

DOMESTIC VIOLENCE PRE-TRIAL RELEASE HEARINGS

At the earliest possible opportunity the Sheriff's Department should notify the clerk who is to then notify any judge available in the courthouse that someone is being held without bond and that N.C.G.S.15A-534.1 is applicable.

Upon notification, the judge should hold the appropriate bond hearing as soon as practical.

If the charge is criminal, the district attorney's office should be notified in order to participate in the bond hearing. Additionally, at this hearing, the judge should make inquiry as to court-appointed counsel for the trial itself in order to prevent delay at the first court setting.

It is the duty of the magistrate to set pre-trial release conditions where the statutory 48 hour period has elapsed and no judge has been available to consider bond.