

CRIMINAL RULES

Local Criminal Rule 1-1 - Bail in Criminal Cases

(a) The conditions of release of defendants and material witnesses are set forth in 18 U.S.C. § 3141, et seq., and Rule 46, Federal Rules of Criminal Procedure.

(b) When the appearance of a person in a criminal case is required by the Court to be secured by a surety,

(1) every surety except a corporate surety must own fee simple title to real estate, unencumbered except for current taxes and the lien of a first mortgage. The surety's equity in such property shall have a fair market value at least double the penalty of said bond; provided, however, that a proposed surety whose real estate is then subject to an existing appearance bond in this Court or in any other Court in this district, including, state, county or municipal Courts, shall not be accepted as a surety; and

(2) a corporate surety must hold a certificate of authority from the Secretary of the Treasury and must act through a bondsman registered with the Clerk of this Court.

(c) No person who executes appearance bonds for a fee, price or other valuable consideration shall be eligible as a surety on any appearance bond unless such person be a corporate surety which is approved as provided by law.