

This is your new

Federal Bail and Detention Handbook 2017

Hon. John L. Weinberg
United States Magistrate Judge

Federal Bail and Detention Handbook 2017, which replaces your 2016 edition of the handbook, provides all the latest significant developments under the Federal Bail Reform Act, as reported by the Honorable John Weinberg. *Federal Bail and Detention Handbook 2017*'s coverage of the most significant developments under the Federal Bail Reform Act of 1984 includes the following:

- ***New Table of Cases by Jurisdiction.*** This edition of the *Handbook* includes a new Table of Cases by Jurisdiction to aid in your research. In addition to Judge Weinberg's invaluable Table of Cases, which lists all of the U.S. Supreme Court and circuit decisions discussed in the book, we have added a second table, which organizes all of these same cases by jurisdiction, so you can more easily locate the pertinent decisions in your circuit.
- ***New Standard Form of Detention Order.*** The Administrative Office of the U.S. Courts has published a revised version of a suggested Order of Detention Pending Trial. The **revised Form AO 472** appears in Appendix III.
- If a defendant has not been released on bond, but **fails to comply with a summons to appear**, he has *not* committed the offense of failure to appear. *See* § 9:2.
- Even if there has been an **unreasonable delay** in securing review of a magistrate judge's release order, the court may dismiss the charges *with prejudice* only if there has been **bad-faith interference** with the judicial process. *See* § 8:2.2.
- The fact that defendant complied with all the conditions of bail pending trial does not compel a finding, by clear and convincing evidence, that he is **not likely to flee if released** pending sentencing. *See* § 12:3.

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- The government made a **good-faith effort to produce material witnesses** at trial by communicating with the witnesses' counsel, sending letters to both witnesses requesting their presence at trial, and offering to pay for their transportation back to the United States. *See* § 13:3.
- The government may move for **detention under some circumstances in cases charging a misdemeanor**, or even a petty offense. These cases are likely to be rare, however. *See* § 6:4.