

ORANGE COUNTY BENCH CARD

Responses to Non-Appearances in Criminal District Court

Date	
Judge's Name	
Defendant's Name	
Case Number(s)	

Step 1: Do either of the following circumstances warrant re-setting the court date without issuance of an OFA?

- There is good cause for the nonappearance (e.g., defendant is in custody elsewhere, is in the hospital, or did not receive adequate notice of the proceeding)
- The prosecuting witness was subpoenaed and did not appear
- Yes: re-set court date with notice to defendant and counsel, if represented
[FORM COMPLETE]
- No [GO TO STEP 2]

Step 2: Is the highest charged offense a Class 1, 2, or 3 misdemeanor?

- Yes [GO TO STEP 3]
 - No: issue an OFA setting conditions, which can include money bond, in your discretion
 - Written promise
 - Custody/pretrial services
 - Unsecured bond \$ _____
 - Secured bond \$ _____
- [FORM COMPLETE]

Step 3: Is there a prior non-appearance in this case or do you know of a prior non-appearance in another pending case?

- Yes: issue an OFA setting conditions, which can include money bond, in your discretion
 - Written promise
 - Custody/pretrial services
 - Unsecured bond \$ _____
 - Secured bond \$ _____
- No: re-set court date with notice to defendant and counsel, if represented
[FORM COMPLETE]

- Judge did not use process. Check this box when judge exercises discretion and declines to follow the recommended decision-making process.

Note: All Chapter 20 cases except Impaired Driving and Driving While License Revoked (DWLR) will go to the "20-day failure box." DWLR cases are subject to additional DWLR procedures adopted by the Senior Resident by Administrative Order Oct. 2020.