

Chapter 3

Probable Cause Hearings

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G.S. 15A-606 and G.S. 15A-611 through G.S.15A-615 grant the defendant the right to a probable cause hearing (formerly called a preliminary hearing). Some judicial districts still hold probable cause hearings; many others do not. A probable cause hearing can have meaningful benefits for a criminal defendant. *See generally* Alyson Grine, [No Probable Cause?](#), N.C. CRIM. L., UNC SCH. OF GOV'T BLOG (Apr. 23, 2009) (discussing why probable cause is important stage of case and why many districts may not hold probable cause hearings). Whether or not a hearing takes place, however, counsel may gain some benefit from the probable cause stage of the case.

This chapter addresses probable cause hearings in adult prosecutions for criminal offenses. It does not discuss probable cause hearings in probation violation proceedings (*see* G.S. 15A-1345(c)), in post-release supervision violation proceedings (*see* G.S. 15A-1368.6), or in juvenile proceedings (*see* G.S. 7B-2202). *See also* NORTH CAROLINA JUVENILE DEFENDER MANUAL Ch. 9, Probable Cause and Transfer Hearings (UNC School of Government, 2017). For information on probable cause in the context of motions to suppress, *see infra* Ch. 14, Suppression Motions (2d ed. 2013).