



SUPREME COURT OF GEORGIA

Atlanta December 14, 2018

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is ordered that the Rules for Use of Uniform Misdemeanor Citation, Accusation and Summons and the Uniform Citation, Accusation and Summons Form adopted by the Judicial Council on December 7, 2018, be hereby approved, as follows:

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Thiise A. Banne, Clerk

Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons

Uniform Misdemeanor Citation and Complaint Form - Form and Style

- (1) The Uniform Citation, Summons, and Accusation shall be used by all law enforcement officers who are empowered to enforce the criminal laws and ordinances in effect in this State. Such citation shall be by the following form in a four-part series, at least 8 ½ inches in width and 11 inches in length except that computer generated or electronically submitted citations shall not have a series requirement and may appear up to 8 ½ inches in width and 11 inches in length.
 - a. Court Copy, front and back:
[Click here to view image](#)
 - b. Defendant's copy, front and back:
[Click here to view image](#)
 - c. Issuing department copy, front and back:
[Click here to view image](#)
 - d. Officer's copy, front and back:
[Click here to view image](#)
- (2) The bar code and highlighted offender signature bar on the front of each part of the Uniform Citation form are optional.
- (3) The Judicial Council may review and recommend additional or alternative versions of this form.

Uniform Misdemeanor Citation and Complaint Form - Record Accountability

- (1) Each uniform citation, electronic or otherwise, shall have a unique number and shall include a designation of the agency issuing the citation.
- (2) Any law enforcement agency which utilizes the uniform citation shall establish a system of accountability for each citation, electronic or otherwise, which comes into its possession. This system shall include a file or files containing, in numerical order, or alphabetical order, the agency copy of each issued citation and such additional records and files as may be necessary to account, by unique number, for:
 - a. The date of distribution of each blank uniform citation (or block of citations) and the officer to whom given.
 - b. All copies of all voided citations.
 - c. The circumstances under which any uniform citation (or block of citations) has been lost or misplaced.

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- (3) Agency records concerning the uniform citation are public records. They shall be made available to any agent of the Governor, Attorney General, Secretary of State, sheriffs' offices, police departments or Georgia Bureau of Investigation upon request and to other persons at reasonable times and places.

Uniform Misdemeanor Citation and Complaint Form - Signature on the Summons; Procedure on Failure to Sign

- (1) If the defendant is to be released upon receipt of a copy of the citation, he or she must sign the citation acknowledging receipt of the summons.
- (2) Signing the citation shall only be an acknowledgment of the obligation to appear at the court and at the time specified in the citation and is not an admission as to the validity of the citation or any information contained therein.
- (3) If the defendant cited refuses to sign the citation, the officer issuing the citation shall inform the person that:
 - a. Signing the citation is only an acknowledgment of the duty to appear in court and is not an agreement with the correctness of the charge or the information about the charge on the citation;
 - b. Failure to sign the citation will make the defendant ineligible for release upon receipt of a copy of the citation; and
 - c. Defendants continuing to refuse to sign the citation shall be taken into custody and promptly brought before a judge if not released pursuant to a standing order or bail schedule.
- (4) Courts exercising jurisdiction over citations shall make provisions by standing order or bail schedule for a prompt determination of a reasonable bail when defendants are not released upon a receipt of a copy of citation.
 - a. If no bail schedule provides a bond for the defendant's release, the defendant shall be brought before a judge for the setting of bond as soon as possible, but in all events within 48 hours. At such time, the judge shall consider the financial factors provided for in O.C.G.A. § 17-6-1(e)(2). If the citation is for criminal trespass and it is known to the citing officer to be a family violence offense under O.C.G.A. § 19-13-1, the defendant shall be taken into custody and promptly brought before a judge for individual assessment of bail, including conditions of release, if any.
 - b. If the bail schedule permits release upon a signature bond from the defendant, no further action needs be taken with respect to bail.

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- c. If the bail schedule provides for a bond secured by cash, property, or surety, the financial circumstances of the defendant shall be reviewed as provided in O.C.G.A. § 17-6-1 (e)(2) as soon as possible, but in all events within 48 hours.

Uniform Misdemeanor Citation and Complaint Form - Bench Warrants; Failure to Appear

- (1) If a defendant fails to appear at the time and place specified in the citation, the Court, absent a finding of sufficient excuse for their failure to appear at the time and place specified in the citation, shall issue a warrant ordering the apprehension of the defendant and commanding that he or she be brought before the court to answer the charge contained within the citation and the charge of his or her failure to appear as required. The defendant shall then be allowed to make a reasonable bond to appear on a given date before the court.
- (2) The court may, in its discretion, establish a procedure to informally notify defendants in other manners including by phone, electronic message or mail using any contact information known to the court. Any such notification is in addition to any notice as required by law.
- (3) When a citation is issued and the defendant fails to appear for court or otherwise dispose of his or her charges before his or her scheduled court appearance as stated on the citation, prior to the court issuing a bench warrant, the clerk of court may notify the defendant by first-class mail or by postcard at the address listed on the citation of his or her failure to appear. Such notice shall be dated and allow the defendant 30 days from such date to dispose of his or her charges or waive arraignment and plead not guilty. If after the expiration of such 30 day period the defendant fails to dispose of his or her charges or waive arraignment and plead not guilty, the court may issue a warrant. The court is not required, however, to institute any such procedure and may issue a warrant without delay.

