

WILLOUGHBY HILLS MAYOR'S COURT – BOND SCHEDULE

PURSUANT TO RULE 46 OF THE CRIMINAL RULES OF PROCEDURE, THE FOLLOWING BAIL SCHEDULE IS HEREBY ESTABLISHED.

MISDEMEANOR & TRAFFIC OFFENSES:

FIRST DEGREE.....	\$3,500.00
SECOND DEGREE.....	3,000.00
THIRD DEGREE.....	2,500.00
FOURTH DEGREE.....	2,000.00
UNCLASIFIED.....	2,000.00
MINOR.....	2,000.00

TRAFFIC OFFENSES:

- A. PERSONAL ECOGNIZANCE BOND IN LIEU OF BOND IN THE AMOUNT SPECIFIED IN THE BAIL SCHEDULE SHALL BE MADE AVAILABLE TO ALL PERSONS CHARGED WITH ANY TRAFFIC OFFENSE EXCEPT IN THE FOLLOWING CASES:
1. DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS;
 2. VEHICULAR HOMICIDE;
 3. LEAVING THE SCENE OF AN ACCIDENT;
 4. DRIVING WHILE UNDER SUSENSION OR REVOCATION OF DRIVER'S LICENSE;
 5. DRIVING WITHOUT BEING LICENSSED TO DRIVE, EXCEPT WHERE THE DRIVER'S OR COMMERCIAL DRIVER'S LICENSE HAS BEEN EXPIRED FOR SIX MONTHS OR LESS;
 6. WILLFULLY FLEEING OR ELUDING A POLICE OFFICER;
 7. DRAG RACING.
- B. BOND FOR THE ABOVE SPECIFIED OFFENSES SHALL BE MADE AVAILABLE AT THE OPTION OF DEFENDANT, AS FOLLOWS:
1. CASH APPEARANCE BOND IN THE AMOUNT SPECIFIED IN THE COURT BAIL SCHEDULE SUBJECT TO THE TEN PERCENT (10%) PROVISION UPON WHICH AMOUNT THE ACCUSED SHALL DEPOSIT TEN PERCENT. NINETY PERCENT (90%) OF SAID AMOUNT WILL BE RETURNED TO THE ACCUSED UPON FINAL DISPOSITION, WHICH INCLUDES SATISFACTION OF ALL FINES AND COSTS ASSESSED TO THE CASE;
 2. POSTING BOND IN THE AMOUNT SPECIFIED IN THE COURT BAIL SCHEDULE GUARANTEED TO THE ACCUSED AS A POLICYHOLDER OF A CASUALTY INSURER, OR AS A MEMBER OF A BONA FIDE MOTORISTS', OR TRAVELERS' ASSOCIATION;
 3. EXECUTING A BAIL BOND WITH SUFFICIENT SOLVENT SURETIES, OR EXECUTING A BOND SECURED BY REAL ESTATE IN THE COUNTY, OR DEPOSITING CASH OR THE SECURITIES ALLOWED BY LAW IN LIEU THEREOF IN THE AMOUNT SPECIFIED IN THE COURT'S BAIL SCHEDULE;
 4. CASH APPEARANCE BOND WHICH REQUIRES DEPOSIT OF TOTAL AMOUNT. THE TOTAL AMOUNGT WILL BE RETURNED TO THE ACCUSED UPON FINAL DISPOSITION OF THE CASE, WHICH INCLUDES SATISFACTION OF FEES AND COSTS ASSESSED TO THE CASE?
- C. IN ADDITION TO ANY MISDEMEANOR BOND THAT IS POSTED, AN ADDITIONAL **\$34.00** IN STATE MANDATED COSTS FOR DEPOSIT INTO THE GENERAL REVENUE FUND AND THE REPARATIONS ROTARY FUND AND THE HB562 FUND ARE TO BE COLLECTED IN CASH AT THE TIME BAIL IS POSTED. STATE COSTS ARE NOT REQUIRED TO BE COLLECTED ON PERSONAL RECOGNIZANCE BONDS. NO PERSON SHALL BE PLACED OR HELD IN JAIL FOR FAILING TO PAY THE ADDITIONAL \$34.00 IN STATE COSTS (2743.70) (2949.091) (2949.092).

(DO NOT TAKE ON FAIL TO COMPLY – BALANCE OF FINE CASES)

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MISDEMEANOR OFFENSES:

- A. PERSONAL BOND SHALL GENERALLY NOT BE MADE AVAILABLE UNLESS AN EVALUATION OF THE CRITERIA FOR ESTABLISHING BOND FOR MISDEMEANOR OFFENSES LISTED BELOW INDICATES THAT THE ACCUSED'S APPEARANCE IS VIRTUALLY GUARANTEED. IN DETERMINING WHICH CONDITIONS WILL REASONABLY ASSURE APPEARANCE, THE FOLLOWING FACTORS ARE TO BE CONSIDERED IN ESTABLISHING BOND IN MISDEMEANOR OFFENSES:
1. NATURE AND CIRCUMSTANCES OF THE OFFENSE;
 2. THE ACCUSED'S FAMILY TIES; EMPLOYMENT; PERMANENCE OF RESIDENCE; RECORD OF CONVICTIONS; RECORD OF PRIOR FAILURE TO APPEAR WHEN REQUIRED IN JUDICIAL PROCEEDINGS;
 3. PHYSICAL, MENTAL OR EMOTIONAL CONDITION WHICH MAY POSE A DANGER TO THE ACCUSED OR TO OTHERS UNLESS THE ACCUSED CAN BE RELEASED INTO THE TEMPORARY CUSTODY OF A RESPONSIBLE RELATIVE, FRIEND, OR OTHER RESPONSIBLE PERSON;
 4. PLACE OF RESIDENCE IF NOT WITHIN THE CONFINES OF THE COURT JURISDICTION.
- B. IF THE ACCUSED IS NOT RELEASED ON HIS OWN RECOGNIZANCE OR UPON THE EXECUTION OF AN UNSECURED APPEARANCE BOND, OR PURSUANT TO THE BAIL POSING OPTIONS IDENTIFIED ABOVE, THE ACCUSED SHALL BE GIVEN A HEARING WITHOUT UNNECESSARY DELAY BEFORE A JUDGE OR MAGISTRATE WHO SHALL DETERMINE THE CONDITIONS OF HIS RELEASE.
- C. THE BAIL SCHEDULE SERVES AS A GUIDELINE FOR THE POSTING IN MISDEMEANOR CASES. THE OFFICER IN CHARGE MAY USE HIS/HER DISCRETION TO GRANT PERSONAL BOND, IF IN HIS/HER OPINION THE CIRCUMSTANCES WARRANT DEVIATION FROM THE GUIDELINES ESTABLISHED IN THE BAIL SCHEDULE.


LAWRENCE R. HUPERTZ, MAGISTRATE

EFFECTIVE:

9/23/08