



BAIL REVIEW RETENTION GUIDE

MASTER THE RULES. MAKE THE RIGHT DECISION.



RULE 523: RELEASE CRITERIA

PAGE 1 OF 9

THE BOTTOM LINE

Rule 523 requires the MDJ to make a release decision based on **RISK**, not punishment. The goal is to ensure court appearance and protect community safety.



Ties to Family, Community, & Employment



Prior Performance While on Release



Criminal Record



Mental Condition



Drug or Alcohol History



Safety of the Community



Nature & Circumstances of the Offense

THE MDJ MUST CONSIDER THESE FACTORS



KEY REMINDER:

No single factor is controlling. Weigh all factors together to assess the **RISK** of nonappearance and danger to the community. Then decide the most appropriate release.

1 STRONG COMMUNITY TIES



A defendant has lived in the same community for 30 years, owns a home, works full-time, and has strong family support. This is their first offense.

Which factor most strongly favors release under Rule 523?

- A Criminal record
- B Length of residence and community ties
- C Nature of the offense
- D Maximum sentence

2 FAILURE TO APPEAR HISTORY



A defendant failed to appear in court for a previous case and ignored multiple notices before being arrested.

Which factor raises the greatest concern under Rule 523?

- A Employment history
- B Prior performance while on release
- C Financial resources
- D Family relationships

3 SERIOUS CRIMINAL HISTORY



A defendant has several prior felony convictions for violent offenses and was on parole last year.

Which factor should receive the greatest weight under Rule 523?

- A Mental condition
- B Criminal record
- C Family relationships
- D Length of residence

4 MENTAL HEALTH CONVERSION



A defendant is in a mental health court program and has been compliant with all requirements for 8 months.

Which factor most strongly favors release?

- A Mental condition and compliance
- B Nature of the offense
- C Financial resources
- D Prior criminal record

5 RISK TO THE COMMUNITY



A defendant is charged with domestic violence and there is a protection-from-abuse order.

Which factor raises the greatest concern under Rule 523?

- A Nature and circumstances of offense
- B Financial resources
- C Length of residence
- D Employment history

6 STABLE EMPLOYMENT



A defendant has steady employment for 3 years, supports two children, and has no prior record.

Which factor most strongly favors release?

- A Employment history
- B Nature of the offense
- C Maximum sentence
- D Drug or alcohol history

RULE 523 ESSENTIALS

- ✓ Assess the person, not the charge.
- ✓ Focus on **RISK** of nonappearance and community safety.
- ✓ Consider all factors—no single factor decides the case.
- ✓ Use the least restrictive release that addresses the risk.

EXAM TIP



Look for keywords in the scenario that match the factors. Choose the answer that best addresses risk, not punishment.

REMEMBER



ASSESS THE **PERSON**.
ASSESS THE **RISK**.
THEN DECIDE
THE **RELEASE**.



FAIR. LEGAL. SAFE. THAT'S THE GOAL OF **RULE 523**.





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RULE 526: BAIL BOND CONDITIONS

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THE BIG PICTURE

Rule 526 requires the MDJ to impose the same 5 mandatory conditions in every case where bail is set—no exceptions.



These conditions apply to every type of release, at every level of court.



KEY REMINDER

You cannot remove or skip any of these 5 conditions. **They are mandatory in every case.**

THE 5 MANDATORY BAIL BOND CONDITIONS (RULE 526)

1

APPEAR IN COURT

The defendant must appear at each stage of the criminal proceedings.



2

OBEY ALL COURT ORDERS

The defendant must comply with all orders issued by the court.



3

REPORT ANY CHANGE OF ADDRESS

The defendant must notify the court of any change in their address.



4

NO INTIMIDATION OR RETALIATION

The defendant must not threaten, intimidate, or retaliate against any person.



5

NO CRIMINAL ACTIVITY

The defendant must not commit any criminal offense while on release.



PRACTICE: IDENTIFY THE MANDATORY CONDITION(S) BEING TESTED

1

A defendant is released on bail with the condition that they must check in with Pretrial Services twice a month.



Which mandatory condition does this example reflect?

