

INSTRUCTIONS ON HOW TO VIEW OR APPEAR AT VIDEO BOND COURT

HOW TO VIEW OR APPEAR AT THE WEEKEND/HOLIDAY VIDEO BOND COURT HEARING

PLEASE READ CAREFULLY

These instructions are only for the weekend/holiday bond court in the Eleventh Judicial Circuit – Ford, Livingston, Logan, McLean or Woodford County. The Court will be using the Zoom video-conferencing platform for these court proceedings.

If an attorney or party is not accustomed to using the Zoom platform, he or she should sign up for a free Zoom account and practice using the app before joining a court hearing. This can be found at <https://zoom.us/>. Attorneys must ensure that your "screen name" is recognizable to the Court to avoid extended wait times.

Attorneys and interested persons should "appear" in the Zoom meeting/hearing's waiting room approximately five minutes before the scheduled hearing time. The Court will admit you to the "hearing" room once the bond court is ready to begin. All persons, except the defendant and their attorney will be muted. **Please be patient when you are joining as other cases in the hearing room may be on-going.**

There will not be an opportunity for negotiations during the bond hearing, so if an attorney wishes to speak to the State's Attorney privately, they should do so in advance of the bond hearing.

Attorneys must dress in an appropriate manner as if you were appearing in-person in court. Attorneys may dress in business casual attire. The use of virtual backgrounds is not permitted.

Instructions for Joining Remote or Virtual Hearings by Zoom for Weekend or Holiday Bond Court

Topic: Eleventh Judicial Circuit Bond Court

Time: This is a recurring meeting **AT 12:45 P.M.**

Join Zoom Meeting

<https://us06web.zoom.us/j/96745269432?pwd=YU43SnNLSVVsMXNINityQ2t3OGx6Zz09>

Meeting ID: 967 4526 9432

Passcode: 565063

Phone only - Dial by your location

+1 312 626 6799 US (Chicago)

Meeting ID: 967 4526 9432

Passcode: 565063

OR

<https://www.mcleancountyil.gov/circuit-court/remote-hearings>

THEN – CLICK THE LINK TO Join the Daily Custody/Bond Court Virtual Courtroom

RULE 202 PROCEDURES FOR THE DETERMINATION OF PROBABLE CAUSE AND SETTING BOND ON WEEKENDS AND HOLIDAYS.

- A. Any person arrested without a warrant, who is in custody at a time when the next regularly scheduled court session is not within forty-eight (48) hours of the arrest, shall be entitled to review of probable cause and a determination of bond in the manner set forth herein.
- B. On weekends or on court holidays when more than forty-eight (48) hours will elapse before a regularly scheduled probable cause hearing can be conducted, the Chief Judge shall designate the time, date and location of said hearings by Administrative Order.
- C. All judges of the Eleventh Judicial Circuit, both Circuit and Associate, shall be designated by Administrative Order to conduct probable cause hearings and affix bond for those persons in custody during said times that court sessions are scheduled on weekends and holidays. Judges of the Eleventh Judicial Circuit shall be authorized to interchange with each other for purposes of conducting hearings under this order.
- D. All State's Attorneys and Assistant State's Attorneys of the Eleventh Judicial Circuit are hereby designated special prosecutors for the purposes of conducting probable cause hearings relative to this order.
- E. Counties are not required to transport any defendant to the McLean County Law & Justice Center for the purpose of making determinations of probable cause and setting bond under this order, but if the defendant is not transported, counties are required to participate via closed-circuit video or through a virtual video/audio hearing process.
- F. Procedures for Weekend or Holiday Bond Court Hearings:
 - 1. Any peace officer who arrests a person without a warrant, and causes said person to be incarcerated by the Sheriff of the County of arrest, shall provide to the Sheriff of the County a verified statement setting forth the allegations establishing probable cause to arrest. The State's Attorney of said county, or their designee, shall provide to the Court a written charging decision, based on the verified statement and any police reports or witness statements provided by the arresting agency to the State's Attorney conducting the screening, the classification of offense as Category A or Category B as defined by 725 ILCS 5/102-7.2 and a criminal history containing sufficient factual information from which the Court can make a determination of probable cause and set bond.
 - 2. The Sheriff of said County shall make said documents available to the McLean County State's Attorney, or their designee, by 12:15 PM on the date of the weekend/holiday bond court.
 - 3. The Sheriff of said County shall make the defendant available through closed-circuit video or through a virtual video/audio hearing process at the time of hearing set forth in #5 below.
 - 4. In all cases where probable cause is established and a bond recommendation is made, the McLean County Public Defender or their designee is appointed for the limited purpose of representing the defendant on the issue of the bond amount. This appointment is only waived if private counsel appears for the defendant.

5. For the counties of Ford, Livingston, Logan and Woodford, the State's Attorney, or their designee, shall present a probable cause statement and bond recommendation to the Judge presiding over the weekend/holiday bond court beginning promptly at 12:45 PM at the McLean County Law & Justice Center, or any other location designated by the presiding judge, on the date of the weekend/holiday bond court. For the county of McLean, the proceedings shall begin at 1:00 p.m. or at the conclusion of the hearings conducted by the other four counties.
6. The assigned judge shall review the probable cause statement and bond recommendation, and based on the review, probable cause shall/shall not be established and the appropriate bond set based on the facts of the case and criminal history of the defendant. The judge shall enter the findings on an order, which shall be filed with the Circuit Clerk by the State's Attorney of the appropriate county on the first business day following the court proceeding. The State's Attorney of McLean County, or their designee, is charged with the responsibility of providing the order(s) to the Sheriff of each county as necessary. The format of the order shall be substantially similar to the attached form.
6. In those cases where the offense is classified as a Category B offense under 725 ILCS 5/102-7.2, at the hearing where bail is set, the assigned judge shall set a date and time for release of the defendant in accordance with the procedures regarding the bail credit within 725 ILCS 5/110-14(c).

Nothing in this Rule shall prevent a judge from conducting a *McLaughlin* hearing [*County of Riverside v. McLaughlin* 500 U.S. 44 (1991)] within their assigned county in a manner that substantially complies with the provisions set forth above.