

Superior Court of California County of Marin

COURT ADMINISTRATION



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December 30, 2020

Public Notice

Local Emergency Rule: Addressing Bail (Local Emergency Rule 2.03)

During the COVID-19 pandemic, the Marin County Superior Court 2021 Bail Schedule is suspended, except as otherwise indicated below, and this emergency bail rule is hereby adopted until modified or rescinded by the Judges of the Marin County Superior Court.

(a) Bail for Misdemeanor and Felony Offenses:

Bail for all misdemeanor and felony offenses will be set at \$0 (zero dollars), with the exception of only the offenses listed below, where bail will be set pursuant to the Marin County Superior Court 2021 Bail Schedule:

- (1) A serious felony, as defined by Penal Code section 1192.7(c), or a violent felony, as defined by Penal Code section 667.5(c);
- (2) A felony violation of Penal Code section 69;
- (3) A violation of Penal Code section 166(c)(1);
- (4) A violation of Penal Code section 136.1 when punishable under section 136.1(c);
- (5) A violation of Penal Code section 236.1;
- (6) A violation of Penal Code section 262;
- (7) A violation of Penal Code sections 243(e)(1) or 273.5;
- (8) A violation of Penal Code section 273.6 if the arrestee made threats to kill or harm, has engaged in violence against, or has gone to the residence or workplace of, the protected party;
- (9) A violation of Penal Code section 422 where the offense is punishable as felony;
- (10) A violation of Penal Code section 646.9;
- (11) A violation of an offense listed in Penal Code section 290;
- (12) A violation of Vehicle Code sections 23152 or 23153;

- (13) A felony violation of Penal Code section 463;
- (14) A violation of Penal Code section 29800;
- (15) A violation of Vehicle Code section 2800.2 where the offense is punishable as a felony;
- (16) A violation of Vehicle Code section 20001 where the offense is punishable as a felony; and
- (17) A felony violation alleged to have been committed when the arrestee had been previously released on his/her own recognizance or pursuant to \$0 (zero dollars) or other monetary bail.

(b) Bail for violations of post-conviction supervision:

(1) Misdemeanors:

Bail for all violations of misdemeanor probation, whether the arrest is with or without a bench warrant, will be set at \$0 (zero dollars).

(2) Felonies:

Bail for all violations of felony probation, parole, post-release community supervision, or mandatory supervision, in which the original underlying conviction was the same as one or more of those listed in exceptions (a)(1) through (a)(17) above, will be set at the amount listed in the Marin County Superior Court 2021 Bail Schedule for that conviction, including any enhancements, unless there is a timely bail request made pursuant to Penal Code section 1269c (Penal Code sections 1203.2, 3000.08, and 3455).

(c) Ability to Deny Bail

Nothing in this emergency bail rule restricts the ability of the Court to set or deny bail as authorized by Article I, sections 12 or 28(f)(3) of the California Constitution, including when setting bail on arrest warrants.

(d) This Rule is effective January 1, 2021 at 12:01 a.m. Local Emergency Rule 2.02 is hereby rescinded effective December 31, 2020 at midnight.