- A Appear in court
- B Obey all court orders
- C Report any change of address
- D No criminal activity

2

A defendant is warned that they must not contact the victim's family or they will face a violation.



Which mandatory condition is this enforcing?

- A Appear in court
- B Obey all court orders
- C No intimidation or retaliation
- D No criminal activity

3

A defendant changes apartments and is required to notify the court within 48 hours.



Which mandatory condition applies?

- A Appear in court
- B Obey all court orders
- C Report any change of address
- D No intimidation or retaliation

4

A defendant tests positive for marijuana while on release.



Which mandatory condition did the defendant violate?

- A Appear in court
- B Obey all court orders
- C Report any change of address
- D No criminal activity

5

A defendant misses a preliminary hearing without notifying the court.



Which mandatory condition did the defendant violate?

- A Appear in court
- B Obey all court orders
- C Report any change of address
- D No intimidation or retaliation

6

A defendant posts a bond and is told they must follow all court instructions.



Which mandatory condition does this represent?

- A Appear in court
- B Obey all court orders
- C Report any change of address
- D No criminal activity

EXAM TIP



The 5 conditions are automatic and always apply.

- No exceptions
- No substitutions
- No skipping

Memorize them in order!

QUICK MEMORY TRICK

Use the word: **A-O-R-R-N**

- 1 **APPEAR** in court
- 2 **OBEY** all orders
- 3 **REPORT** address changes
- 4 No **INTIMIDATION** or retaliation
- 5 No criminal activity

WHY IT MATTERS



These conditions protect:

- The court process
- The community
- The victim and witnesses
- The integrity of the release

FAIR. LEGAL. SAFE.



THE SAME 5 CONDITIONS. EVERY CASE. EVERY TIME.





BAIL REVIEW RETENTION GUIDE

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RULE 527: NONMONETARY CONDITIONS

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THE BIG PICTURE

Rule 527 allows the MDJ to impose conditions of release other than money to reasonably ensure:

- ✓ Court appearance
- ✓ Community safety



Conditions must be reasonable, necessary, and related to the risk in the case.



KEY REMINDER

Use the least restrictive condition(s) that will address the risk.
Tailor conditions to the specific facts of the case.

EXAMPLES OF NONMONETARY CONDITIONS (RULE 527)

1

REPORTING REQUIREMENTS

Require the defendant to report to a pretrial services agency or other designated person.



2

CURFEW OR HOME DETENTION

Require the defendant to remain at their residence during specified hours or at all times (home detention with appropriate monitoring).



3

NO CONTACT ORDERS

Prohibit the defendant from contacting or coming within a certain distance of specified persons.



4

TRAVEL RESTRICTIONS

Restrict or prohibit travel outside the judicial district or a defined geographic area.



5

COMMUNICATION RESTRICTIONS

Prohibit the defendant from using certain means of communication, including social media or the internet.



PRACTICE: WHICH NONMONETARY CONDITION BEST ADDRESSES THE RISK?

1



A defendant is charged with stalking their ex-partner and continuing to send threatening messages.

Which condition is most appropriate?

- A Reporting requirements
- B Curfew / home detention
- C No contact order
- D Travel restrictions

2



A defendant has a history of missing court and lives near the border.

Which condition is most appropriate?

- A Reporting requirements
- B Curfew / home detention
- C Travel restrictions
- D Communication restrictions

3



A defendant is charged with drug possession and is unemployed with no stable residence.

Which condition is most appropriate?

- A Reporting requirements
- B Curfew / home detention
- C No contact order
- D Communication restrictions

4



A defendant is charged with assaulting a neighbor after a dispute over property.

Which condition is most appropriate?

- A Reporting requirements
- B No contact order
- C Travel restrictions
- D Communication restrictions

5



A defendant has access to firearms and is charged with making terroristic threats online.

Which condition is most appropriate?

- A Reporting requirements
- B Communication restrictions
- C Curfew / home detention
- D Travel restrictions

WHEN IMPOSING CONDITIONS

Ask yourself:

- What is the specific risk?
 - Risk of nonappearance?
 - Risk to the community?
- Which condition(s) will address that risk?
- Is the condition reasonable and necessary?
- Is it the least restrictive option available?



