

**GUIDELINES FOR THE ADMINISTRATION OF BAIL AND BONDS IN  
THE SIXTH JUDICIAL DISTRICT IN AND FOR BANNOCK COUNTY**



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- **The criminal history check reveals:**
  - any felony crime for which the applicant or the applicant's proposed insurance company has been convicted, pled guilty, received a withheld judgment, or otherwise sentenced.
  - Any misdemeanor crime involving theft, fraud, or any other crime of dishonesty for which the applicant or the applicant's proposed insurance company has been convicted, pled guilty, received a withheld judgment, or otherwise sentenced within the last the (10) years.
  - Any other misdemeanor crime for which the applicant or the applicant's proposed insurance company has been convicted, pled guilty, received a withheld judgment, or otherwise sentenced within the last five (5) years.
  - Three or more misdemeanor crimes for which the applicant or the applicant's proposed insurance company has been convicted, pled guilty, received a withheld judgment, or otherwise sentenced within the last five (5) years.
  - Any combination of three or more of the following in which the applicant has been convicted, pled guilty, received a withheld judgment, or otherwise sentenced: Failure to appear, contempt of court, or probation violation within the last five (5) years.
- The applicant failed to disclose information as requested on the Application form.
- The applicant or the applicant's insurance company is not licensed by the Department of Insurance of the State of Idaho.
- The applicant has four or more prior violations of these Guidelines and/or previous Sixth Judicial District policies or guidelines for bail agents which have not been excused by the Administrative District Judge following a hearing.
- The applicant is currently employed by the state or county in a court-related position.
- The applicant was denied the ability to offer bail bonds for acceptance or was removed from the list of authorized bail agents in another jurisdiction.
- The application processing reveals the applicant has previously had a license suspension or revocation imposed by the department of insurance of any state of the United States.
- The applicant or his/her insurance company has previously failed to have paid a forfeited bond.
- The applicant is related by blood, marriage or adoption to a Sixth District judge.
- Financial insolvency of the applicant or his/her insurance company.
- The applicant has not satisfied all obligations incurred while working with another bail agency.

### DISCLOSURE OF INFORMATION

Documents that are filed with the Clerk of the Court are open to the public and may be viewed during normal business hours. However, the Trial Court Administrator's Office will not disclose the contents of a bail agent's Application or discuss the specifics of the Application with any person other than the bail agent, his/her supervising agent, the insurance company acting as surety on bonds offered by the bail agent and the insurance company's legal representative, the prosecuting attorney, the bail agent's legal representative, the Department of Insurance or any other person who has the written authorization of the bail agent.

If an applicant is disqualified, the Trial Court Administrator's Office will so notify the applicant in writing. If the applicant disagrees with the disqualification, he or she may, within thirty (30) days of the date of the disqualification determination notice, file a petition with the Clerk of the Court requesting a hearing before the Sixth district Administrative District Judge to show why the applicant should be allowed to offer for acceptance bail bonds in the district.

If an applicant is deemed to be qualified, the Trial Court Administrator's Office will notify the applicant in writing that his or her name has been added to the list of authorized bail agents.

### COPIES OF COMPLETED APPLICATIONS

Upon written request signed by the applicant, copies of a completed Application will be provided only to the applicant at a cost of \$1.00 per page or will be faxed to fax telephone number as provided by the applicant.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO

BAIL INFORMATION

If bail is required in a criminal matter, it can be posted in three ways:

- 1) Cash
- 2) Bail Bond
- 3) Property Bond

- 1) For cash bail, the amount posted must be equal to the bail established. It can be posted in person by the defendant or by someone else on the defendant's behalf. If the cash bond remains on deposit at the time the defendant is sentenced, and the sentence requires the payment of a fine and costs, then the clerk must, under the direction of the court, apply the money to satisfy the fine and costs. After satisfying the fines and costs, the court will refund the surplus, if any, to the person who posts the cash bond. If no fine nor cost is levied, the entire bond is refunded to the posting party, I.C. 19-2923.

ANY MONIES POSTED BY ANYONE ON BEHALF OF THE DEFENDANT WHICH REMAINS AT THE TIME OF THE SENTENCING MUST BE USED TO SATISFY A JUDGMENT IF FINE AND COSTS ARE A PART OF THAT JUDGMENT, I.C. 19-2923.

- 2) Bail bond is obtained from a commercial bondsman. For money paid by the defendant to the bondsman, the bondsman will guarantee the defendant's appearance in Court. If the defendant fails to appear as ordered, the bond is forfeited and the bondsman may be required to pay the sum of money which was set by the Court as bail. If the bondsman is required to pay money to the court for the bail, the bondsman has recourse against the defendant for recovery of whatever loss he has suffered. The bail bondsman generally has the right at any time to revoke the bond by surrendering the defendant to the custody of the sheriff and by making application to the Court for release of the bond. The money used to purchase a bail bond is not refunded to the party purchasing the bail bond.
- 3) Idaho Code 19-21801 et seq authorizes the posting of a property bond to insure the appearance in Court of a defendant in a criminal proceeding. The property bond must be backed by real property and prepared in a manner specified by the statutes.

THE SERVICES OF A LAWYER MAY BE REQUIRED TO ASSIST IN MEETING COURT REQUIREMENTS RELATING TO A PROPERTY BOND. THE PROPERTY BOND CAN BE POSTED BY PERSONS OTHER THAN THE DEFENDANT, BUT THE PERSONS POSTING THE PROPERTY BOND SHOULD UNDERSTAND THAT IN THE EVENT THE DEFENDANT'S BAIL IS FORFEITED BY THE COURT, THEY MAY LOSE THEIR PROPERTY.

