

Superior Court Bond Hearings Protocol

Effective May 1, 2025

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 O.C.G.A. § 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 O.C.G.A. § 17-7-50; or
4. Cases involving a probation hold when the defendant is on probation for a Superior Court case.

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

PROCEDURE:

Which Judge hears the bond petition:

- A. *Where 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 heard by the Judge who heard the original bond petition.
- B. *Where there has not been a previous bond hearing on the matter:* The bond petition will be heard by the Judge assigned to the case.
- C. *Where the defendant is a current DRC participant:* If the probation hold bond petition results from a technical violation or a misdemeanor, the bond petition will be heard by the DRC Judge. If the petition results from a new felony offense by a current or former DRC participant, the bond petition will be heard by the original sentencing Judge or their successor in office.

Requests to other Judges' offices to hear a bond petition for the assigned Judge should come only from the office of the assigned Judge or from the Court Administrator's Office.

How a bond hearing is requested and scheduled:

A. Where the defendant has an attorney:

1. The defendant's attorney shall request a bond hearing by preparing a bond petition and emailing it in PDF format to the Judge's administrative assistant. Said bond petition shall include the case's Superior Court case number. If the case does not yet have a Superior Court case number, the defendant's attorney shall first obtain a Superior Court case number and judicial assignment by presenting the petition to the Superior Court Clerk's Office and then contact the Judge's office.

The email subject line shall be formatted as follows:

[Defendant's Name] [Case Number] PETITION FOR BOND

Example: John Smith SPCR25-00001-J1 PETITION FOR BOND

2. The Judge's administrative assistant shall reply via email with the bond hearing date and time. The defendant's attorney shall be responsible for adding that date and time to the petition and then filing the completed petition into the record. The defendant's attorney also shall be responsible for giving notice of the bond hearing to the State.

B. Where the defendant does not have an attorney:

1. The defendant shall request a bond hearing by preparing a bond petition and sending a hard copy of the petition to the Judge's office via U.S. Mail.
2. The Judge's administrative assistant shall fill in the bond hearing date and time. The administrative assistant shall then file the completed petition into the record and give notice of the bond hearing to the State (either by electronically filing and serving the petition via eFileGA or by emailing a copy of the completed petition to the attorney for the State).

The Judge's administrative assistant builds bond hearing sessions in Odyssey as directed by the Judge. The bond hearing date and time provided shall be the next bond hearing session with availability. Upon providing a bond hearing date and time to the defense, the Judge's administrative assistant shall add the case to the corresponding bond hearing session in Odyssey.