

Lakewood Municipal Court
Cuyahoga County, Ohio

In accordance with Criminal Rule 46 and R.C. 2937.222, the following bond schedule is adopted and court ordered for all traffic and criminal cases in the Lakewood Municipal Court when the person has been arrested. There is a presumption of personal bond for all misdemeanor charges unless otherwise provided by statute.

The judge or designated magistrate shall set bonds for the following cases:

- 1) All felony charges.
- 2) The following misdemeanor charges, regardless of whether charged under Ohio Revised Code, Lakewood Ordinance or other statutory provision:
 - A. Domestic violence.
 - B. Violation of any:
 1. Protection order, or
 2. Condition of community control supervision/ probation involving prohibition from contact with specified persons or places.
 - C. Assault.
 - D. Aggravated menacing.
 - E. Menacing by stalking.
 - F. Menacing.
 - G. Aggravated trespass.
 - H. Any sexually oriented offense as defined by R.C. 2950.01.
 - I. Any other offense when the victim, police officer or prosecutor is seeking a protection order, restrictions with no contact or other conditions of bond.¹

For all other misdemeanor charges, the defendant may be released without bond on his/her own recognizance, to the appropriate governmental agency if there is an outstanding warrant, or to a responsible, sober person as the police deem appropriate, unless, based on the circumstances of the case, the prosecutor or police request a bond or conditions of bond.

In addition to the amount of the bond, all bonds shall include additional statutory fees of \$64.00 for all misdemeanor charges and \$85.00 for all felony charges.

In all cases a surety bond may be posted instead of a cash bond if the surety has been approved by the Clerk of the Lakewood Municipal Court.

When a judge or magistrate has previously set a bond in a case or has ordered a new bond due to a warrant entry, that bond shall apply unless and until modified by the court. Any motion to amend the bond must set out grounds in writing or on the record. If a person is arrested for two or more offenses, the bond set by the court may apply to all charges unless a different bond is requested.

The request for bond and factual basis for probable cause shall be recorded as required by Crim. R. 4. During non-court hours the police officer and/or prosecutor shall record the

¹ Additional bond considerations for specific misdemeanor offenses are set out in R.C. 2903.212 & R.C. 2919.251.

proceedings by body camera or other reliable recording device, with a copy of the recording to be filed with the court within two (2) business days.

In order to overcome the presumption of a personal bond, the police officer and/or law department shall provide information in accordance with Criminal Rule 46 and R.C. 2937.222 to the court in writing, including:

- 1) Record of criminal convictions for any:
 - A. Offenses of violence as defined by R.C. 2901.01,
 - B. Criminal cases within the past five (5) years other than minor misdemeanors, and
 - C. Major traffic offenses as defined by Traffic Rule 13(B),
- 2) If the defendant is on community control supervision/probation, parole or post-release control and the name of the court,
- 3) The nature and circumstances of the offense charged, which may include the police report, including:
 - A. Injury to victim and/or damage to property,
 - B. Use of weapon in offense, possession, ownership, or access to a firearm, or whether the defendant has a CCW permit,
 - C. Alcohol or drug related or involved,
- 4) Active warrants with verification for pickup,
- 5) Pending protection orders against the defendant,
- 6) Known medical, mental health, and/or substance abuse issues,
- 7) Booking screening information if arrested, or if arrested with no booking screen information, an explanation for absence,
- 8) Known occupation or source of income/support, and
- 9) Any other information requested by the judge or presented by the government based on the circumstances of the case.

The police officer or prosecutor requesting a bond shall contact the judge during reasonable hours and with reasonable notice. The prosecution must show a bona fide emergency or other extraordinary circumstances for any delay of more than forty eight (48) hours from the arrest. If a protection order is being sought, the prosecutor shall be present to provide grounds for the motion.

This bond schedule is effective as of October 16, 2019 for all cases filed in the Lakewood Municipal Court and supersedes any and all previous bond schedules of the Lakewood Municipal Court.

Spread upon the Journal of the Lakewood Municipal Court this 15th day of October, 2019.

STATE OF OHIO)
CUYAHGOGA COUNTY)



Judge Patrick Carroll



Christina G. McCallum
Clerk of Court