

In the Iowa Supreme Court

CLERK SUPREME COURT

<b>In the Matter of the Uniform Bond Schedule Promulgated by the Judicial Council</b>	) ) )	<b>Order</b>
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Pursuant to Iowa Code section 804.21(5), the Judicial Council has conducted a periodic review of the Uniform Bond Schedule and finds that modifications of the bond schedule are warranted. Specifically, the Judicial Council has determined that the previous uniform bond amounts applied when court is not in session for violations of Iowa Code sections 124.401(1)(a)-(c) should be included in the general class “B” and “C” amounts of \$25,000 and \$10,000 respectively. The Judicial Council has also identified additional crimes for which bond may not be set until the arrested person is seen by a judicial officer.

A person arrested shall remain incarcerated while waiting to be taken before a judicial officer unless released pursuant to a pretrial release guideline or bond schedule the Judicial Council has promulgated. The following bond schedule is only to be used when both of the following conditions are met:

1. The person was arrested for a crime other than a forcible felony.
2. The courts are not in session.

The time that a person is awaiting the person’s appearance before a judicial officer is considered a time the courts are not in session.

The Judicial Council promulgates the following bond levels for the release of a person arrested for a crime to be used *when the courts are not in session*:

- Any class “B” felony—\$25,000
- Any class “C” felony—\$10,000
- Any class “D” felony—\$5,000
- Aggravated misdemeanor—\$2,000

- Serious misdemeanor—\$1,000
- Simple misdemeanor—\$300
- Traffic and other scheduled violations of Iowa Code sections 805.6 through 805.16—amount set forth in the State of Iowa Compendium of Scheduled Violations and Scheduled Fines.

A separate bond should be set for each indictable charge filed against an arrested person.

Bond may not be set for persons arrested for the following crimes until they have been seen by a judicial officer:

- Forcible felony crimes, as defined in Iowa Code Section 702.11.
- Manufacture, delivery, possession with intent to manufacture or deliver, or distribution of methamphetamine under Iowa Code section 124.401, as provided for in Iowa Code section 804.21(1).
- Stalking, pursuant to Iowa Code section 708.11(5).
- Persons arrested or taken into custody pursuant to any of the following Iowa Code sections: 236.11, 236.12, 236A.12, and 664A.3.
- Persons arrested or taken into custody pursuant to Iowa Code sections 236.11 or 236.12.
- Persons arrested or taken into custody for intimidation with a dangerous weapon in violation of Iowa Code section 708.6.
- Persons arrested or taken into custody for possession of a firearm by a felon in violation of Iowa Code section 724.26(1).

Upon an arrested person being seen by a judicial officer, the judicial officer will exercise discretion in setting bond in accordance with the factors set forth in Iowa Code section 811.2, and the judicial officer is not to be bound by the uniform bond schedule the Judicial Council has established for use when court is not in session.

This Uniform Bond Schedule is effective beginning July 1, 2017.

Dated this 23rd day of June, 2017.

The Supreme Court of Iowa

By Mark S. Cady

Mark S. Cady, Chief Justice