

Using This Form

1. Copies
 - a. Original – The judicial officer who conducts the bail hearing should forward this document to the court.
 - b. First copy – In localities where the Attorney for the Commonwealth requests a copy, the judicial officer should forward a copy to him or her.
2. Attachments
 - a. District court form DC-330, **RECOGNIZANCE**, or
 - b. District court form DC-352, **COMMITMENT ORDER**
3. Preparation details – The judicial officer who conducts a bail hearing uses this form to ensure that he or she complies with the mandates of Virginia Code § 19.2-121.

CHECKLIST FOR BAIL DETERMINATIONS

Commonwealth of Virginia

Name of the Accused **1**

Nature and Circumstances of the Offense **2**

Weight of the Evidence **3**

Length of Time in Community **4**

Place of Employment **5** How Long

Family Ties **6**

Involvement in Education **7**

Financial Resources **8**

Pending Charges **9**

10 Was a firearm allegedly used in the offense? No Yes

11 Currently on probation or parole? No Yes

Prior criminal record **12**

13 The presumption set forth in Virginia Code § 19.2-120 (B) or (C) applies and has not been rebutted.

14 Bail was not set by a judge, the presumption set forth in Virginia Code § 19.2-120 (B) or (C) applies and has been rebutted, and an attorney for the Commonwealth concurs in the accused being admitted to bail. (For magistrate determinations only.)

15 The secured bond provision in Virginia Code § 19.2-123 applies and is waived with the concurrence of the attorney of the Commonwealth or the attorney for the county, city or town.

Prior charges of failing to appear **16**

Is this person likely to obstruct or attempt to obstruct justice or threaten, injure or intimidate or attempt to threaten, injure or intimidate a prospective witness, juror or victim? No Yes

17

Other information considered **18**

Bail Set **19**

Special instructions or conditions **20**

21 Check if more information is on reverse

22

DATE

23

MAGISTRATE JUDGE

Data Elements, front

1. Name of defendant.
2. Nature and circumstances of the offense.
3. Weight of the evidence.
4. Length of time in community.
5. Place of employment and length of time employed there.
6. Family ties to the community.
7. Involvement in education.
8. Financial resources.
9. Any pending charges.
10. Check whether a firearm was allegedly used in the offense.
11. Check whether the accused is currently on probation or parole. Space is provided for comment if desired.
12. Describe prior criminal record.
13. Check if applicable.
14. Check if applicable.
15. Check if applicable.
16. Describe prior charges of failing to appear.
17. Check the applicable box. Space is provided for comment if desired.
18. Describe other information considered.
19. State amount of bail.
20. Describe special instructions or conditions.
21. Check box if additional information is contained on the reverse.
22. Date of signature.
23. Signature of judge or magistrate.