Idaho Code 19-2927, provides that if the defendant, without sufficient excuse, fails to appear for a court proceeding, bond or bail must be declared forfeited. Idaho Code 19-2929 provides that if a forfeiture is not set aside within 180 days from the date of the forfeiture, the clerk must collect and deposit the bail monies with the County Treasurer.

**NO BAIL FORFEITURE CAN BE SET ASIDE AFTER ONE HUNDRED EIGHTY (180) DAYS**

## **SECTION I. REVOCATION OF BONDS**

A Bond Agent has the legal right to revoke a bond prior to forfeiture in accordance with Idaho Code 19-2924.

Before a bond will be considered by the Court to be revoked, there shall be filed with the Court a properly executed "Certificate of Surrender". It is the responsibility of the bail to deliver to the officer in whose custody he was committed at the time of giving bail or the county sheriff where the action is pending, the "Certificate of Surrender" who will attach thereto his signature, the month, day, year and time of day as evidence of surrender and detain the defendant in his custody thereon as upon a commitment. Once the "Certificate of Surrender" is executed by the bail, the receiving officer shall, the next judicial day, file with the court in which the action or appeal is pending, the "Certificate of Surrender" and shall deliver a copy of the same to the county prosecuting attorney.

All "Certificates of Surrender" submitted by a Bond Agent pursuant to a bond revocation shall indicate that the purpose of surrendering custody of the defendant is to revoke the bond prior to the notice of forfeiture.

In addition to the "Certificate of Surrender", the Bond Agent shall file with the Court, a "Motion" and "Order" for "Exoneration of Bond Agent From Liability Prior to Notice of Forfeiture". The bond is not exonerated until the "Order for Exoneration of Bond Agent from Liability Prior to Notice of Forfeiture" is signed by the Court.



IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO,  Plaintiff,  vs.  Defendant.  _____	) ) ) ) ) ) ) ) ) )	Case No. _____  MOTION FOR EXONERATION OF BOND AGENT FROM LIABILITY <u>PRIOR</u> TO NOTICE OF BOND FORFEITURE
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PURSUANT TO I.C. 19-2924, the Bond Agent requests that he/she be exonerated from liability of the bond in this matter for the following reason(s):

\_\_\_\_\_

\_\_\_\_\_ , and

This bond has not been forfeited by any Court and the defendant has been remanded to the custody of the Sheriff of the County of \_\_\_\_\_, and the original "Certificate of Surrender" has been filed with the Court.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of Bond Agent

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.# : \_\_\_\_\_  
Charge : \_\_\_\_\_

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
 ) Case No. \_\_\_\_\_  
 )  
 ) Plaintiff, )  
 vs. ) ORDER OF EXONERATION OF  
 ) BOND AGENT FROM LIABILITY  
 ) PRIOR TO NOTICE OF BOND FORFEITURE  
 )  
 ) Defendant. )  
 \_\_\_\_\_ )

The Bond Agent of the above-named defendant has filed a motion with this court requesting an Order exonerating him/her from liability on the bond, along with a properly executed "Certificate of Surrender".

IT IS ORDERED that the Bond Agent and surety are exonerated and discharged from all further liability in this matter, and that the defendant shall be held in custody by the Sheriff of \_\_\_\_\_ County.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.# : \_\_\_\_\_  
Charge : \_\_\_\_\_

## **SECTION II. FORFEITURE NOTICES**

The Notice of Forfeiture is the only notice sent to the Bond Agent or to the posting party of a cash bond. No subsequent billings will be sent out.

The Bond Agent or the posting party will have one hundred eighty (180) calendar days from the date of the Notice of Forfeiture to pay to the Clerk of the Court the full amount of the bond or to produce the defendant or to file acceptable written documentation to excuse payment of the forfeiture. A defendant will not be considered to be produced before the Court until a properly executed "Certificate of Surrender" is filed with the Court from the officer in whose custody the defendant was committed or the County Sheriff where the action is pending. The document cannot be executed until the actual physical custody of the defendant has been remanded to that office.

All "Certificates of Surrender" submitted by a Bond Agent or the posting party after a Notice of Forfeiture shall include a statement indicating that the purpose of surrendering custody of the defendant is because the posted bond was notified as forfeited by the Court.

The receiving officer (Sheriff or Custodial Agency) shall file the Certificate of Surrender with the Court by the next judicial day and shall also deliver a copy of the Certificate to the prosecuting attorney.

If within 180 calendar days from the date of the Notice of Forfeiture, the defendant is arrested and detained by the State of Idaho or one of its cities or counties and arrest or detainment prevents the Bond Agent from taking custody of the defendant within the 180-day time period, the Bond Agent may file with the Court written documentation from the custodial agency which confirms the custody and that the custody will continue for the duration of the 180-day time period and request an extension.

When the defendant is returned to the custody of the county Sheriff's Office as set forth above, in addition to filing the "Certificate of Surrender" with its accompanying documentation, the Bond Agent must also file with the Court a "Motion" and "Order" to "Exonerate Bond Agent From Liability After Notice of Forfeiture". If the "Certificate of Surrender" is timely and duly executed, and if the requirements of Section II of these Guidelines have been satisfied, the Court Clerk shall be authorized and directed to secure the signature of the presiding Judge on the Order and then return to the Bond Agent a copy of the Order and a "Certificate of Discharge".

**NOTICE OF BOND FORFEITURE - ISTARS FORFEITURE NOTICE MAY BE USED IN LIEU OF INCLUDED NOTICE OF BOND FORFEITURE**

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
)  
)  
Plaintiff, )  
vs. )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. \_\_\_\_\_

NOTICE OF BOND FORFEITURE

TO: \_\_\_\_\_ Bonds & Fines  
\_\_\_\_\_ Bail bond Agency: \_\_\_\_\_

\_\_\_\_\_  
Posting Party's Name and Posting Party's Address

YOU ARE NOTIFIED that the bond for the above-named defendant, for which you are the obligor, is declared forfeited by order of this court pursuant to Idaho Code 19-2927, the defendant having failed to appear for:

- |                        |                            |
|------------------------|----------------------------|
| _____ Arraignment      | _____ Pre Trial Conference |
| _____ Preliminary Hrg. | _____ Trial                |
| _____ Sentencing       | _____ Order of the Court   |

scheduled for \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock.

