



**CALL ORDER FOR BONDS**– Unless you are informed differently by the clerk in your county, the call order list is as follows. However, if a bond needs to set between 11:00 p.m. and 8:00 a.m. the bond will not be set until after 8:00 a.m. the following morning.

1<sup>st</sup> – Clerk Magistrate; 2<sup>nd</sup> – Magistrate Judge; and, 3<sup>rd</sup> – Circuit Judge.

**CALL ORDER FOR SEARCH WARRANTS** - Unless you are informed differently by the clerk in your county, the call order for search warrants is as follows:

1<sup>st</sup> – Magistrate Judge; 2<sup>nd</sup> – Circuit Judge; and 3<sup>rd</sup> – Clerk Magistrate

**1. GENERAL MISDEMEANORS** - All misdemeanor bonds may be set by means of a phone call to the magistrate or judge on their county "call list." If a bond needs to be set between 11:00 p.m. and 8:00 a.m. the bond will not be set until after 8:00 a.m. the following morning.

1A. In all cases where an arrested person posts a bond (cash, surety or personal recognizance) the processing officer is responsible for making sure that a bond release form (UJS form 228 or similar document approved by the judges in that county) is signed and filed.

1B. **Domestic Violence** - All domestic violence bonds, including violation of protection order bonds, are to be set by a magistrate judge or circuit judge. Bonds may be set by phone. They are to be obtained by the processing officer immediately after, or as part of the processing. All domestic violence bonds are to have an additional "no-contact" provision.

1C. **Driving While Under the Influence (1st and 2nd offense)** - Arrested persons who are residents of South Dakota are to be released on a **\$500 unsecured bond**. Arrested persons who are non-residents must post a **\$500 cash or surety bond on 1st offense and \$700 cash or surety bond on 2<sup>nd</sup> second offense**. Anyone arrested for DUI, and still under the influence, may only be released to a responsible person who has not been drinking. Participation in the 24/7 program for persons arrested for DUI second offense may be required at the discretion of the sitting circuit or magistrate court judge of that particular county.

1D. **Other Misdemeanors** - Persons who are residents of South Dakota are to be released on a **\$500 unsecured bond**. Persons who are non-residents must post a **\$500 cash or surety bond on Class I Misdemeanors and \$150 cash or surety bond on Class II Misdemeanors**. If the arrested person is under the influence they may only be released to a responsible person who has not been drinking.

1E. **24/7 Program** – No jail is authorized to make the 24/7 program a condition of bond unless specifically authorized by a Clerk Magistrate or Judge.

**2. FELONIES** - All felony bonds are to be set by a magistrate or judge. They are to be obtained by the processing officer immediately after, or as part of the processing. All bonds can be set by means of a phone call to the magistrate or judge on their county "call list."

Dated this 25<sup>th</sup> day of June, 2014, at Vermillion, South Dakota

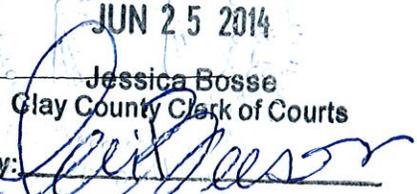
BY THE COURT

  
Steven R. Jensen  
Presiding Circuit Judge

STATE OF SOUTH DAKOTA  
First Judicial Circuit Court

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears on file in my office on this date:

JUN 25 2014

  
Jessica Bosse  
Clay County Clerk of Courts