

# No need for court appearance

Beginning the first of March most motorists will be able to take advantage of the mail-in bail system designed by the Alaska Court System. It will no longer be necessary for most motorists to appear in court in response to a traffic ticket.

Except for the more serious violations, motorists will have the option of posting bail by mail, and if they so desire they may let the bail stand as their fine for the charge.

This new mail-in bail system was developed by the Alaska Court System as part of a general statewide revision of traffic citation procedures undertaken by the court system, the Department of Public Safety, the Department of Revenue and representatives of the general public.

This cooperative effort was supported by a federal grant from the National Highway Traffic Safety Administration and saw the development of the point system administered by the Department of Public Safety and the adoption of the Uniform Traffic Citation by all law enforcement agencies in the state.

The Alaska Court System assisted in the design of the Uniform Traffic Citation and the development of the Automated Traffic Processing System to assure rapid updating of traffic records. In accordance with statutory provisions enacted in 1973, the court system drafted a statewide uniform bail schedule and designed the mail-in bail system.

Under this system there are three types of offenses: 1. those which a court appearance for arraignment; 2. those for which a court appearance is optional and for which bail may be paid by mail; 3. those which may be dismissed.

As in the past, a court appearance for arraignment is still mandatory for those offenses which require the filing of a criminal complaint. These are: operating a motor vehicle while intoxicated, reckless driving, negligent driving, careless driving, leaving the scene of an accident and driving while license is suspended or revoked.

A court appearance is also required for citations which carry six or more penalty points. For these a court appearance is optional on the part of the motorist and he may choose to take advantage of the mail-in bail system.

At the time the motorist is issued a citation a court appearance date will be set. But he also will be given an envelope addressed to the nearest District Court.

If he does not want to appear in court for arraignment, but if he does want to contest the charge he may indicate this in an appropriate box on a copy of the ticket submitted to the court with the correct amount of bail.

He may also indicate his desire for a jury or non-jury trial. The court will then advise him of his trial date by return mail. If the following trial he is found not guilty, his bail will be returned and no penalty points will be assessed.

If a motorist does not want to contest the charge he may indicate this intention of the copy of the ticket sent to the court along with the correct bail. In so doing he enters a plea of "no contest" to the charge.

This will be treated as a conviction. The bail will be accepted as the fine for the charge and the Department of Public Safety will assess the appropriate number of penalty points against his record. But a conviction based

on a "no contest" plea cannot be used in civil action which may arise from the charge.

The third type of offense involves citations for equipment violations or driving without a license in possession, and these are dismissable. At the time the citation is issued a court appearance date will be set. But if the motorist can demonstrate to the law enforcement agency prior to that date that the equipment violation has been corrected or that he does possess a valid driver's license, the charge will be dismissed.