FOCUS THE CONDITION ON THE RISK. NOT ON PUNISHMENT.

CONDITIONS MUST BE



Reasonably related to the risk in the case



Not overly broad



Not more restrictive than necessary



Clearly stated so the defendant understands



Enforceable by the court

QUICK RECALL

The 5 Nonmonetary Condition Categories:

- 1 Reporting requirements
- 2 Curfew or home detention
- 3 No contact orders
- 4 Travel restrictions
- 5 Communication restrictions



Tailor the condition. Address the risk. Protect the community.

EXAM TIP



Look for facts that show **RISK**. Match the condition that best addresses that risk.

REMEMBER



Nonmonetary conditions are powerful tools. Use them wisely and fairly.

WHY IT MATTERS



The right condition keeps people safe, helps defendants succeed, and promotes public confidence in the justice system.



RIGHT CONDITION. RIGHT REASON. RIGHT DECISION.





BAIL REVIEW QUESTIONS & ANSWERS

RULE 523: RELEASE CRITERIA



The MDJ's job is to assess RISK before deciding HOW to release.

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25 THE YOUNG FIRST OFFENDER



A defendant, age 19, is charged with Disorderly Conduct. No prior record, attends college, lives with parents, and has never failed to appear.

Which factor most strongly favors release?

- A** Nature of offense
- B** Community ties
- C** Financial resources
- D** Maximum sentence

26 THE PRIOR CONVICTIONS



A defendant has several prior convictions for similar offenses but has strong family support.

Which Rule 523 factor should increase the MDJ's level of concern?

- A** Family relationships
- B** Criminal record
- C** Employment history
- D** Financial resources

27 THE CASH ON HAND



A defendant has substantial cash savings and access to transportation out of state.

Which concern does this situation create under Rule 523?

- A** Risk of nonappearance
- B** Nature of offense
- C** Community ties
- D** Mental condition

28 THE SUPPORTIVE EMPLOYER

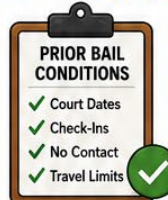


A defendant has stable full-time employment and an employer who states they will continue support during court proceedings.

Which factor favors release?

- A** Employment history
- B** Financial resources
- C** Nature of offense
- D** Maximum sentence

29 THE PRIOR BAIL CONDITIONS



A defendant previously completed all bail conditions in two prior cases.

Which factor favors release?

- A** Prior performance while on bail
- B** Nature of offense
- C** Criminal record
- D** Length of residence

30 THE COMMUNITY VOLUNTEER



A defendant is active in the community, volunteers regularly, and has strong community standing.

Which factor favors release?

- A** Community ties
- B** Financial resources
- C** Nature of offense
- D** Mental condition

EXAM TRAP ALERT!

Rule 523 is about:

- ✓ APPEARANCE
- ✓ COMPLIANCE
- ✓ COMMUNITY SAFETY

NOT about:

- ✗ GUILT or INNOCENCE
- ✗ PUNISHMENT
- ✗ CONVICTION
- ✗ POTENTIAL SENTENCE

RULE 523 CHECKLIST

The MDJ may consider:

- Ties to family, community, & employment
- Prior performance while on bail
- Criminal record
- Mental condition
- Drug or alcohol history
- Safety of the community

KEY REMINDER

ASSESS THE RISK.
THEN DECIDE THE RELEASE.



Rule 523 is your guide.
Use it to protect the community
and ensure court appearance.



ASSESS THE PERSON. ASSESS THE RISK. THEN DECIDE THE RELEASE.

Answers in the Final Answer Key.





BAIL REVIEW RETENTION GUIDE

MASTER THE RULES. MAKE THE RIGHT DECISION.



RULE 529: MODIFICATION OF BAIL

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THE BIG PICTURE

Rule 529 gives the MDJ the authority to modify previously imposed bail conditions when justified.

Bail decisions are not set in stone.

They must remain fair and appropriate as circumstances change.



KEY REMINDER



The MDJ must always base the decision on the same principles as Rule 523:

- ✓ Risk of nonappearance
 - ✓ Danger to the community
- Use the least restrictive conditions that work.