If, within one hundred eighty (180) days from this Order, you bring a properly executed "Certificate of Surrender", the Court shall direct that the forfeiture of the undertaking or deposit be discharged. NO EXTENSIONS OF THE (180) DAY TIME PERIOD WILL BE ALLOWED EXCEPT UPON PROPER APPLICATION AND ORDER OF THE COURT.

\_\_\_\_\_  
JUDGE

Received \_\_\_\_\_  
Bond Agent Date

cc: Custodial Agency

NOTICE OF BOND FORFEITURE - Page 1

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Notice was mailed, postage prepaid, to the above-named posting party or Bond Agent at the address of record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Court Clerk

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty# : \_\_\_\_\_  
Charge : \_\_\_\_\_

NOTICE OF BOND FORFEITURE - Page 2

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
 )  
 Plaintiff, ) Case No. \_\_\_\_\_  
 )  
 vs. )  
 ) CERTIFICATE OF SURRENDER  
 )  
 Defendant. )  
 \_\_\_\_\_ )

The Bond Agent herewith delivers to the Sheriff or Custodial Agency the defendant by reason of:

\_\_\_\_\_ Bond Revoked by Bond Agent Prior to Notice of Bond Forfeiture

\_\_\_\_\_ Notice of Bond Forfeiture filed by the Court

\_\_\_\_\_  
Bond Agent Date

\_\_\_\_\_  
Bond Agent Address

The undersigned Deputy Sheriff of the County of \_\_\_\_\_ certifies that the above-named defendant was surrendered to me by \_\_\_\_\_, his/her Bond Agent, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ AM/PM and is now in my custody.

\_\_\_\_\_  
Deputy Sheriff #

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.#: \_\_\_\_\_  
Charge: : \_\_\_\_\_

cc: Prosecuting Attorney

CERTIFICATE OF SURRENDER

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
)  
Plaintiff, ) Case No. \_\_\_\_\_  
vs. )  
)  
) MOTION FOR EXONERATION OF  
) BOND AGENT FROM LIABILITY  
Defendant. ) AFTER NOTICE OF BOND FORFEITURE  
\_\_\_\_\_ )

THE UNDERSIGNED BOND AGENT REPRESENTS TO THE COURT:

1. A notification for bond forfeiture was filed by the courts and;
2. The defendant has been surrendered to the Sheriff of the County of \_\_\_\_\_, and
3. The Sheriff has signed a "Certificate of Surrender", and
4. All this has been done within the time period allowed by law.

MOTION IS MADE for exoneration of the Bond Agent from liability of the bond posted in this case.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Bond Agent



APPROVAL OF THE COURT

Having reviewed the file in this matter, and the Court having filed the 'Certificate of Surrender,' it is my determination that all requirements of the Court's Guidelines For the Administration of Bonds in the Sixth Judicial District have been timely complied with.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
By the Trial Court Administrator or by Court  
Sixth Judicial District

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.# : \_\_\_\_\_  
Charge : \_\_\_\_\_

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Case No. \_\_\_\_\_

ORDER OF EXONERATION OF  
BOND AGENT FROM LIABILITY  
AFTER NOTICE OF BOND FORFEITURE

UPON MOTION of the Bond Agent, the filing of the Certificate of Surrender and upon approval of the Trial Court Administrator, it is hereby ordered that the Bond Agent is exonerated from liability of the bond posted in this case.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.# : \_\_\_\_\_  
Charge : \_\_\_\_\_

### SECTION III. EXTENSIONS

No extensions for enforcement of forfeitures will be authorized by any person except as follows:

a. Incarceration of the Defendant in Another Jurisdiction

If the defendant was incarcerated under another state or Federal jurisdiction at the time he/she was required to appear in court in this District, or within the 180-day period after forfeiture, the Bond Agent must file with the Court, within the 180-day time period, a written document signed by an authorized person of the incarcerating facility stating the name of the defendant, the date of defendant's arrest, the reason for arrest, the status of the defendant's case in that jurisdiction, and the expected date of release, along with a "Request for Extension of Time After Notice of Bond Forfeiture". The Court will have discretion to authorize or deny an extension.

b. Physical Incapacitation of the Defendant

If, after Notice of Forfeiture, the Bond Agent has located the defendant but is unable to secure physical custody thereof due to the defendant being incapacitated, the Bond Agent will be responsible to file with the Court, within the 180-day time period, appropriate written documentation from the medical institution or supervising physician stating the exact street location of the defendant, why the defendant cannot be moved, date the incapacitation occurred, reason for incapacitation, and expected date of release, along with a "Request for Extension of Time After Notice of Bond Forfeiture". If the incapacitation occurred before the 180-day time period expired, the Court will have discretion to authorize an extension.

If a Bond Agent requests an extension, he must submit to the Court, with the 180-day time period, the written documentation, and a "Request for Extension of Time After Notice of Bond Forfeiture". **ANY "REQUESTS FOR EXTENSIONS" FILED AFTER THE 180-DAY TIME PERIOD HAS LAPSED WILL NOT BE CONSIDERED BY THE COURT. THERE SHALL BE NO GROUNDS FOR EXTENSIONS OTHER THAN THOSE LISTED IN THESE GUIDELINES.**

All extensions authorized by the Court shall be on a uniform form entitled "Authorization/Denial Of Request For Extension of Time After Notice of Bond Forfeiture". In granting extensions, the Court shall have the right to place any conditions on the extension.

