criminal Rules.

(3) Additional citation or complaint under oath. Accept and file a citation or a complaint made under oath for the offense of failure to appear on a citation as provided by statute and these rules and issue a summons to appear or issue a warrant of arrest upon the showing of probable cause as required in subsection (a)(2) above.

(b) Failure to appear after first appearance. If a defendant fails to appear at the time fixed by the court, or at the time fixed by a continuance or trial date notice issued by the clerk, the court may order any bond forfeited and may issue a bench warrant for the arrest of the defendant.

(Adopted December 27, 1979, effective July 1, 1980; amended April 3, 1981, effective July 1, 1981; amended April 18, 1983, effective July 1, 1983.)

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