

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

600.8809 Citation; contents.

Sec. 8809. (1) A citation issued pursuant to section 8807 shall name the state as the plaintiff and shall contain the name and address of the defendant, the state civil infraction alleged, the place where the defendant shall appear in court, the telephone number of the court, the time at or by which the appearance shall be made, and the additional information required by this section.

(2) The citation shall inform the defendant that he or she, at or by the time specified for appearance, may do 1 of the following:

(a) Admit responsibility for the state civil infraction in person, by representation, or by mail.

(b) Admit responsibility for the state civil infraction "with explanation" in person, by representation, or by mail.

(c) Deny responsibility for the state civil infraction by doing either of the following:

(i) Appearing in person for an informal hearing before a judge or a district court magistrate, without the opportunity of being represented by an attorney.

(ii) Appearing in court for a formal hearing before a judge, with the opportunity of being represented by an attorney.

(3) The citation shall inform the defendant that if the defendant desires to admit responsibility "with explanation" other than by mail or to have an informal hearing or a formal hearing, the defendant must apply to the court in person, by mail, by telephone, or by representation within the time specified for appearance and obtain a scheduled date and time to appear for a hearing. A hearing date may be specified on the citation.

(4) The citation shall contain a notice in boldfaced type that the failure of the defendant to appear within the time specified in the citation or at the time scheduled for a hearing or appearance will result in entry of a default judgment against the defendant on the state civil infraction and a refusal by the secretary of state to issue or renew an operator's or chauffeur's license for the defendant. Timely application to the court for a hearing, return of the citation with an admission of responsibility with explanation, or return of the citation with an admission of responsibility and with full payment of applicable civil fines and costs constitutes a timely appearance.

History: Add. 1995, Act 54, Eff. Jan. 1, 1996.