If granted, the "Authorization/Denial Of Request For Extension After Notice of Bond Forfeiture" shall be filed with the Court. If the body is not returned by the last day of the extended period, the Bond Agent will pay the full amount of the bond.

If denied, the Court shall make the proper notation on the form and file a copy with the Court and return a copy to the Bond Agent.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
 )  
 Plaintiff, ) Case No. \_\_\_\_\_  
 vs. )  
 ) REQUEST FOR EXTENSION OF TIME  
 ) AFTER NOTICE OF BOND FORFEITURE  
 Defendant. )  
 \_\_\_\_\_ )

THE UNDERSIGNED Bond Agent requests an Extension after Notice of Bond Forfeiture until the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the request is granted, this extension shall expire at 5:00 p.m. on the day listed above at which time the Bond Agent shall submit a properly executed "Certificate of Surrender" or PAY THE BOND.

The undersigned Bond Agent represents to the Court that the Court ordered the bond forfeited on the \_\_\_\_\_ day of \_\_\_\_\_, and that the 180-day period for bringing the defendant before the Court has not expired.

Bond Agent	Date
Date of Bond :	_____
Bond Amount :	_____
Power of Atty.# :	_____
Charge :	_____

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. \_\_\_\_\_

AUTHORIZATION/DENIAL OF  
REQUEST FOR EXTENSION OF TIME  
AFTER NOTICE OF BOND FORFEITURE

[ ] This request for extension after Notice of Bond Forfeiture, is approved.

This extension shall expire at 5:00 p.m. on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

This extension is granted upon the following terms and  
conditions: \_\_\_\_\_  
\_\_\_\_\_

[ ] This request for extension after Notice of Bond Forfeiture is denied.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
By the Court  
Sixth Judicial District  
State of Idaho

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.#: \_\_\_\_\_  
Charge : \_\_\_\_\_

cc: Bond Agent

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
 ) Case No. \_\_\_\_\_  
 Plaintiff, )  
 ) MOTION TO SET ASIDE NOTICE OF BOND  
 vs. ) FORFEITURE AND EXONERATE BOND  
 ) AGENT FROM LIABILITY  
 Defendant. )  
 \_\_\_\_\_ )

THE UNDERSIGNED BOND AGENT having posted bond in this case, and the Notice of Bond Forfeiture having been filed by the Court on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, moves this court for an Order setting aside the Notice of Bond Forfeiture for the following reason(s):

\_\_\_\_\_ The bond posted in this matter, and notification of forfeiture being issued by the Court for defendant's failure to appear resulting in the issuance of a warrant of arrest. The warrant was served upon the defendant within one hundred eighty days of the forfeiture, and the defendant has been returned to custody of the \_\_\_\_\_. A properly executed "Certificate of Surrender" has been filed with the Court.

\_\_\_\_\_ Pursuant to Idaho Criminal rule 46(e) for the following reasons:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Bond Agent

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty. #: \_\_\_\_\_  
Charge : \_\_\_\_\_

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Case No. \_\_\_\_\_

ORDER TO SET ASIDE NOTICE OF  
FORFEITURE AND EXONERATE BOND  
AGENT FROM LIABILITY

UPON MOTION OF THE BOND AGENT, the filing of the Certificate of Surrender, IT IS  
ORDERED THAT the notice of forfeiture of the bond previously issued in this case is set aside, and the  
Bond Agent is exonerated from liability on the bond.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty. #: \_\_\_\_\_  
Charge : \_\_\_\_\_

#### **SECTION IV. ARREST ON BENCH WARRANT-EFFECT ON BOND**

When the Court has issued a bench warrant after a notice of bond forfeiture, the latest warrant shall govern the bond status and amount. If the bench warrant sets a new bond amount, posting of the new bond amount by the defendant exonerates the Bond Agent from liability on the previous bond. The defendant shall not be required to post both the new bond and the old bond before being released from jail.

The Court may enter additional orders affecting the release of the defendant after arrest, including setting aside the forfeiture notice and reinstating the bond in accordance with Section V, Reinstatement of Bonds, or releasing the defendant O.R. If a defendant is released O.R. after being arrested for a failure to appear, the O.R. release operates to exonerate the bond agent from liability on the previous bond.



## **SECTION V. REINSTATEMENT OF BONDS**

The Court upon written consent of the bond agent or the posting party, I.C. 19-2927, may reinstate a bond.

If a surety bond has been reinstated, it shall be the duty of the bond agent to retrieve the discharge/exoneration slips and attach them to the Motion to Set Aside Notice of Bond Forfeiture and Reinstate Bond. These slips attached to the Motion will signify that the bonds are reinstated and are still in effect until the disposition of the case has been given.

There shall be no obligation upon the Clerk of the District Court to mail any notices or copies of any signed Orders of Reinstatement to surety agents or cash posters. Said persons may secure a copy of said Orders by appearing at the courthouse and requesting the same.

