

FILED

MAY 27 1971

CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BY *M. McCall* DEPUTY

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

RE:

DUTIES AND POWERS OF
UNITED STATES MAGISTRATES;
FORFEITURE OF COLLATERAL

GENERAL ORDER NO. 107

Persons charged with violation of any offense listed on Exhibit A attached hereto, whether originating under the applicable federal statute or regulations or under applicable state statute by virtue of the Assimilated Crimes Act (18 U.S.C. 13), occurring within the territorial jurisdiction of the United States Magistrate, including areas within the boundaries of United States military installations, bases, and outposts, may, if permitted, in lieu of personal appearance, post collateral for the offense, waive appearance before a Magistrate, and consent to forfeiture of collateral. In traffic offenses a forfeiture of bail shall be equivalent to a conviction, and the Clerk of the Court shall certify the record of any conviction of a traffic violation, as required by the applicable state statute, to the proper state authority.

Any person who has not attained the age of 18 on the date of the alleged violation, or who cannot furnish proof of such age when asked by the citing officer, shall be required to appear before a Magistrate accompanied by a parent or guardian.

When an asterisk (*) is inserted next to the listed violation on Exhibit A, personal appearance of the person cited is mandatory. For any offense not listed on Exhibit A, forfeiture of collateral is not permitted, and personal appearance of the person cited is mandatory.

The officer issuing a citation may, at his discretion, in aggravated cases require a personal appearance before the Magistrate.

In all instances where a violator does not post collateral and a warrant is issued, a mandatory appearance before the Magistrate is required.

Wherever proof of compliance is required, in addition to positing of collateral, proof must be submitted from a marshal, any police agency, or Department of Motor Vehicles of compliance remedying the defect, and such proof of compliance shall accompany the fine mailed in within 10 days of issuance of the citation.

This order is effective for all offenses listed