

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

600.8815 Citation; response to allegations.

Sec. 8815. (1) A person to whom a citation is issued under section 8807 shall appear by or at the time specified in the citation and may respond to the allegations in the citation as provided in this section.

(2) If the defendant wishes to admit responsibility for the state civil infraction, the defendant may do so by appearing in person, by representation, or by mail. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the defendant personally appeared in court. Upon acceptance of the admission, the court may order any of the sanctions permitted under section 8827.

(3) If the defendant wishes to admit responsibility for the state civil infraction "with explanation", the defendant may do so in either of the following ways:

(a) By appearing by mail.

(b) By contacting the court in person, by mail, by telephone, or by representation to obtain from the court a scheduled date and time to appear, at which time the defendant shall appear in person or by representation.

(4) If a defendant admits responsibility for a state civil infraction "with explanation" under subsection (3), the court shall accept the admission as though the defendant has admitted responsibility under subsection (2) and may consider the defendant's explanation by way of mitigating any sanction that the court may order under section 8827. If appearance is made by representation or mail, the court may accept the admission with the same effect as though the defendant personally appeared in court, but the court may require the defendant to provide a further explanation or to appear in court.

(5) If the defendant wishes to deny responsibility for a state civil infraction, the defendant shall do so by appearing for an informal or formal hearing. If the hearing date is not specified on the citation, the defendant shall contact the court in person, by representation, by mail, or by telephone, and obtain a scheduled date and time to appear for an informal or formal hearing. If the hearing date is specified on the citation, the defendant shall appear on that date for an informal hearing unless the defendant contacts the court at least 10 days before that date in person, by representation, by mail, or by telephone to request a formal hearing. The court shall schedule an informal hearing, unless the defendant expressly requests a formal hearing. If the defendant expressly requests a formal hearing, the court shall schedule a formal hearing. If an informal or formal hearing is scheduled by telephone, the court shall mail the defendant a confirming notice of that hearing by regular mail to the address appearing on the citation or to an address that is furnished by the defendant. An informal hearing shall be conducted pursuant to section 8819, and a formal hearing shall be conducted pursuant to section 8821.

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