WHEN CAN THE MDJ MODIFY BAIL? (RULE 529)

1

ON THE COURT'S OWN MOTION

The MDJ may initiate a modification if new information shows the current conditions are no longer appropriate.



2

ON MOTION BY ANY PARTY

The defendant, ADA, or Pretrial Services may request modification of bail conditions.



3

WHEN CIRCUMSTANCES CHANGE

New facts, compliance with conditions, or changes in risk may justify modifying the release.



4

TO MAKE CONDITIONS LESS RESTRICTIVE OR MORE RESTRICTIVE

The court may increase or reduce conditions based on the current risk.



5

MODIFICATION DOES NOT RESTART THE CASE

All prior conditions remain in effect until modified by the court.



PRACTICE: SHOULD THE MDJ MODIFY BAIL?

1

A defendant was released on nonmonetary bail with a curfew. They have complied with all conditions for 4 months and now have stable employment.



Should the MDJ modify bail?

- A Increase the curfew
- B Leave conditions unchanged
- C Reduce or remove the curfew
- D Convert to monetary bail

2

A defendant released on ROR is arrested on a new charge while on release.



Should the MDJ modify bail?

- A Reduce conditions
- B Leave conditions unchanged
- C Increase conditions
- D Remove all conditions

3

A defendant on monetary bail receives a promotion, increasing their income. They request a reduction in the amount required.



Should the MDJ modify bail?

- A Deny the request
- B Lower the amount of bail
- C Increase the amount of bail
- D Convert to ROR

4

New information shows the defendant has ties to another state and seeks to travel abroad.



Should the MDJ modify bail?

- A Remove travel restrictions
- B Add or increase conditions
- C Leave conditions unchanged
- D Reduce bond amount

5

A defendant successfully completes a drug treatment program while on release.



Should the MDJ modify bail?

- A Increase reporting
- B Leave everything the same
- C Reduce reporting requirements
- D Impose monetary bail

6

The ADA presents new evidence showing a higher risk of nonappearance.



Should the MDJ modify bail?

- A Lower the bond
- B Increase or add conditions
- C Remove all conditions
- D Dismiss the case

MDJ AUTHORITY LIMITS

The MDJ's authority to modify ends when:

- The case is bound over to the Court of Common Pleas, or
- The MDJ no longer has jurisdiction.



MODIFICATION OPTIONS

- ✓ Remove conditions
- ✓ Reduce restrictions
- ✓ Add new conditions
- ✓ Increase restrictions
- ✓ Increase monetary bail
- ✓ Convert to another type of release



EXAM TIP



Think: "Has the risk increased or decreased?" Then decide how to modify.

REMEMBER



Bail is dynamic. Evaluate. Reassess. Modify. Keep it **FAIR**.



CHANGE THE CONDITIONS. NOT THE PRINCIPLES.
Risk drives the decision — every time.





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MASTER THE RULES. MAKE THE RIGHT DECISION.



RULE 536: VIOLATIONS OF RELEASE CONDITIONS

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THE BIG PICTURE

Rule 536 explains what happens when a defendant violates a condition of release.

The MDJ must protect:

- ✓ The court process
- ✓ The community
- ✓ The integrity of the release



A violation may result in a warrant, arrest, bail revocation, and/or forfeiture of bond.



KEY REMINDER

- ✓ Not every allegation results in revocation.
- ✓ The defendant is entitled to notice and a hearing.
- ✓ The MDJ must follow due process.

WHAT HAPPENS WHEN A CONDITION IS VIOLATED? (RULE 536)

1

ALLEGED VIOLATION

A law enforcement officer, court, or another authorized person reports that the defendant violated a condition of release.



2

WARRANT MAY BE ISSUED

The MDJ may issue a warrant for the defendant's arrest for the alleged violation.



3

ARREST AND DETENTION

The defendant is arrested and brought before the MDJ without unnecessary delay.



4

REVOCATION HEARING

The MDJ holds a hearing to determine whether a violation occurred and whether release should be revoked, modified, or continued.



5

POSSIBLE OUTCOMES

The MDJ may continue, modify, or revoke the release. The court may also order bail forfeiture.