The following forfeitures may not be reinstated:

- A. A forfeiture which has been paid by the bond agent;
- B. In the case of a cash bail:
  - 1) Where 180 days from the date of the forfeiture have passed, the cash bail in the possession of the Clerk of the District Court will be applied toward the forfeiture and it will be deemed after said 180-day period to be paid.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO

) )  
) Case No. \_\_\_\_\_ )  
Plaintiff, )  
vs. ) )  
) MOTION TO SET ASIDE NOTICE OF )  
) BOND FORFEITURE AND REINSTATE )  
) BAIL BOND )  
) )  
Defendant. )  
\_\_\_\_\_ )

Date of Notice of Bail Bond Forfeiture: \_\_\_\_\_

\_\_\_\_\_, having posted bail bond for the defendant, and the Notice of Bond Forfeiture having been issued by this Court, moves this Court for an Order setting aside the Notice of Bond Forfeiture for bond and reinstating the bond pursuant to authority set forth in Idaho Criminal Rule 46(e) for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By this motion, I hereby give my written consent to the Court to reinstate the bail bond previously posted.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Person Posting Bail Bond/Surety Agent

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.#: \_\_\_\_\_  
Charge : \_\_\_\_\_

/shared/my doc/policy & proc/reinstate bond forf/1-31-05

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

THE STATE OF IDAHO

	)	
	)	Case No. _____
Plaintiff,	)	
vs.	)	ORDER TO SET ASIDE NOTICE OF
	)	BOND FORFEITURE AND
	)	<u>REINSTATE</u> BAIL BOND
	)	
Defendant.	)	
_____	)	

IT IS ORDERED THAT the Notice of Bond Forfeiture for the bail bond previously issued in this case is set aside and the bail bond is reinstated by this Court under the same terms and conditions as previous imposed upon this bond.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty.#: \_\_\_\_\_  
Charge : \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this order was mailed, postage prepaid, to the above-named posting party or bond agent at the address of record.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Court Clerk

## **SECTION VI. STACKING BONDS - PROHIBITED**

All surety bonds submitted to the Court or to the custodian of an arrested person must be accompanied by a current, non-expired, and legal Power of Attorney.

Only one Power of Attorney shall be submitted and the face value of the Power shall be equal to or greater than the amount of the bond set by the Court in the case for which the bond and Power are being submitted. A Bond Agent shall not attempt to "stack" bonds or Powers by submitting more than one Power of Attorney for any single bond.

No Power of Attorney shall be submitted which has been altered or erased. No Power of Attorney shall be attempted to be submitted after the date of expiration, if any, on the face of the Power. No Power of Attorney shall be used more than once.

## **SECTION VII. CASH BONDS**

If money has been deposited instead of bail, and the defendant either surrenders or is arrested before the end of the 180-day forfeiture date, the posting party may file a "Request for Exoneration, Certificate of Service, and Order" with the Court for exoneration and refund of the cash bond. Upon the signature of the Judge on the Order, the cash bond shall be returned to the posting party. A copy of the Court's order shall be delivered to the prosecuting attorney, I.C. 19-2927.

In order for the Court to return the cash bond to the posting party, the receiving officer (Sheriff or custodial agency) receiving the cash bond must forward to the court, the name and address of the posting party.

**CASH BOND ONLY**

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, COUNTY OF

STATE OF IDAHO,	)	Case No.
Plaintiff	)	
	)	REQUEST FOR EXONERATION
vs.	)	AND RETURN OF CASH BAIL
	)	
	)	CERTIFICATE OF SURRENDER
	)	
Defendant	)	ORDER FOR EXONERATION AND
_____	)	RETURN OF CASH BAIL

It is hereby requested that the cash bail posted herein be exonerated and returned to the posting party for the following reason:

\_\_\_ The defendant turned self into the \_\_\_\_\_ County Jail within 180 days of the forfeiture.

\_\_\_ The defendant was arrested by law enforcement within 180 days of the forfeiture.

DATED:

\_\_\_\_\_  
Trial Court Administrator or Designee

\_\_\_\_\_  
Signature of Defendant/Cash Surety

**CERTIFICATE OF SURRENDER**

The undersigned Deputy Sheriff of \_\_\_\_\_ County hereby certifies that as of the date of my signature, the above-named defendant was in my custody.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ - \_\_\_\_\_  
Deputy Sheriff #

**ORDER**

It is hereby ordered that the cash bail in this matter be exonerated and returned to the party posting the same.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Judge

cc: Prosecuting Attorney

## **SECTION VIII. DEATH OF A DEFENDANT**

If a defendant for whom a bond has been posted dies prior to forfeiture or with the 180-day period following forfeiture, the person posting the bond must sign and file with the Court a "Stipulation and Order To Discharge Bond - Death of Defendant", a form provided by the Trial Court Administrator's office, together with official proof of death which lists at least the full name of the deceased and the date of death.

If the documentation is satisfactory, the Trial Court Administrator shall sign the Stipulation and submit the same to a Judge for signature of the Order.

A copy of the signed Order shall be mailed by the Clerk of the Court to the Bond Agent or person posting the bond.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
IN AND FOR THE STATE OF IDAHO

THE STATE OF IDAHO,	)	
	)	
Plaintiff,	)	Case No. _____
	)	
vs.	)	STIPULATION AND ORDER TO
	)	DISCHARGE BOND--
	)	DEATH OF DEFENDANT
	)	
Defendant.	)	
_____	)	

\_\_\_\_\_, having posted a bond on behalf of the above-named defendant and the Trial Court Administrator stipulate and agree that the bond should be discharged on the grounds that the defendant is now deceased.

For Trial Court Administrator	Date	Bond Agent	Date
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ORDER

IT IS ORDERED that the bond in this matter is discharged, the Bond Agent is exonerated, any cash posted be refunded, and/or any property posted be released.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE

Date of Bond : \_\_\_\_\_  
 Bond Amount : \_\_\_\_\_  
 Power of Atty. #: \_\_\_\_\_  
 Charge : \_\_\_\_\_



**SECTION IX. AMENDMENTS TO GUIDELINES & APPLICATION**

The Trial Court Administrator shall have the authority to amend any portion of these Guidelines as is necessary for the efficient processing of bonds within the Sixth Judicial District. These Guidelines shall apply to all locations within the boundaries of the Sixth Judicial District.

