

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.8808 Citation issued to nonresident of state; leaving deposit with officer or court; failure to appear; default judgment.

Sec. 8808.

(1) When a person who is not a resident of this state is issued a citation for a civil infraction under section 8807, the person may recognize to the law enforcement officer or to the court for his or her appearance by leaving with the officer or court a sum of money not to exceed \$100.00.

(2) The officer receiving a deposit of money under subsection (1) shall give a receipt to the person for the money deposited together with the written citation required under subsection (1).

(3) At or before the completion of his or her tour of duty, a law enforcement officer taking a deposit of money shall deliver the deposit of money and the citation either to the court named in the citation or to the agency chief or person authorized by the agency chief to receive deposits. The agency chief or person authorized shall deposit the money and the citation with the court in the same manner as prescribed for citations in section 8805. A failure to deliver the money deposited is embezzlement of public money.

(4) If the person who posts a deposit fails to appear as required in the citation or for a scheduled informal or formal hearing, the court having jurisdiction and venue over the civil infraction shall enter a default judgment against the person, and the money deposited shall be forfeited and applied to any civil fine or costs ordered under section 8827.

History: Add. 2005, Act 326, Imd. Eff. Dec. 27, 2005