

# Non-Appearance Bench Card: Implementation Guide

A non-appearance bench card helps judicial officials decide whether to have someone arrested when they miss court or take a different approach, like rescheduling the case. These tools help promote consistent decision-making, fairness, and reduce unnecessary incarceration for failure to appear. Use this guide to develop and implement a non-appearance bench card in your jurisdiction.

- 1 Establish a team of stakeholders.** Identify and include all key stakeholders, such as clerks of court, judges, prosecutors, and defenders.
- 2 Start with samples.** You can find the Toolbox's sample bench card, based on the one used in Orange County, North Carolina, [here](#). Looking at samples can jump-start ideas.
- 3 Agree on the structured decision-making process.** Address questions like:
  - When should the card recommend that judges reschedule case versus have the person arrested?
  - Should there be a presumption to reschedule certain types of cases (e.g., a first-time missed appearance on a traffic offense)?
  - Does the judicial official need to know why someone missed court?
  - Will judicial officials be required to fill out forms or merely follow a process?

## EXAMPLE

The Orange County, NC non-appearance bench card creates a presumption that people who miss court will have their court date rescheduled if the charges are for certain low-level offenses and probation violations and the person does not have a history of failing to appear in the current case or other pending cases.

- 4 Draft the card.** It's best for forms to be simple, with checkboxes and a step-by-step process.
- 5 Pilot your card.** Have judicial officials test the draft card for a set period and provide feedback. You might need to test multiple versions.
- 6 Finalize the card and codify the policy.** Once you have a final card, formalize the rules for its use in your local policies.
- 7 Training.** Train all relevant people on the bench card and have a plan to train new people as they come on board.
- 8 Use the card and collect data.** Once you start using your card, it can be helpful to spot check forms to see how things are going and provide further training or coaching as needed. You can also collect data to determine the impact of your bench card.

## EXAMPLE

Read about how the Lab evaluated the Orange County, NC card [here](#).



**TIP: Filling out a form matters!** Having judicial officials complete a form can promote strong implementation. Doing so also gives you data to evaluate the policy and can help with quality control.