## **SECTION X. LICENSE REQUIREMENT**

No bonds shall be accepted by any Sheriff or Clerk of the District Court within the Sixth Judicial District from any person who is not duly licensed with the Idaho Department of Insurance, nor shall any bond be accepted where the bond is insured by an insurance company, organization, business, or person which is not duly registered and approved to conduct business in the state of Idaho by the Idaho Department of Insurance.

The Trial Court Administrator's office shall be responsible for providing all Sheriffs within the Sixth Judicial District with an updated list of those Bond Agents who are so qualified to post bonds.

## **SECTION XI. CRIMINAL HISTORY CHECKS**

Any person desiring to write or post bonds for Courts in the Sixth Judicial District shall first be required to complete, in typewritten form, and sign an "Application To Write Bonds For Courts In The Sixth Judicial District" and any other form(s) required by the Trial Court Administrator's office. The application form must be submitted with a copy of the applicant's valid and unexpired license from the Idaho Department of Insurance authorizing the person to act as an insurance agent within the State of Idaho.

The applicant must also provide personal information, including Date of Birth, Social Security Number, and any other information required by the Trial Court Administrator's office.

No applicant shall be placed on the approved list of Bond Agents if the criminal history check reveals a conviction of an applicant or the applicant's proposed insurance company of any felony, or a misdemeanor involving theft or fraud.

**APPLICATION TO WRITE SURETY BONDS  
IN THE SIXTH JUDICIAL DISTRICT, STATE OF IDAHO**

Submit to: Trial Court Administrator's office  
Bail Agent Application Processing  
624 E. Center  
Pocatello, Idaho 83201

**ALL INFORMATION MUST BE TYPEWRITTEN**

**BAIL AGENTS**

**LAST NAME:** \_\_\_\_\_ **FIRST:** \_\_\_\_\_

**MIDDLE:** \_\_\_\_\_

Have you gone by any other names? If so  
list? \_\_\_\_\_

**BAIL AGENT'S INSURANCE COMPANY:**

\_\_\_\_\_

Contact in Bail Division:

\_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

**NAME OF BAIL AGENCY FOR WHICH YOU WILL POST BONDS:**

Address:

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

***If you are not the supervising agent for a Bail Agency, the name of your supervising agent: (Please note for the purpose of these guidelines, there can be only one supervising agent per bail agency)***

***NAME OF YOUR SUPERVISING AGENT:*** \_\_\_\_\_

*Address:* \_\_\_\_\_

*City:* \_\_\_\_\_ *State* \_\_\_\_\_ *Zip:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*If this Application is approved, I would like all Notices, including Notice of Forfeiture and other correspondence mailed to the following address. Note: per Idaho Court Rule, all Notices of Forfeiture must be mailed to the person posting the bond.*

*Address:*

*City:* \_\_\_\_\_ *State:* \_\_\_\_\_ *Zip:* \_\_\_\_\_

*Expiration Date of Insurance License:* \_\_\_\_\_

1. *Other than posting bail bonds, are you currently employed or do you anticipate working in a position that is related to the Sixth Judicial District Courts:*

\_\_\_\_\_ *yes*                      \_\_\_\_\_ *No*

*If so, please provide the position title and department name:*

\_\_\_\_\_

2. *Have you ever been convicted of or, plead guilty to, received a withheld judgment for, or otherwise sentenced on a felony anywhere?*

\_\_\_\_\_ *Yes*                      \_\_\_\_\_ *No*

*If so, please provide the date(s) of the conviction, guilty plea, withheld judgment, or sentencing; specify the charges; and specify the city and state where the conviction, plea, withheld judgment, or sentencing occurred:*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. List every felony for which you have been charged in the last 10 years, list every fraud or theft related misdemeanor for which you have been charged within the last ten (10) years, list all other misdemeanors for which you have been charged within the last five (5) years. For every offense, list the charge and the outcome thereof. **DO NOT INCLUDE TRAFFIC INFRACTIONS** (If necessary, use additional sheet of paper and attach to the Application):

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4. Have you been previously licensed by the State of Idaho or any other state with regard to the posting of bail bonds or any other type of Insurance?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

If so, please provide the date(s), state(s), and type(s) of license: \_\_\_\_\_

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5. Have you ever been the subject of disciplinary proceedings by any state with regard to the posting of bonds or any other type of insurance?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

If so please provide the dates, States and nature of the disciplinary action(s): \_\_\_\_\_

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6. Have you ever been denied the ability to post bonds or removed from a list of authorized bail agents in any other jurisdiction?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

*If so, please provide the location, dates and reasons for the denial or removal:\_\_\_\_\_*

---

*7. On bail bonds posted by you, have you ever failed to ensure that a forfeited bail bond was paid where the forfeiture was not set aside by the court?*

*\_\_\_\_\_Yes \_\_\_\_\_No*

*If so, please provide the state, judicial district, court case and the reasons for the failure of pay:*

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---

---

*8. If you are a supervising , have you ever failed to ensure that a forfeited bail bond was paid that was posted by a bail agent or bail agents for whom you were the supervising agent, and the forfeiture was not set aside by the court?*

*\_\_\_\_\_Yes \_\_\_\_\_No*

*If so, please provide the state, judicial district, court case and the reasons for the failure to pay:*

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---

*9. List all bail agencies, supervising agents business telephone numbers for which you have worked in the past?*

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*10. Do you have any outstanding obligations due and owing to any bail agency for which you have worked in the past?*

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***SUPPLEMENTAL INFORMATION FOR CRIMINAL HISTORY CHECK***

\_\_\_\_\_  
*Last Name*    *First Name*    *Initial*

\_\_\_\_\_  
*Maiden Name*    *Other Names, Nicknames/Aliases*

Soc. Sec. No: \_\_\_\_\_ *Driver's License No:* \_\_\_\_\_

Birth Date \_\_\_\_\_ *Birthplace:* \_\_\_\_\_  
\_\_\_\_\_  
*City/State*

*Sex:* \_\_\_\_\_ *Height:* \_\_\_\_\_ *Weight:* \_\_\_\_\_ *Hair:* \_\_\_\_\_ *Eyes:* \_\_\_\_\_

