

KING COUNTY SUPERIOR COURT CLERK'S OFFICE

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ISSUE DATE: December 14, 2020

ISSUE NO: 20-048



King County

CLERK'S ALERT

Local Criminal Rule (LCrR) 3.2 Pretrial Release

The court has adopted LCrR 3.2(b) regarding least restrictive conditions of release when the court determines an individual presents a likelihood of failing to appear. The court may consider the use of unsecured bond and the deposit of cash in lieu of the execution of bond. The full rule, below, was adopted on an emergency basis and is effective as of December 8, 2020. It will be included in the packet of proposed rule changes to be published for comment in March 2021, per the regular rule cycle.

(b) Showing of Likely Failure to Appear – Least Restrictive Conditions of Release. If the court determines that the accused is not likely to appear if released on personal recognizance, the court shall impose the least restrictive of the following conditions that will reasonably assure that the accused will be present for later hearings, or, if no single condition gives that assurance, any combination of the following conditions:

- 1) Place the accused in the custody of a designated person or organization agreeing to supervise the accused;
- 2) Place restrictions on the travel, association, or place of abode of the accused during the period of release;
- 3) Require the execution of an unsecured bond in a specified amount;
- 4) Require the execution of a bond with sufficient sureties, or the deposit of cash, which need not be the same amount as the bond, in lieu thereof;
- 5) Require the accused to return to custody during specified hours or be placed on electronic monitoring, if available; or
- 6) Impose any condition other than detention deemed reasonably necessary to assure appearance as required. If the court determines that the accused must post a secured or unsecured bond, the court shall consider, on the available information, the accused's financial resources for the purposes of setting a bond that will reasonably assure the accused's appearance.



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Department of Judicial Administration

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