

## Judge Instructions

In a moment, you will be given the opportunity to preside over the bond motion of State of North Carolina v. Charles Lloyd Summers. It is your job to listen to the arguments of the defense attorney and the prosecutor and decide whether you want to raise the bond, lower the bond, or keep it the same. You may also impose, if you wish, additional conditions of release. You are an elected district court judge in the State of North Carolina and you are charged with following the law, but you may be guided by any personal concerns you have about protecting people's rights and keeping your community safe. It is your job to make sure justice is ensured and that you consider the factors in the pretrial release statute in setting an appropriate bond.

The only thing that you will know about the facts of this case is that the defendant, Mr. Summers, has been charged with Attempted Robbery with a Dangerous Weapon. This is a class D felony. Mr. Summers's bond has been set at \$250,000.

When the time for the bond motion begins, you may let either the State or the Defense Attorney present first, and in your discretion, you may allow either side to give a brief rebuttal. You may also ask follow-up questions of either attorney during or after their arguments. The total time for this exercise is 15 minutes once arguments begin, so you may exercise your judgment to allow for equal time between the parties.

You may begin the exercise simply by stating, "My understanding that is that there is a bond motion before the court in the case of State v. Charles Summers. Mr. Summers is charged with Attempted Robbery with a Dangerous Weapon. That is a class D felony, punishable by up to 229 months in prison. His bond is currently \$250,000. Are the attorneys ready to proceed?"

You can end the exercise by stating, "In the matter of Mr. Stephens, the bond will....."

- 1) Remain the same, or
- 2) change to a secured bond of (more or less) than \$250,000, or
- 3) change to an unsecured bond (meaning that the defendant can leave jail without paying, but will owe the money if he fails to appear in the future) of (more or less) than \$250,000, or
- 4) change to a written promise to appear, or
- 5) any combination of other conditions combined with those above.