



SUPREME COURT OF GEORGIA

Atlanta February 20, 2019

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is ordered that the amended Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons adopted by the Judicial Council on February 15, 2019, be hereby approved. The amendments are as follows:

The title of the Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons shall read as follows:

Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons
(OCGA § 15-5-21.1)

The first paragraph of the section entitled "Uniform Misdemeanor Citation and Complaint Form - Form and Style" of the Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons shall read as follows:

(1) The Uniform Citation, Accusation, and Summons 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.

The Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons shall now include a section entitled "Effective Date" immediately following the section entitled "Uniform Misdemeanor Citation and Complaint Form - Written Guilty Pleas." The section shall read as follows:

Effective Date

These Rules and the Uniform Citation, Accusation & Summons form provided herein shall become effective on July 1, 2019.

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.

 Clerk

**Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons
(O.C.G.A. § 15-5-21.1)**

Uniform Misdemeanor Citation and Complaint Form - Form and Style

- (1) The Uniform Citation, Accusation, and Summons 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.

**Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons
(O.C.G.A. § 15-5-21.1)**

- (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.

**Rules for Use of Uniform Misdemeanor Citation, Accusation & Summons
(O.C.G.A. § 15-5-21.1)**

- 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]

Effective Date

These Rules and the Uniform Citation, Accusation & Summons form provided herein shall become effective on July 1, 2019.