Bond Agencies/Agents	54TH CIRCUIT COURT Policy/Procedures Memorandum	No. November 14, 2023

POLICY:

To provide Bond Agencies/Agents in a manner consistent with MCL 750.167 b (4), it is the policy of the 54th Circuit Court to annually accept applications from Bond Agencies/Agents who are adequately insured by a reputable insurance company. Annual applications must be submitted to the Court on or before December 1st of each year in accordance with Court procedures. Any Bond Agencies/Agents who fail to satisfy a judgment forfeiting bond will be removed from the approved Court list and a corresponding complaint will be filed with the Michigan Department of Insurance and Financial Services.

PROCEDURES:

1). **List of Bondsmen.**

MCL 750.167b(4) requires: *"A typewritten or printed list, alphabetically arranged, of all persons engaged in the business of becoming surety upon bonds for compensation in criminal cases within the county shall be posted in a conspicuous place in each police precinct, jail, prisoner's dock and house of detention and in every other place in which persons in custody of the law are detained, and 1 or more copies thereof shall be kept on hand. The list shall be compiled annually by the judges of the circuit court of each circuit, and the names of persons engaged in the business of becoming surety upon bonds for compensation shall be added to the list by the judges upon proper application. When any person who is detained in custody in any such place of detention requests any person in charge thereof to furnish him the name of a bondsman, or to put him in communication with a bondsman, the list shall be furnished to the person so requesting, without recommendation, and the person in charge of the place of detention within a reasonable time shall put the person detained in communication with the bondsman selected and, contemporaneously with the transaction, make in the blotter or book of record kept in any place of detention a record showing the name of the person requesting the bondsman, the offense with which the person is charged, the time at which the request was made, the bondsman requested, and the person by whom the bondsman was called, and preserve the same as a permanent record in the book or blotter in which entered."*

2). The Chief Circuit Judge will approve a **Bond Agencies/Agents** list by the first business day of January of each year; compiled and published by the trial court director, or designee, of persons engaged in the business of providing bonds in criminal and/or juvenile delinquency cases.

3). The **Bond Agencies/Agents** is required to submit the following documentation to the trial court director or designee prior to approval:

A. Bonding Agency Application and Affidavit, form 001;
B. A copy of the agency's license AND verification of "Active" status from Michigan Department of Insurance and Financial Services (DIFS) website (Site: http://difs.state.mi.us/fis/ind_srch/ins_agcy/).
C. Original Power of Attorney with seal from the insurance company, authorizing the company's agents to post bonds in the company's names;
D. Current copy of the Michigan Department of Labor and Economic Growth Certification of Authority for each insurance company;
E. Bond Agent Application and Affidavit, form 002 for each applicant;
F. Copy of each agent's driver license.
G. A copy of each bond agent's license or certificate of good standing from the DIFS website. Agents must provide a recently dated webpage verification from DIFS website indicating they are in "Active" status.
(Site: https://difs.state.mi.us/fis/ind_srch/ins_agnt/).

4). Upon receiving the completed documentation, the trial court director or designee will present the applicant's request to the Chief Judge for approval and placement on the **Bond Agencies/Agents** list at the next quarterly review.

5). All information for the yearly **Bond Agencies/Agency** list must be submitted to the trial court administrator or designee by December 1 of each year. An alphabetized list by agency will be issued annually following Chief Judge approval.

6). The court administrator or deputy court administrator will distribute the list by posting on the Court's website at and circulate the list to the Tuscola County Jail and 71-B District Court and Tuscola County IT Department.

7). The **Bond Agencies/Agents** may be removed from the approved list for failure to provide or update the Court with a valid address, the Judgment After Bond Forfeiture is not paid within 56 days from the due date, or if the Court receives notification that the insurance company is no longer authorizing the **Bond Agencies/Agents**. **Bond Agencies/Agents** removed as a result of failing to satisfy a *Judgment After Bond Forfeiture* maybe reinstated to the list at the next quarterly review following satisfaction of the judgment.

8). The trial division director or designee will update the website as necessary each time the list is modified.

Forms: 001 Bond Agent Application and Affidavit
002 Bonding Agency Application and Affidavit
003 Approved Bondsmen Order

STATE OF MICHIGAN 54TH CIRCUIT COURT TUSCOLA COUNTY	BONDING AGENCY APPLICATION AND AFFIDAVIT

Court Address:
440 North State Street Caro, MI 48723

Court Telephone No:
(989) 673-3330

Any bonding agency that desires to engage in the business of becoming a surety upon bonds backed by insurance in criminal cases in the County of Tuscola shall complete and submit for approval the following application and provide supporting documents as noted.

