

XIV. Juvenile Traffic Violations Bureau (Proposed Rule)

- A. Pursuant to Traf R 13.1, the Court hereby establishes a juvenile traffic violations bureau to be operated in the manner prescribed by Traf R 13 and 13.1, and as presented herein.
- B. The Judge of the Juvenile Division of the Lake County Court of Common Pleas shall serve as violations clerk, and shall appoint deputy clerks to conduct the business of the juvenile traffic violations bureau as needed. The violations bureau shall accept appearance, waiver of adjudicatory hearing, plea of admit, and payment of fines and costs for offenses within its authority. The violations bureau shall be responsible for the receipt of and accounting for all fines and costs levied through the juvenile traffic violations bureau.
- C. All juvenile traffic offenses may be disposed of by the juvenile traffic violations bureau, except the following juvenile traffic offenses require an appearance before the Court for adjudication:
 - 1. offenses that would be indictable if committed by adult;
 - 2. a violation of R.C. 4511.19 (A) or (B), or similar municipal ordinance;
 - 3. leaving the scene of an accident;
 - 4. driving while under suspension or revocation of an operator's license;
 - 5. driving without being licensed to drive;
 - 6. failure to stop and remain standing upon meeting or overtaking a school bus stopped on the highway for the purpose of receiving or discharging a school child;
 - 7. willfully eluding or fleeing a police officer;
 - 8. drag racing;
 - 9. traffic violations that are listed in R. C. 4510.31 (A), or any municipal ordinances similarly relating to the offenses referred to in that section;
 - 10. a second or subsequent moving offense;
 - 11. an offense that involves an accident;

12. an offense that involves speed in excess of 20 MPH over the speed limit;
 13. an offense that involves speed in excess of the speed limit in a school zone;
 14. any traffic offense, otherwise eligible to be disposed of by said violations bureau, that the court, in its discretion, determines should not be disposed of by said violations bureau.
- D. Upon determination by the violations clerk or a duly appointed deputy clerk that a mandatory court appearance is not required, an alleged juvenile traffic offender may elect to proceed without a formal court appearance by either:
1. Appearing personally at the court, accompanied by a parent, guardian, or custodian no later than the deadline date shown on the court notice and entering an admission in writing to the offense charged by signing the appropriate Admission and Waiver form available at the violations bureau. The Admission and Waiver form must also be signed by the parent, guardian or custodian. Upon said admission and waiver, the child or his/her parent must pay the fines and court costs imposed in accordance with the schedule of fines and costs established by the Court; or
 2. The child and the child's parent, guardian or custodian signing the Admission and Waiver form and returning the completed form and a check or money order for the total amount of the fines and costs assessed by the court in accordance with the schedule of fines and costs to the juvenile traffic violations bureau no later than the deadline date shown on the court notice.
- E. The waiver shall constitute an admission of the facts alleged in the traffic citation. The waiver shall further constitute a waiver of the right to an adjudicatory hearing, the right to remain silent, the right to cross-examine witnesses against the offender, the right to present witnesses and other evidence in the offender's defense, the right to counsel, and the right to appeal the finding of True.
- F. If payment in full is not tendered at the time of the entry of admission, then the bureau shall NOT accept the admission and a court appearance shall be required.