Uniform Misdemeanor Citation and Complaint Form - Written Guilty Pleas

[RESERVED]

STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA NCIC NUMBER
CITATION NUMBER

DEFENDANT COPY

NOTICE TO APPEAR

If you do NOT sign the summons, you may be arrested and held in custody until bail is determined.

You have been served with a citation and summons. Signing the summons is not agreement with the charge or the information contained on the front of this citation. It is an agreement to appear at the time and place shown on the summons. By signing the summons and providing your e-mail address and/or cellular phone number, you agree that the court may use these, in addition to your address, to contact you. **If you do not appear in court to answer the charge, a warrant will be issued for your arrest.**

SPECIAL CONDITIONS

All charges require that you DO NOT VIOLATE THE LAW WHILE YOUR CASE IS BEING RESOLVED.

If you are charged with a violation of O.C.G.A. § 16-7-21 (CRIMINAL TRESPASS); O.C.G.A. § 16-8-14 (THEFT BY SHOPLIFTING); or O.C.G.A. § 16-8-14.1 (REFUND FRAUD), the Court requires that you:

- 1) DO NOT RETURN TO THE LOCATION WHERE THE OFFENSE IS ALLEGED TO HAVE HAPPENED; &
- 2) DO NOT HAVE CONTACT WITH ANY VICTIM(S) OR WITNESS(ES) NAMED IN THE CITATION;

These conditions remain in place until the Court modifies the conditions of your release or your charges are disposed of.

If you are to be released, any additional Bond Procedures will be explained to you.

WAIVER AND PLEA OF GUILTY FOR CHARGES NOT REQUIRING A COURT APPEARANCE
[DOES NOT APPLY IF "MUST APPEAR BEFORE JUDGE" BOX ON REVERSE SIDE IS CHECKED]

I, the undersigned, do hereby enter my written, rather than personal appearance in the court case resulting from the charge on the reverse side of this citation. I understand that by paying my fine and not personally appearing before the court I am waiving any right that I might have had to a trial by judge or jury and to be represented by counsel. I further understand that by paying the fine, I have pled guilty to the offense as charged. I further agree to mail this waiver and plea to the address shown below or to deliver it in person to the court. **This waiver will not be accepted for any charge requiring a court appearance before a judge.**

SIGNATURE OF ACCUSED _____
SIGNATURE OF ATTORNEY _____

DATE _____
BAR NO _____

HOW TO CONTACT THE COURT

Requests to continue a case or change a court date must be in writing only, received prior to the court date, and approved by the court. You CANNOT be imprisoned solely for inability to pay a fine, but you MAY face imprisonment for failing to appear at a scheduled court date.

STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA NCIC NUMBER
CITATION NUMBER

COURT COPY

ARRESTING OFFICER CERTIFICATE

The undersigned being duly sworn upon his/her oath, deposes and states that s/he has just and reasonable grounds to believe, and does believe that the person named on the reverse side committed the offense therein set forth, contrary to the law.

Sworn and subscribed before me this _____ day of _____, 20____.

Notary / (Deputy) Clerk

Officer

Badge #

PROSECUTING OFFICIAL CERTIFICATE

IN THE _____ COURT OF _____

On behalf of the people of the State of Georgia, the undersigned, as prosecuting attorney for the city or county and state aforesaid, does hereby charge and accuse the person named on the reverse side of this citation with the offense named on the reserve side of this citation and that said offense was committed in the city/county and at the location named and at the time named on the reverse side of this citation. This offense was committed contrary to the laws of this state, the good order, peace and dignity thereof.

DISTRICT ATTORNEY/SOLICITOR/PROSECUTING OFFICIAL _____

APPEARANCE, PLEA, AND WAIVER

I, _____ have been advised that I am being charged with the offense named on the reserve side of this citation and that the minimum punishment that I can receive is _____ months imprisonment and/or a \$_____ fine; and that the maximum punishment that I can receive is _____ months imprisonment and/or a \$_____ fine. I have been advised of my rights to be represented by an attorney or that an attorney will be provided for me if I am determined to be indigent; to plead not guilty and be tried by a judge or jury; to confront the witnesses against me; and to not give incriminating evidence against myself. I hereby waive these rights; state that I have not been induced by any threat or promise to enter this plea, and do freely and voluntarily enter my plea.

This _____ day of _____, 20____.

ACCUSED _____
ATTORNEY _____

As Judge of the _____ COURT of _____, I have advised the above named accused as indicated of his/her rights, the nature of the charge against him/her, and possible consequences of the plea as entered. I am satisfied that there is a factual basis for the plea which the accused has entered and that it was entered freely and voluntarily with the nature of the charge and the consequences of the plea.

JUDGE _____

DISPOSITION AND SENTENCE

COURT: _____ **COURT DATE:** _____ **CASE #:** _____
DEFENDANT PLEA: ___ GUILTY ___ NOT GUILTY ___ NOLO CONTENDERE ___ IN PERSON ___ BY MAIL
TRIAL: ___ JURY ___ NON-JURY BENCH **VERDICT:** ___ GUILTY ___ NOT GUILTY **ATTORNEY:** _____
OTHER ACTION: ___ BOND FORFEITURE ___ NOL PROS ___ NO RECORD ___ DEAD DOCKET ___ DISMISSED
___ 1st OFFENDER ___ CONDITIONAL DISCHARGE
SENTENCE: Fine / Fee \$ _____ Probation _____
CONDITIONS/OTHER: _____
JUDGE: _____