

# Grace Periods for Arrest Orders after a Missed Appearance: Implementation Guide

A grace period allows people to resolve a missed appearance without arrest. While there are cases where having someone immediately arrested for missing court is appropriate, grace periods can help save law enforcement and court resources and avoid unnecessary arrests. Use this guide to implement a grace period in your jurisdiction.

- 1 Establish a team of stakeholders.** Identify and include all relevant stakeholders, such as clerks of court, judges, prosecutors, and defenders.
- 2 Determine your criteria.** Consider these and other key factors:
  - How long will your grace period be? Be specific: if you say two days, do you mean two business days from 8am to 5pm, or something else?
  - What types of cases are eligible for the grace period?
  - Will cases automatically be granted a grace period unless the judge says otherwise?
  - What does someone have to do if they were granted a grace period? Come to court in person? Call in?
- 3 Develop procedures.** Decide how the court will process cases where a grace period has been granted. How will arrest orders with a grace period be processed? How will cases be rescheduled if the person appears before the grace period expires?
- 4 Training.** Train all relevant people on the grace period and have a plan to train new people as they come on board.
- 5 Codify your policy.** Once you have developed criteria and procedures, codify the grace period in your local policies. In North Carolina, this would be done by an administrative order.
- 6 Start using grace periods and adjust if needed.** Get feedback from stakeholders and adjust the grace period policy as needed. Data collection can help you determine the policy's impact, like keeping track of how many people resolve their missed appearances within the grace period versus how many are arrested.