

STATE OF NORTH CAROLINA
SECOND JUDICIAL DISTRICT

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF
THE SECOND JUDICIAL DISTRICT
GUIDELINES FOR SETTING BOND AMOUNTS

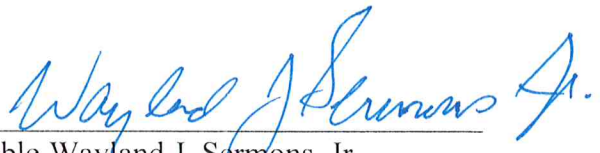
ORDER

WHEREAS the Guidelines attached hereto were reviewed and recommended by the Second District Judicial Council members for setting bonds and is therefore Adopted by the undersigned.

THIS PLAN SHALL BECOME EFFECTIVE ON MAY 1, 2012, and shall be duly filed in the office of the Clerk of Superior Court for each county within the Second Judicial District

THE CLERK OF SUPERIOR COURT OF EACH COUNTY IS HEREBY ORDERED to reproduce and distribute sufficient copies of this Order and the attached Guidelines to all Magistrates within their counties. Copies of the plan and Order should also be furnished to all clerk's personnel who are involved with the bond setting of criminal cases, and the Second District Bar.

This the 30 day of April, 2012.



Honorable Wayland J. Sermons, Jr.
Senior Resident Superior Court Judge
Second Judicial District



Honorable Michael A. Paul
Chief District Court Judge
Second Judicial District

Second Judicial District Guidelines for Setting Bond Amounts

<u>Type of Offense</u>	<u>Maximum Punishment</u>	<u>Suggested Bond/Amount Range</u>
Local Ordinance	\$50.00 Fine or 30 Days	Written Promise
Misdemeanor, Class 3	20 Days	Written Promise or Unsecured Bond
Misdemeanor, Class 2	60 Days	Up to \$500.00 or Unsecured Bond or Written Promise
Misdemeanor, Class 1	120 Days	Up to \$1,000.00 or Unsecured Bond / Written Promise
Misdemeanor, Class A1	150 Days	\$500.00 to \$3,000.00
Driving While Impaired	24 Months	\$200.00 to \$5,000.00
Felony Class I	15 Months	\$1,000.00 to \$10,000.00
Felony Class H	30 Months	
Felony Class G	44 Months	\$3,000.00 to \$25,000.00
Felony Class F	59 Months	
Felony Class E	98 Months	\$10,000.00 to \$50,000.00
Felony Class D	229 Months	\$15,000.00 to \$70,000.00
Felony Class C	261 Months	\$25,000.00 to \$100,000.00
Felony Class B2	479 Months	\$50,000.00 to \$250,000.00
Felony Class B1	Life Without Parole	\$75,000.00 to \$300,000.00
Felony Class A		No Bond (To be set by a Judge)
Fugitive Warrant		Set amount appropriate for the underlying offense
Governor's Warrant		No Bond
Parole Warrant		No Bond
Probation Violation		Secured - Amount appropriate for the underlying offense, with consideration for nature of the violation(s). If absconder, double the bond in original case. If original bond is unsecured, secure and double the bond in original case.

Note: These are suggested requirements. Factors such as circumstances of offense charged, cooperation with officers, financial resources, character, employment, history of flight or failure to appear, mental condition, record of convictions and other relevant evidence can and should be considered as specified by G.S. 15A-534.

Reasons to exceed suggested bond amounts include but are not limited to whether a defendant poses a danger to the public, release is likely to result in destruction of evidence or intimidation of potential witnesses.

Unsecured Bonds may be set for any classes in the appropriate circumstances

Suggested Secured Bond Amounts; Trafficking Offenses

<u>Drug Trafficking Class</u>	<u>Maximum Punishment</u>	<u>Suggested Secured Bonds</u>
H	Mandatory 25 months minimum/30 months maximum	\$5,000 - \$75,000
G	Mandatory 35 months minimum/42 months maximum	\$5,000 - \$75,000
F	Mandatory 70 months minimum/84 months maximum	\$5,000 - \$75,000
E	Mandatory 90 months minimum/117 months maximum	\$15,000 - \$75,000
D	Mandatory 175 months minimum/219 months maximum	\$25,000 - \$150,000
C	Mandatory 225 months minimum/279 months maximum	\$25,000 - \$250,000

Note:

These are suggested amounts for secured bonds. Suggested amount is per incident and not per trafficking offense/charge. Actual bond amounts should be determined by the consideration of factors specified in G.S. 15A-534 which include but are not limited to circumstances of offense charged, cooperation with officers, financial resources, character, employment, history of flight or failure to appear, mental condition, record of convictions.

Reasons to exceed suggested bond amounts include but are not limited to whether a defendant poses a danger to the public, release is likely to result in destruction of evidence or intimidation of potential witnesses.