

Superior Court Bond Hearings Protocol

BONDS TO BE HEARD BY SUPERIOR COURT: The Superior Court will consider bond only in matters in which it has jurisdiction as follows:

1. Cases filed in Superior Court, either by indictment or accusation; or
2. Offenses bailable only before Superior Court in accordance with OCGA 17-6-1; or
3. Charges that have not been considered by a grand jury within the 90 day period of confinement in accordance with OCGA 17-7-50; or
4. Cases involving a probation hold when the defendant is on probation for a Superior Court sentence.

All other cases are bailable only in the court of inquiry.

PROCEDURE: The following procedures shall apply:

1. Upon receipt of a bond petition, personnel will check for an existing judicial assignment, and check to determine if the petition should be assigned to a specific judicial position pursuant to Rule 3.2.
2. If there has been a previous bond hearing on the matter, any request for reconsideration of bond or revocation of bond on the same matter shall be assigned to the judge who heard the original bond petition.
3. If the offense is only bondable by Superior Court and no judicial assignment has been made, the bond petition shall be randomly assigned to a judicial position unless Rule 3.2 applies.
4. If a defendant is a current DRC participant, the defendant's attorney should so advise, and the DRC Judge will be assigned any probation hold bond hearing resulting from a technical violation or misdemeanor. Probation hold bond hearings resulting from a new felony offense by a DRC participant or by a former DRC participant shall be assigned to the original sentencing judge or his/her successor in office.
5. Cases with multiple co-defendants- All defendants shall be assigned for bond to the judicial position first assigned for one of the co-defendants.