*List any city or town in which you have lived during the last 5 years:* \_\_\_\_\_

\_\_\_\_\_  
*City/State*    *City/State*

\_\_\_\_\_  
*City/State*    *City/State*



**ACKNOWLEDGEMENT, WAIVER AND CERTIFICATION**

*I hereby certify that all information in this Application is true, correct, and complete. I further certify that I am duly licensed by the Idaho Department of Insurance to act as a bail agent and that said license is in full force and effect as of the date of this Application and that said license is not currently suspended or revoked. I further certify that I am not under any type of probation or restrictions imposed by the Idaho Department of Insurance. By filing this Application, I also understand that the Sixth Judicial District will conduct a full criminal history check into my background and I hereby waive any confidentiality privilege and other restrictions involving the release of any or all criminal information about me by the sources of such information and to verify any statements made in the Application, including but not limited to criminal arrests and/or conviction information. I further agree that the Information contained in this Application may be released by the Trial Court Administrator to my supervising agent, the insurance company acting as surety on bonds offered by me and the insurance company's legal representative, the prosecuting attorney's office, the bail agent's legal representative and the Department of Insurance. I further acknowledge that I have read the Bail Bond Guidelines for the Sixth District Judicial District and I agree to be bound by and to comply with these Guidelines and that my offering of bail bonds for acceptance within the Sixth Judicial District shall be done in conformity with these Guidelines.*

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*Applicant-Agent*

*Date*

***ACKNOWLEDGMENT OF SUPERVISING AGENT***

***I hereby acknowledge that I am the supervising agent for \_\_\_\_\_.  
The above referenced applicant who has executed this application and that I assume  
responsibility to see that the bail bonds posted by him/her in the Sixth Judicial District  
are timely paid.***

\_\_\_\_\_  
***Supervising Agent***

\_\_\_\_\_  
***Date***

## **SECTION XII. PETITIONS FOR BANKRUPTCY**

Any Bond Agent authorized to write or post bonds for the Sixth Judicial District who files a petition for bankruptcy of any type in any state may be prohibited from further writing or posting any bonds, or may be restricted in such activity, as determined by the Administrative District Judge of the Sixth Judicial District. If such a petition is filed by an insurance company all Bond Agent writing or posting bonds on behalf of the insurance company may be prohibited from further writing or posting any bonds or may be restricted in such activity, as determined by the Administrative District Judge of the Sixth Judicial District.

A person applying to write or post bonds within the Sixth Judicial District shall be denied that privilege if the applicant has within the past ten (10) years been granted bankruptcy status of any type in any state.

**SECTION XIII. NAME & ADDRESS OF POSTING AGENT REQUIRED**

The face sheet of all bonds submitted to the Court or to the custodian of an arrested person must contain the name and mailing address of the Bond Agent posting the same.

This name and address must be typewritten, stamped in ink in typewritten form, or in pre-printed, typed form. It shall not be considered compliance with this Section to have the name and address included in handwritten form or any other form.

This name and address shall be considered the "last known address of the person posting the undertaking of bond" for purposes of mailing and receiving notices of forfeiture and any other documents from the Court.

The Sheriffs or any person within the Sixth Judicial District having legal custody of any person shall have no authority to accept any bonds that do not comply with this Section.

#### **SECTION XIV. CHANGE OF ADDRESS, OR OTHER STATUS**

All Bond Agents authorized to post bonds within the Sixth Judicial District shall immediately notify the Trial Court Administrator's office of that District of any:

1. Change of business or residential address of the Bond Agent; and
2. Change of name or address of the Bond Agent's insurance company; and
3. Change of insurance company who the Bond Agent will represent when posting bonds; and
4. Change of phone number, business or personal, of the Bond Agent; and
5. Change of supervising agent of the Bond Agent, or a change of employees/agents who the Bond Agent supervises; and
6. Change of status of the Bond Agent on the records of the Idaho Department of Insurance; and
7. Change of the name of the business the Bond Agent works for or operates.

Notification of any such changes must be done in writing and within five (5) business days from the date of the subject change. If a Bond Agent fails to comply with the notification requirements of this Section, the Bond Agent shall not be allowed to assert as grounds for exoneration the fact that Notices of Forfeiture were sent to an address other than his current business address.

Failure to comply with this Section will be deemed a violation of these Guidelines and will subject the Bond Agent to the sanctions listed in Sections XV & XVII hereof.

## **SECTION XV. VIOLATION OF GUIDELINES**

Any violations of these guidelines shall be reported to the Trial Court Administrator's office immediately. A member of the Trial Court Administrator's staff shall investigate and, if appropriate, take immediate action against the named Bond Agent or Surety as set forth herein.

For good cause shown, the Administrative District Judge shall have authority to instruct all Sheriffs' Offices and Clerks within the Sixth Judicial District to refuse to accept any bonds posted by any Bond Agent, Agency, or Surety. "Good Cause" for exercising this authority shall include, but is not limited to:

1. Failure to comply with any provisions of these guidelines.
2. Failure to timely pay the Court for any forfeiture as set forth in these guidelines.
3. Violation of any rules or regulations of the Idaho Department of Insurance.
4. Conviction of any felony, or a misdemeanor involving theft or fraud.
5. Use of fraudulent or dishonest practices.
6. Intentionally providing false, incorrect, misleading or incomplete information to the Court, the Judge, the elected County Clerk, the deputy clerk, or the office of the Trial Court Administrator.
7. Imposition of any bond related disciplinary measures by the Idaho Department of Insurance or by any Judge or Trial Court Administrator in the State of Idaho.