PRACTICE: WHAT IS THE MOST APPROPRIATE ACTION? (RULE 536)

1

A defendant on release fails to report to Pretrial Services as required. Pretrial Services files a written report of the violation.

What should the MDJ do first?

- A Issue a warrant for arrest
- B Set a new trial date
- C Hold a revocation hearing
- D Dismiss the case



2

A defendant on nonmonetary release is arrested for a new offense while on release.

What should the MDJ do?

- A Immediately revoke release without a hearing
- B Hold a hearing to determine if a violation occurred
- C Increase the bond amount
- D Allow the defendant to remain on release



3

At the hearing, the defendant admits that he violated the no contact order by contacting the victim.

What should the MDJ do?

- A Dismiss the violation
- B Continue the same release conditions
- C Modify or revoke the release as appropriate
- D Return the case to the prosecutor



4

The MDJ finds that the defendant willfully failed to appear for a scheduled court date.

What action is most appropriate?

- A Issue a bench warrant
- B Reduce the bond amount
- C Dismiss the charges
- D Increase reporting requirements



5

A bondsman requests that bail be forfeited because the defendant absconded.

What should the MDJ do?

- A Immediately forfeit the bail
- B Hold a hearing to determine if forfeiture is appropriate
- C Reduce the bond amount
- D Release the bondsman from liability



6

The defendant violated curfew but has since complied with all conditions for 2 months.

What is the most appropriate action?

- A Revoke release
- B Continue release with no changes
- C Modify conditions to address the violation
- D Issue a bench warrant



DUE PROCESS MATTERS

- Notice of the alleged violation
- Opportunity to be heard
- Right to present evidence
- Written or oral findings

Fairness = Justice

POSSIBLE OUTCOMES

- ✓ Continue release
- ✓ Modify conditions
- ✗ Revoke release
- ✶ Forfeit bail (if applicable)

FORFEITURE MAY OCCUR WHEN:

- The defendant fails to appear
- The defendant absconds
- The defendant violates a condition of release
- The court finds forfeiture is justified



WHY IT MATTERS



Enforcing release conditions protects the community, ensures court appearance, and maintains respect for the law.



FAIR PROCESS. SMART DECISIONS. SAFE COMMUNITY.
Follow Rule 536. Do It Right.





BAIL REVIEW RETENTION GUIDE

MASTER THE RULES. MAKE THE RIGHT DECISION.



RULE 536: VIOLATIONS OF RELEASE CONDITIONS (CONTINUED)

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THE BIG PICTURE

Rule 536 ensures that release conditions have meaning and consequences.

The goal is not punishment—it is **accountability**.

Every action must be:

- ✓ Authorized by law
- ✓ Based on facts
- ✓ Handled with due process



Effective enforcement protects the community and supports the court process.



KEY REMINDER

- ✓ Respond to violations promptly.
- ✓ Follow the steps—don't skip any.
- ✓ Document everything.
- ✓ When in doubt, protect due process.

BAIL FORFEITURE (PART OF RULE 536)

Forfeiture may occur when the defendant fails to appear or violates conditions.

1

WHEN FORFEITURE MAY OCCUR

When the defendant fails to appear as required or violates a condition of release.



2

NOTICE TO BONDSMAN

The MDJ must issue written notice to the bondsman or surety and provide an opportunity to respond.



3

HEARING

A hearing is held to determine if the forfeiture should be ordered, reduced, or set aside.



4

POSSIBLE OUTCOMES

- Order full forfeiture
- Order partial forfeiture
- Set aside the forfeiture



5

REINSTATEMENT

Forfeiture may be set aside if good cause is shown, including the defendant's arrest and return.



PRACTICE: CHOOSE THE BEST ANSWER BASED ON RULE 536

1

A defendant on release fails to appear at a scheduled court hearing. What should the MDJ do first?

- A Declare the bond forfeited
- B Issue a warrant for the defendant's arrest
- C Increase the bond amount
- D Dismiss the case



2

A defendant is arrested for a new offense while on release. What is the MDJ's next step?

