ADMINISTRATIVE DIRECTIVE
OF THE
CHIEF JUDGE OF THE COURT OF COMMON PLEAS
OF THE STATE OF DELAWARE
NO. 2009-1

INTERIM BAIL PROCEDURES

This 16th day of January 2009, IT IS HEREBY DIRECTED pursuant to *10 Del. C. §1302(d)*, the authority being vested in the Presiding Judge as the administrative head of the Court during the term of his or her appointment;

AND APPEARING THAT:

1. House Bill 299, passed on July 19, 2008 relating to Bail and Bail Agents will become effective January 20, 2009; and

2. That a provision of the bill which prohibits Bail Agents from posting cash bail has the potential for unintended consequences with possible constitutional implications not intended by the General Assembly; and

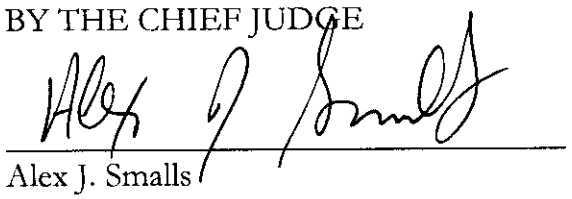
3. That revisions to House Bill 299 are under review by the General Assembly, but is delayed because it is a new session of the legislature.

IT IS THEREFORE DIRECTED THAT:

The Court will continue with its present bail procedures, accepting bail as heretofore for an interim period of sixty (60) days pending resolution of this issue by the General Assembly.

This Directive is effective January 20, 2009.

BY THE CHIEF JUDGE



Alex J. Smalls