

How to request a Motion to Modify Bond Conditions

At the Barrow County Solicitor General's Office, we are happy to assist Victims in requesting a modification of bond conditions by filing a motion on behalf of the Victim requesting this change (specifically changing those No Contact Orders to a No Violent Contact Order). There are a few things that are important to note when it comes to these requests however -

- 1.) When we file the motion this does not mean that we agree to the terms of the Defendants bond being changed (it is a case by case basis and there are a lot of things taken into consideration by our prosecutors).
- 2.) We do require that the Victim and the Defendant come in for a hearing in front of the Judge so that both parties go on the record saying they both agree to the modification if granted (this means that the modification will not be immediate!).
- 3.) Depending on the case, the Judge may require that the Defendant adhere to other stipulations if he changes the bond conditions (i.e. enrollment into the Family Violence Intervention Program, Drug/Alcohol Screens, completion of an Anger Management program, No Firearms while the case is pending, etc.) .
- 4.) It is important to note what No Violent Contact really means - A no violent contact condition is different from a no contact provision in that contact is allowed, but it cannot be violent or unwanted by the person named in the bond condition (Victim). A no violent contact provision will allow you to remain in your home together, but it is important to remember that if it is alleged that violent or unwanted contact has occurred, the Defendant does risk their bond being revoked.
- 5.) JUST BECAUSE WE MODIFY THE BOND CONDITIONS DOES NOT MEAN THAT THE CASE IS DISMISSED.
- 6.) Ultimately the decision on whether or not to grant the modification of the Bond Conditions is at the discretion of the Judge.
- 7.) Lastly, **WE DO NOT ASSIST DEFENDANTS** in filing motions, only the Victim(s) listed in the case may make that request.

If you understand everything discussed above then please read below for the best way to file a motion to modify the bond conditions-

- 1.) Either reach out to our office by phone at **770-867-1916** and request to speak to the **Victim Advocate – Baylee Moon, or email her at bmoon@barrowga.org** .
- 2.) Our advocate will then get a time scheduled for you to come into our office located at **652 Barrow Park Dr. Winder, Georgia 30680** (There is an affidavit that requires notarization so you must come in person to fill out this paperwork **(PLEASE BRING A VALID PHOTO ID)**).
- 3.) Once you come into the office there will be two things for you to fill out, our Victim Impact Statement and then the affidavit that goes along with the State's motion to modify the bond conditions.
- 4.) From there you will be given a list of dates as options for a hearing date to come in and go before the judge. Once a date has been selected the advocate will then reach out to the Defendant and confirm that they are available to come in that day as well.
- 5.) Once the date is set you will need to be at the scheduled hearing date, when the case is called you will be asked to come and speak to the Judge along with the Defendant (When you come for this date, it is strongly advised that you do not sit near the Defendant).

Lastly, the Victim Advocate is here to answer and assist as best as possible with any questions or concerns that you have so do not hesitate to reach out.