**Bench Warrant Type Of Bond**

**Jessica Testolin**testolij@co.huron.mi.us

Is anyone aware of a statute, court rule, or case law that says that a bench warrant’s bond must be a 10% bond and cannot be either a cash bond or body bond?

 Under MCR 3.606, it does not specify the type of bond.  My district court judge got word from another judge that it must be a 10% bond,  I just can’t any authority on that.

 Jess

**Liz Stankewitz**liz@cheboygancounty.net

Not aware of anything like that –

**Mark Books**booksm@stjosephcountymi.org

See if the attached helps.

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/Administrative-Memoranda/2007-05.pdf>

**White, Michele** <WhiteM@ci.kentwood.mi.us>

Not that I’m aware of, we do both cash/surety and 10%

Michele White

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62 B District Court

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**Milroy,Michael** michael.milroy@kentcountymi.gov [via](https://support.google.com/mail/answer/1311182?hl=en) googlegroups.com

Good Afternoon Jess,

There is no authority that mandates a 10% bond.   The defendant will always have the option of a cash or surety bond.  This will be the case even if defendant is given a 10% bond as he would have the option to fix bail through a surety.

MC 229 allows for release when the cash or surety bond is posted.  That court form references MCR 3.606.

Milroy

63rd District Ct.

**Jessica Testolin**testolij@co.huron.mi.us

Thank you Michael.  That was my finding too.

Jess

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/Administrative-Memoranda/2016-03.pdf>