

Rule 58.2 Forfeiture of Collateral in Lieu of Appearance Before a United States Magistrate Judge

(a) **General.** Collateral may be posted in lieu of the appearance of the offender for petty offenses, as listed by an order of Court, occurring within the territorial jurisdiction of the Magistrate Judges. All petty offenses shall be treated as being within the territorial jurisdiction of the Magistrate Judges sitting in Akron, Cleveland, Toledo or Youngstown as designated by the Central Violation Bureau based upon the location of the offense. Any person to appear before a Magistrate Judge for trial of a petty offense as listed in an order of Court as hereinbefore mentioned may post collateral. The posting of said collateral shall signify that the offender neither contests the charge nor requests a hearing before a designated Magistrate Judge. The failure of such offender to appear for trial on a petty offense shall result in the forfeiture to the United States of the posted collateral in the amount specified by order of Court. Any such forfeiture shall be tantamount to a finding of guilty.

(b) **Prohibitions.** No forfeiture will be permitted on a petty offense for any violation contributing to an accident with personal injury in excess of One Hundred Dollars (\$100.00) or for any other violations specified by order of Court as requiring an appearance by the alleged violator.

(c) **Orders of Court.** The general orders of the Court containing a list of violations and the collateral that may be posted in lieu of appearance, as well as those with respect to which an appearance is mandatory, are available at the Office of the Clerk upon request.

(d) **Federal Regulations.** Whenever the regulations of any federal agency are amended so as to affect the application of this Rule, such agency shall, by the fifteenth of January of the year following, submit for the Court's consideration a complete new schedule of that agency's petty offenses reflecting any changes or additions made necessary by such amendments to its regulations.

(e) **Central Violations Bureau.** In an effort to provide the District Courts and Federal Agencies involved in issuing citations for petty offenses with a more efficient and economical service, The Administrative Office of the U.S. Courts has established a centralized Central Violations Bureau (CVB) site for processing violation notices. The operation of the Central Violations Bureau for this District shall be maintained by Central Violations Bureau, Administrative Office of the U.S. Courts, San Antonio, Texas pursuant to the laws of the United States of America and the general orders pertaining to forfeiture of collateral entered by this Court.