

Bond Review Hearing Checklist

If a payer is arrested under a bench warrant in Michigan, the payer must remain in custody until there is a hearing OR the payer posts an adequate cash performance bond as specified in the bench warrant. [MCL 552.631\(3\)](#); [MCL 552.632\(1\)](#). The hearing on the merits of the bench warrant must be held within 21 days of the arrest OR within 48 hours (excluding weekends and holidays) if the payer cannot post the cash performance bond in the amount stated in the bench warrant.¹ See [MCL 552.632\(1\)](#); [MCR 3.221\(B\)](#).

If a payer did NOT post bond and the hearing on the merits of the bench warrant cannot be heard within 21 days of the date of the arrest, the court MUST without unnecessary delay hold a bond review hearing. [MCR 3.221\(C\)](#).

Procedures to follow for a bond review hearing:

- ☐ Ensure that the bond review hearing is held in the circuit court specified in the warrant.² [MCR 3.221\(D\)](#).
- ☐ Advise the payer of the purpose of the hearing on the merits and make a determination of what form of prehearing release is appropriate. [MCR 3.221\(E\)](#).
- ☐ Make a verbatim record of the bond review hearing. [MCR 3.221\(E\)](#).
- ☐ Pending the hearing on the merits of the bench warrant, release the payer on condition that the payer will appear for the hearing. For a checklist on issuing a conditional release, see the

¹ For a checklist on a hearing on the merits of the bench warrant, see the Michigan Judicial Institute's [Hearing on the Merits of the Bench Warrant Checklist](#).

² If the payer is arrested in a circuit other than the one specified in the warrant and promptly transporting the payer to the court specified in the warrant cannot be arranged, the bond review hearing must be held in the jurisdiction in which the payer is being held. [MCR 3.221\(D\)](#).

Michigan Judicial Institute's *Conditional Release Pending Bench Warrant Hearing Checklist*.

For court forms related to domestic relations actions, see the One Court of Justice [website](#).

For additional domestic relations resources, see the Friend of the Court Bureau [website](#).