

BOND PROTOCOL

Bond petitions in cases that have not been indicted or accused will be heard by Superior Court only if one or more of the following conditions are met:

- The case isailable only before a judge of the Superior Court in accordance with O.C.G.A. 17-6-1; *or*
- The case involves a probation hold because the defendant is on probation under a Superior Court sentence.

Consistent with this Court's Standing Order dated February 26, 1997, all other cases that have not been indicted or accused areailable only in the court of inquiry.

"90-day bonds" are suspended consistent with the Georgia Supreme Court's Orders during the State of Emergency.

The courts of inquiry retain jurisdiction over cases bondable in courts of inquiry until the case is filed by indictment or accusation in Superior Court. *First Nat'l Bank & Trust Co. v. State*, 137 Ga. App. 760, 224 S.E.2d 866, aff'd, 237 Ga. 112, 227 S.E.2d 20 (1976).

General Rules

- **RECONSIDERATION/REDUCTION.** Will be scheduled with Judge who last heard the bond petition. (NOTE: *Not always same as assigned J-position or even judge who signed order. Judge of Week signed orders for judges working remotely in early days of Pandemic.*)
- **ALL OTHER BOND PETITIONS.** All other matters will be scheduled for the next available bond hearing session regardless of J position assignment.
- **TIME PERIODS.** Unless specifically agreed between counsel, the 48-hour rule remains in effect.
- **IDENTIFYING AND CONTACTING ATTORNEYS FOR BOND HEARINGS.** Attorneys must provide their contact information for video or audio-only hearing to the admin of the assigned judge at least 24 hours ahead of the hearing (or sooner if possible).

BONDS FOR RECONSIDERATION/REDUCTION

- Defense counsel will utilize the attached Petition for Bond Reconsideration/Reduction, ensuring that the information regarding the Judge who last heard the case is appropriately indicated.
- Defense counsel will e-file through eFileGA, selecting “EFileAndServe” as the Filing Type and including DABondNotice@chathamcounty.org in the “Courtesy Copies” field.

The screenshot shows the 'Filings' interface in eFileGA. The form is titled 'Enter the details for this filing'. It contains the following fields:

- Filing Type:** A dropdown menu with 'EFileAndServe' selected. A red arrow points to this field.
- Filing Code:** A dropdown menu with 'Motion -' selected.
- Filing Description:** A text box containing 'Petition for Bond Reconsideration'.
- Client Reference Number:** An empty text box. A red arrow points to this field.
- Comments to Court:** An empty text box.
- Courtesy Copies:** A text box containing 'DABondNotice@chathamcounty.org'. A red arrow points to this field.

- Before submitting, defense counsel will review the Service Contacts listed in eFileGA. Defense counsel and the ADA may already be listed as Service Contacts on the case. If one or both are not listed, defense counsel will add the missing Service Contact(s). Once a Service Contact is added to a case in eFileGA, that contact will automatically receive notifications from eFileGA of all filings in that case going forward.

The screenshot shows the 'Service Contacts' interface in eFileGA. It displays a table with the following data:

Serve	Name	Email
▼	Party: State of Georgia - Plaintiff	
No service contacts for this party		
▶	Party: Cayla Morgan Wise - Defendant	

An 'Actions' dropdown menu is open for the 'Party: State of Georgia - Plaintiff' row, showing the following options:

- Add New Service Contact
- Add From Firm Service Contacts
- Add From Public List

A red arrow points to the 'Add New Service Contact' option.

- Clerk will accept the e-filing, place the case into the next available timeslot for a bond hearing before the Judge who last heard the case, and eFileGA will send an email back to defense counsel.
- The parties’ notice of bond hearing date:
Provided that defense counsel and the ADA are listed as Service Contacts and DABondNotice@chathamcounty.org is listed in the Courtesy Copies field, all will automatically receive an email from eFileGA once the Clerk accepts the filing. This is your notice. To view the

hearing date and time, open the email and click on the blue “Download Document” link at the bottom of the email. This will open a file-stamped copy which will include hearing date and time information.

BONDS IN INDICTED/ACCUSED CASES

- Defense counsel will e-file through eFileGA, selecting “EFileAndServe” as the Filing Type and including DABondNotice@chathamcounty.org in the “Courtesy Copies” field.

The screenshot shows the 'Filings' form in eFileGA. The 'Filing Type' dropdown is set to 'EFileAndServe' and the 'Filing Code' dropdown is set to 'Motion -'. The 'Filing Description' field contains 'Petition for Bond'. The 'Courtesy Copies' field contains 'DABondNotice@chathamcounty.org'. Red arrows point to the 'Filing Type' and 'Courtesy Copies' fields.

- Before submitting, defense counsel will review the Service Contacts listed in eFileGA. Defense counsel and the ADA may already be listed as Service Contacts on the case. If one or both are not listed, defense counsel will add the missing Service Contact(s). Once a Service Contact is added to a case in eFileGA, that contact will automatically receive notifications from eFileGA of all filings in that case going forward.

The screenshot shows the 'Service Contacts' page in eFileGA. The table lists two parties: 'Party: State of Georgia - Plaintiff' and 'Party: Cayla Morgan Wise - Defendant'. The 'Actions' dropdown menu is open, showing options: 'Add New Service Contact', 'Add From Firm Service Contacts', and 'Add From Public List'. A red arrow points to the 'Add New Service Contact' option.

- Clerk will accept the e-filing, place the case into the next available timeslot for a bond hearing and eFile GA will send email receipt back to defense counsel.
- The parties’ notice of bond hearing date:
Provided that defense counsel and the ADA are listed as Service Contacts and DABondNotice@chathamcounty.org is listed in the Courtesy Copies field, all will automatically receive an email from eFileGA once the Clerk accepts the filing. This is your notice. To view the

hearing date and time, open the email and click on the blue “Download Document” link at the bottom of the email. This will open a file-stamped copy which will include hearing date and time information.

BOND IN UNINDICTED/UNACCUSED CASES

Effective December 1, 2020:

- Bond petitions in cases that have not been indicted or accused in Superior Court (a.k.a. SPUN cases) should not be emailed to the Superior Court criminal case managers. SPUN bond petitions in cases which fall into one or more of the categories described below should be filed with the Clerk’s Office as they were prior to the Judicial State of Emergency.
- The Clerk will place the case into the next available timeslot for a bond hearing.
- Defense attorney will serve the District Attorney’s Office with notice.

Special Information for Administrative Assistants: You will need to build out dates and times in Odyssey during your judge’s criminal rotation week, working together with other team members (J1/3/5 or J2/4/6) to avoid attorney conflicts to the extent possible.