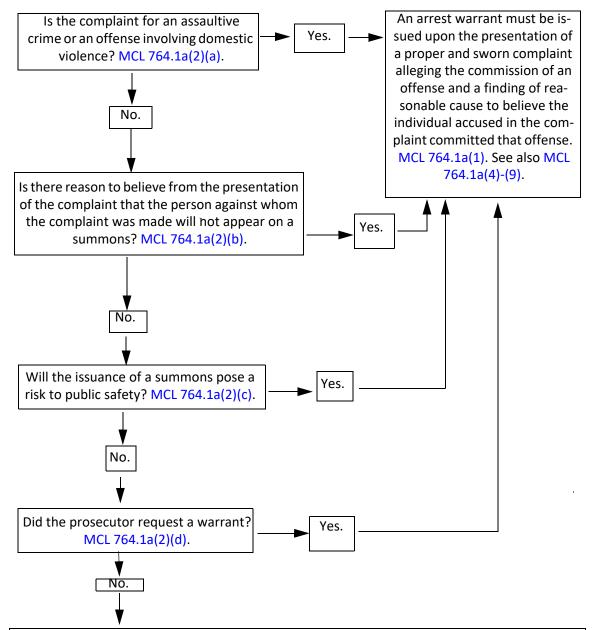
Issuing Summons Flowchart¹

This flowchart analyzes when a summons must be issued rather than an arrest warrant. See MCL 764.1; MCL 764.1a.



A summons must be issued upon the presentation of a proper and sworn complaint alleging the commission of an offense and a finding of reasonable cause to believe the individual accused in the complaint committed that offense. MCL 764.1a(a). The summons must be in the same form as a warrant but also summon the defendant to appear before a court at a stated date and time. The summons must either be personally served on the defendant, left at defendant's house or usual place of abode with some person of suitable age and discretion residing at that place, or by mailing it to the defendant's last known address. The court may issue a warrant if defendant fails to appear in response to the summons. MCL 764.1a(3). See also MCL 764.1a(4)-(9).

¹ For more detailed information on this topic, see the Michigan Judicial Institute's *Criminal Proceedings Benchbook, Vol.* 1.