**SECTION XVI. DEPARTMENT OF INSURANCE**

The Trial Court Administrator's office shall inform the Compliance Officer of the Idaho Department of Insurance of any and all violations of these Guidelines by any Bond Agent or insurance company. Violations shall also be reported to the respective County Prosecuting Attorney's Office for purposes of enforcement of forfeiture Orders or for the purpose of filing an independent civil cause of action against the Bond Agent and the Bond Agent's insurance company.

## **SECTION XVII. REQUIRED HEARING BEFORE ADMINISTRATIVE JUDGE**

Before the Administrative District Judge shall issue an Order as set forth in section VII, the Trial Court Administrator shall file with the Judge an "Affidavit and Petition" requesting such action. Upon filing the "Affidavit and Petition", the Administrative Judge may issue an "Order to Show Cause" directed to the Bond Agent, Agency or Surety giving a day and time to appear and show cause why an Order should not be issued imposing appropriate sanctions, including prohibition of the posting of any bonds by the Bond Agent, Agency, or Surety for the Sixth Judicial District.

After the "Affidavit and Petition" has been filed, the Court shall cause a copy thereof along with a copy of the executed "Order to Show Cause" to be served upon the Bond Agent or insurance company at least five (5) business days prior to the date of the hearing. Sending the documents to the Bond Agent, Agency, or Surety by certified mail shall make Service upon the named insurance company.

If, at the hearing, the Respondent fails to show cause as required in the Order, the Administrative Judge may then issue an Order imposing appropriate sanctions, including an Order to refuse to accept any bonds posted by the named Bond Agent, his business, or bonds insured by the Surety.

The Order issued by the Administrative Judge may be permanent or temporary, and may also be conditional by the discretion of the Administrative District Judge.



IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

RE: )  
 ) Case No. \_\_\_\_\_  
 )  
 ) AFFIDAVIT AND PETITION  
 )  
 Respondent )  
 )  
 \_\_\_\_\_ )

The Trial Court Administrator of the Sixth Judicial District, having been duly sworn, deposes and says:

1. That the respondent provided a bond to insure the attendance of \_\_\_\_\_ in Case No. \_\_\_\_\_, and
2. The respondent was provided with a copy of and is bound by the "Guidelines for the Administration of Bonds", and
3. That the respondent has violated the guidelines as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Because of the violations, your affiant petitions the Administrative District Judge for an "Order to Show Cause" directed to the respondent as to why this court should not issue appropriate sanctions including an Order to all Sheriffs and Clerks of the District Court within the Sixth Judicial District prohibiting the same from the acceptance of any bonds posted by the respondent.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Trial Court Administrator  
Sixth Judicial District  
State of Idaho

STATE OF IDAHO            )  
  ) SS  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of 20\_\_\_\_, before me  
\_\_\_\_\_, personally appeared \_\_\_\_\_

known to me to be the person whose name is subscribed to the within "Affidavit and  
Petition", and acknowledged to that he executed the same.

S E A L

\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residence:

My Commission Expires:

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty. #: \_\_\_\_\_  
Charge : \_\_\_\_\_

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

RE: )  
 )  
 ) Case No. \_\_\_\_\_  
 )  
 ) ORDER TO SHOW CAUSE  
 )  
 )  
 Respondent )  
 \_\_\_\_\_ )

A sworn "Affidavit and Petition" having been filed in this matter and good cause appearing therefore;

IT IS ORDERED that the respondent show cause before the Administrative District Judge on the

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_m. at the

\_\_\_\_\_ County Courthouse, \_\_\_\_\_, Idaho, why:

The Court should not impose sanctions including an Order directed to all Sheriffs and Clerks of the District Court of the Sixth Judicial District, State of Idaho, prohibiting them from accepting any bonds posted by the respondent as requested in the "Affidavit and Petition".

IT IS FURTHER ORDERED that a copy of this Order and the "Affidavit and Petition" be served upon the respondent at least five (5) business days prior to the time set for hearing on this Order to Show Cause.

IT IS FURTHER ORDERED that if the respondent wishes to contest this matter or elects to present testimony and evidence at the hearing, or to cross-examine the affiant, the respondent must serve upon the affiant and file with this court a notice of the intent at least twenty-four (24) hours prior to the time set for the hearing on this "Order to Show Cause".

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

Administrative District Judge  
Sixth Judicial District  
State of Idaho

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty. #: \_\_\_\_\_  
Charge : \_\_\_\_\_

ORDER TO SHOW CAUSE - Page 2

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

RE: )  
)  
)  
)  
)  
)  
)  
)  
)  
)  
\_\_\_\_\_ )

Case No. \_\_\_\_\_

ADMINISTRATIVE ORDER

No. \_\_\_\_\_

TO: SHERIFFS AND CLERKS OF THE DISTRICT COURT OF BANNOCK, CARIBOU, FRANKLIN, ONEIDA, BEAR LAKE, AND POWER COUNTIES, IDAHO

The Court having heard the testimony offered and having considered all documents filed with the Court in this matter finds that the allegations of the affidavit and Petition are true and that the respondent has violated the "Guidelines for the Administration of Bonds in the Sixth Judicial District". Based on this finding:

IT IS ORDERED that all Sheriffs and Clerks of the Courts within the Sixth Judicial District, State of Idaho, are prohibited from accepting any bonds posted by: \_\_\_\_\_ or insured by \_\_\_\_\_ until \_\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Administrative District Judge  
Sixth Judicial District

Date of Bond : \_\_\_\_\_  
Bond Amount : \_\_\_\_\_  
Power of Atty. #: \_\_\_\_\_  
Charge : \_\_\_\_\_