

Lake

2012

45G01-0609-CB-00015

BAIL SCHEDULE AND GUIDELINES

A. The standard minimum bail set in criminal cases shall be as follows:

<u>Felony Classification</u>	<u>Suspendible</u>	<u>Nonsuspendible</u>	<u>DW Alleged or Alleged Victim Under 14</u>
A	\$40,000	\$50,000	\$50,000
B	\$30,000	\$40,000	\$40,000
C	\$20,000	\$30,000	\$30,000
D	\$10,000	\$10,000	\$20,000

Filed in Clerk's Office

Misdemeanor Classification Standard Bail in All Cases

A	\$5,000
B	\$2,500
C	\$1,500

SEP 11 2006

Thomas R. Chilton
CLERK LARGE SUPERIOR COURT

- B. The court may set a higher or lower bail based upon a reading of the charging information and affidavit for probable cause and/or upon the showing of appropriate circumstances.
- C. In making a bail determination, the court may take judicial notice of all of its records and of data found in the Courtview System, National Crime Information System and Pre-Trial Release Services Reports.
- D. The following guidelines shall apply to the setting of bail:
 - 1). In cases alleging multiple counts of felonies, bail shall be set at the amount equal to the total of the bail proper for the separate counts added together *unless*, based upon a reading of the charging information and affidavit for probable cause, one or more of the counts charged constitutes a lesser included offense of any other count. No bail shall be set for counts that are clearly lesser included offenses of other counts. One exception shall apply: In cases alleging multiple counts constituting "paper" crimes (ie, fraud, forgery, theft of checks or other document(s) that provides a mechanism to effect the fraud or forgery) bail shall be set in an amount consistent with the standard bail for the count of the highest, felony classification charged only.
 - 2). If a defendant has a pending felony and is charged with an unrelated felony, bail shall be set at an amount not less than \$50,000.
 - 3). If a defendant who is on bond for a felony or class A misdemeanor is charged with having committed an unrelated felony while on bond, the defendant shall be held without bail until the initial hearing on the new charge, to allow the State sufficient time to determine whether a petition to revoke bail should be filed in the case for which the defendant was on bail. At the initial hearing on the new case, bail shall be set in an amount not less than \$50,000 for Class C and D felonies, and in an amount not less than \$100,000 for Class A and B felonies.
- E. At or following a defendant's initial hearing, the bail set shall be reviewed at the written request of the defendant or the prosecuting attorney. Notice of a hearing on an application for alteration

of revocation of bail shall be served on the opposing party not less than twenty-four (24) hours prior to the hearing, unless the application and evidence presented in support of the application establish an emergency.


F. All defendants, except those who were on bond for a felony at the time they are alleged to have committed the felony for which they are now charged, may execute a bail bond by depositing with the clerk of the court an amount equal to ten percent (10%) of the bail, subject to the following conditions:

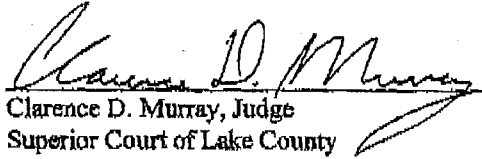
- 1). the bail bond must be posted in the name of the defendant;
- 2). the money deposited shall be considered to be a personal asset of the defendant; and,
- 3). the cash deposited shall be available for the payment of court fees, fines, restitution, necessary legal and attorney fees, and probation or other user fees.

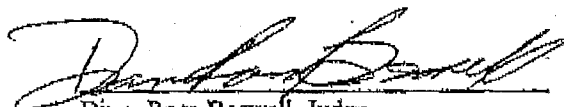
G. A real estate bond may be posted by a defendant only with the permission of the court. A request for permission to post a real estate bond must be accompanied by:

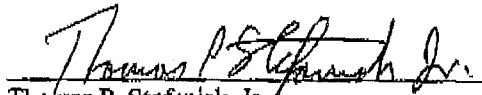
- 1). a completed real estate bond form;
- 2). a certificate from the county auditor establishing that the property is worth an amount equal to the bond and that there are no delinquent taxes owed on the property;
- 3). a certificate from the county recorder establishing that there are no liens on file against the property.

This bail schedule and these guidelines are ordered effective on the 11th day of September in the year 2006.


Salvador Vasquez, Senior Judge
Superior Court of Lake County
Criminal Division, Room I


Clarence D. Murray, Judge
Superior Court of Lake County
Criminal Division, Room II


Diane Ross Boswell, Judge
Superior Court of Lake County
Criminal Division, Room III


Thomas P. Stefaniak, Jr.
Superior Court of Lake County
Criminal Division, Room IV