- A Set a new trial date
- B Continue the same release conditions
- C Hold a hearing to determine if release should be modified or revoked
- D Immediately forfeit the bond



3

A bondsman is notified of a forfeiture. What must happen before forfeiture is final?

- A The bondsman must pay the full bond
- B A hearing must be held
- C The defendant must plead guilty
- D The prosecutor must approve



4

At the revocation hearing, the MDJ finds that the defendant violated a no contact order. What is the most appropriate outcome?

- A Dismiss the violation
- B Continue release with no changes
- C Revoke release
- D Increase the bond amount only



5

A defendant on release absconds and cannot be located. What can the MDJ do to address this?

- A Cancel the bond
- B Issue a bench warrant for arrest
- C Lower the bond amount
- D Release the bondsman from liability



6

After a hearing, the MDJ determines forfeiture is appropriate but decides not to take the full amount. What can the MDJ do?

- A Set aside the forfeiture completely
- B Order partial forfeiture
- C Increase the bond amount
- D Dismiss the case



DUE PROCESS IS REQUIRED

- ✓ Notice of the alleged violation
- ✓ Opportunity to be heard
- ✓ Right to present evidence
- ✓ Impartial decision
- ✓ Written or oral findings



No shortcuts. Fairness builds trust.

COMMON VIOLATIONS

- Failing to appear in court
- New criminal charges
- Failing to report as required
- Violating curfew or travel limits
- Contacting prohibited persons
- Using illegal drugs or alcohol
- Failing to notify address change

MDJ ACTION CHECKLIST

- ✓ Confirm the violation
- ✓ Give notice
- ✓ Schedule hearing
- ✓ Hear both sides
- ✓ Make findings
- ✓ Choose the appropriate outcome
- D Document the decision

REMEMBER

- ✓ Enforce the rules.
- ✓ Protect the community.
- ✓ Uphold the integrity of the court.
- ✓ Make fair, informed, and lawful decisions.



CONSISTENT ENFORCEMENT. DUE PROCESS. PUBLIC SAFETY.
That's the purpose of Rule 536.





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ANSWER KEY Pages 1–8 (Questions 1–48)

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RULE 523

RELEASE CRITERIA



Q	Ans
1	B
2	B
3	B
4	A
5	B
6	A

RULE 524

TYPES OF RELEASE



Q	Ans
7	D
8	B
9	D
10	B
11	D
12	C

RULE 526

BAIL BOND CONDITIONS



Q	Ans
13	B
14	C
15	C
16	D
17	A
18	B

RULE 527

NONMONETARY CONDITIONS



Q	Ans
19	C
20	C
21	A
22	B
23	B
24	B

RULE 528

MONETARY CONDITIONS



Q	Ans
25	D
26	A
27	B
28	C
29	D
30	D

RULE 529

MODIFICATION OF BAIL



Q	Ans
31	C
32	C
33	B
34	B
35	B
36	B

RULE 536

VIOLATIONS OF RELEASE CONDITIONS



Q	Ans
37	C
38	B
39	C
40	A
41	B
42	C

RULE 536

FORFEITURE & ENFORCEMENT



Q	Ans
43	B
44	C
45	B
46	C
47	B
48	B

FINAL EXAM REMINDERS

RULE 523	Assess the Person → Assess the Risk
RULE 524	Use the Least Restrictive Release
RULE 526	5 Conditions Apply in Every Case
RULE 527	Match the Condition to the Risk
RULE 528	Money Bail Is Not Automatic
RULE 529	MDJ Authority Ends After Bind Over
RULE 536	Violation → Due Process → Appropriate Remedy

QUICK RECALL

523	= WHO?	(Release Criteria)
524	= HOW?	(Types of Release)
526	= ALWAYS	(Mandatory Conditions)
527	= CONDITIONS	(Nonmonetary)
528	= MONEY	(Monetary Bail)
529	= CHANGE	(Modification)
536	= VIOLATION	(Revocation / Forfeiture)



Know the Rules. Apply the Principles. Protect the Community.



Be Fair. Be Informed. Make the Right Decision.



JUSTICE • ACCOUNTABILITY • DUE PROCESS • PUBLIC SAFETY