Submit to: Cindy McKinney-Volz
Deputy Court Administrator
440 North State Street
Caro, MI 48723

APPLICATION

1. Bonding Agency Name:_____

2. Bonding Agency Address:_____

3. Bonding Agency Telephone Number: _____

4. Agency Mailing Address for Official Communications for All Agents: _____

_____

5. Agent Information

AGENT NAME	INSURANCE COMPANY(IES)	$ AMOUNT AUTHORIZED

6. Attach the following supporting documentation:
   - Bonding Agency Application and Affidavit
   - Power of Attorney, with seal from the insurance company authorizing the company's agents to post bonds in the company's name
   - Michigan Department of Labor & Economic Growth Certificate of Authority for each insurance company
   - Bond Agent Application and Affidavit for each agent listed.
   - Michigan Department of Labor & Economic Growth License of Certificate of Good Standing for each agent listed.
   - Copy of each listed agents' driver license
   - Order for the Court's consideration and signature

AFFIDAVIT

I, the undersigned applicant, being duly sworn, hereby attest that the statements made on this "Bonding Agency Application and Affidavit" are true. I shall promptly notify the Court in writing of any change of information contained in this application.

Dated: _____

_____	_____	_____
Title of Applicant	Printed Name of Applicant	Signature of Applicant

Subscribed and sworn to before me on _____, _____ County, Michigan
Date

My commission expires: _____ Signature:_____
Date

Notary public, State of Michigan, County of _____

Form 002

STATE OF MICHIGAN 54TH CIRCUIT COURT TUSCOLA COUNTY	BOND AGENT APPLICATION AND AFFIDAVIT

Court Address:
440 North State Street Caro, MI 48723

Court Telephone No:
(989) 673-3330

Pursuant to the provision of MCL 750.167b(4), we respectfully submit _____ be added to the list of persons engaged in the business of becoming surety upon bonds for compensation in criminal cases in the County of Tuscola.

APPLICATION

1. Applicant's Full Name:_____
2. Applicant's Date of Birth:_____
3. Applicant's Driver License: [ ] Michigan [ ] Other State_____ Number:_____
4. Agency Name:_____
5. Agency License ID Number:_____
6. Business Telephone Number: _____
7. Address for Official Communications (must be the same as the address for official communications listed on the Bonding Agency Application):_____

AFFIDAVIT

I, the undersigned applicant, being duly sworn, hereby attest that the statements made on this "Bond Agent Application and Affidavit" are true. I shall promptly notify the court in writing of any change of information contained in this application.

_____
Printed Name of Applicant

Dated:_____

_____
Signature of Applicant

Subscribed and sworn to before me on _____, _____ County, Michigan
Date

My commission expires: _____ Signature:_____
Date

Notary public, State of Michigan, County of _____

Form 001

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF TUSCOLA

IN THE MATTER OF: _____

APPROVED BONDSMEN FOR THE COUNTY OF TUSCOLA

AT A SESSION OF SAID COURT
HELD IN THE TUSCOLA COUNTY COURTHOUSE
THIS _____ DAY OF _____ 20__;

PRESENT: HONORABLE AMY GRACE GIERHART, CHIEF JUDGE

Pursuant to the Provision of MCL 750.167B(4), a list of all persons engaged in the business of becoming surety upon bonds for compensation in criminal cases shall be alphabetically arranged and shall be posted in a conspicuous place in the County Jail and in every other place in which persons in custody of the law are detained.

The following is the local address, telephone number(s), and agents to be listed on the approved list of bondsmen for Tuscola County, Michigan:

Company Name:_____

Address: _____

_____

_____

TelephoneNumber(s):

Local: _____ Toll Free: _____

Collect: _____

Facsimile Number: _____

Email Address (**FOR COURT USE ONLY**): _____

AGENT(S)	**INSURANCE COMPANY UNDERWRITER**	**BOND LIMIT**

*PLEASE USE 2ND PAGE, IF NECESSARY

IT IS SO ORDERED.

_____
Amy Grace Gierhart, Chief Circuit Judge

ADDITIONAL AGENTS

AGENT(S)	INSURANCE COMPANY UNDERWRITER	BOND LIMIT