

IMPORTANT NOTICE TO ARREST WARRANT APPLICANTS

Under Georgia Law (**O.C.G.A. §17-4-40**), the majority of circumstances require that arrest warrant applications be scheduled for a hearing. To schedule an arrest warrant hearing, the court must attempt to notify the person, whose arrest is being sought, of the date, time, and location of the hearing.

TO FILE AN ARREST WARRANT APPLICATION:

- ' The completed arrest warrant application must be paid for and filed at the clerk's office between the hours of 8:00 A.M. to 11:00 A.M. or 1:00 P.M. to 4:00 P.M.. There are no exceptions to these time periods.
- ' State law provides that the applicant, unless involved in a domestic violence situation, shall pay a **non-refundable application fee of \$10.00 for each warrant application you choose to file.**
- ' The applicant must provide the full name, complete address, and physical description, including date of birth, of the person whose arrest is being sought. The applicant may only include one person to be arrested per application.
- ' The applicant must give a full description of the alleged crime by including the date and location of the incident. **The alleged crime must have occurred in Clayton County** in order for the hearing to be scheduled at the Clayton County Magistrate Court.
- ' For child abandonment arrest warrant applicants, the application should not be filed unless there has been 30 days of total abandonment by the non-custodial parent, (30 days of no food, clothing, money, medical insurance, or extended visitation.) If the non-custodial parent does not live in Georgia, the applicant should seek assistance from the District Attorney and should not file an application with the Magistrate Court. If the non-custodial parent does live in Georgia, the application should be filed in the county of the child's residence.
- ' If your arrest warrant application is denied or if you dismiss the application, you cannot file again on this same set of facts.
- ' The applicant does not have the right to see a Magistrate Judge.
- ' If you are missing any of the above information about the crime or the alleged perpetrator, you need law enforcement assistance.
- ' This is an application to have someone arrested and will not result in an award of money damages or cause property to be returned.
- ' Under Georgia Law, the employees of the Magistrate Court's judge's office and clerk's office cannot give legal advice. The judge cannot give legal advice. If you have questions about your legal rights or what options are available, you should consult an attorney.

I have read and understand the above information about arrest warrant applications.

Signature of Applicant

Date