

GOOD BEHAVIOR WARRANTS (TO KEEP THE PEACE)

The Issuance of a good behavior warrant requires sworn testimony against a person in the county whose conduct justifies the belief that the safety, peace or property of another person in the county is in danger of being injured or disturbed. *This language is equated with probable cause that a crime has been committed or is imminently threatened, and that a degree of violence or threatened violence is required. A bond or bonds may be posted with conditions, and may be mutual (applied to both parties to a dispute). The duration of a Good Behavior Bond is for a term of up to 6 months, and may be extendable in increments of 60 days following another court hearing.*

FILING PROCEDURES

An applicant filing a Good Behavior Warrant will need to personally come into the Magistrate office (145 L CARY BITTICK DR – FORSYTH GA) to fill out an application. The applicant must have the respondent's (defendant's) physical address **and** an incident report from law enforcement.

HEARING

After the applicant has applied for the Good Behavior Warrant, a hearing notice will be mailed to the applicant; the respondent will be served personally. At the hearing the applicant will have to prove to the judge that the respondent has endangered their well-being. The respondent will have a chance to defend themselves from the allegations that have been brought against them.

Some of the typical situations where Good Behavior Bonds are used, include: where a crime has or may have occurred, but the victim is reluctant to pursue criminal prosecution; where probable cause exists for cross-warrants against both parties; where the seriousness of the criminal conduct does not yet warrant prosecution, but some action is needed to prevent further escalation such as harassment or harassing phone calls; or where physical or verbal contact of an insulting and provoking nature has taken place.

Possible Conditions to Bond

In addition to a monetary bond, conditions may be placed on one or both parties, such as (a) No physical or verbal contact between parties; (2) A party or parties may be prohibited from approaching within 300 feet of the residence, job, school, or other place frequented by the other party; (3) A party or parties may be forbidden to enter or remain in the place of employment of the other party; (4) A party or parties may be prohibited from initiating any telephonic or electronic transmission directed to the residence, cell phone or place of employment (i.e. texting, emails, Facebook, etc.) or other party; or (5) Prohibition from intentionally following the other party or committing any act which would constitute stalking; or (6) prohibition from causing any of the above conditions to be violated through a third party. The conditions of a Good Behavior Bond are often assessed not only against the respondent, but also against the applicant where there exists probable cause to do so .

Good Behavior Bonds duration, extension, and/ or accusations of a Violation of a Good Behavior Bond. A Good Behavior Bond may be placed on a party or parties for up to 6 months; and is extendable in 60 day increments if the need is proven at subsequent hearings. The party alleging a violation of a good behavior bond must come into the Magistrate Clerks' office and fill out a complaint. The result of a violation of a Good Behavior Bond is a Contempt of Court charge. A hearing will be scheduled for a Judge to determine whether any condition of the Good Behavior Bond was violated. Sentencing is limited to up to 10 days in jail, and/or a \$200 fine. A contempt action does not terminate the bond.