

1973 WL 27702 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 6, 1973

***1 In Re: Traffic Offenses, Compulsory Appearance in Court**

Honorable Murray M. Taylor, Jr.
Chief of Police
Andrews, South Carolina 29510

Dear Chief Taylor:

You have inquired whether or not a defendant in a traffic case in municipal court who has posted bond and failed to appear for trial may be required to make personal appearance in court.

Although the custom in most traffic cases in magistrates' and municipal courts in South Carolina is to end traffic cases upon forfeiture of bond for nonappearance, or, in the alternative, to try the defendant in absentia, the forfeiture of bond, technically, does not end such cases. Even after forfeiture of bond for nonappearance, the presiding judge is empowered to issue a bench warrant requiring that the defendant be brought before him for trial.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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