

**CORPORATE
SURETY
APPLICATION**

HENDERSON COUNTY BAIL BOND BOARD LOCAL RULES

The following rules have been adopted by the Henderson County Bail Bond Board, hereafter called the Board, pursuant to its authority under Chapter 1704 of the Texas Occupations Code (hereinafter the "Bail Bond Act"). The rules relate to those persons or entities who may be licensed as a Bail Bond Surety, as defined in the Bail Bond Act, and who may write a bail bond in Henderson County, Texas. Any rule violation may result in sanctions as the Board may assess pursuant to Texas Law.

The Procedure and Rules herein are effective and supersede all previous Procedures, Rules and Regulations of the Henderson County Bail Bond Board upon proper posting pursuant to the Texas Government Code.

1. ROBERTS RULES OF ORDER

All proceedings not governed by specific statutory provision or rule of this board shall be conducted in accordance with Roberts Rules of Order and the presiding officer shall be ex-officio Parliamentarian.

2. MEETINGS

A. The Henderson County Bail Bond Board will hold regular meetings on the third (3rd) Thursday of each month, at 1:30 p.m. in the Henderson County Annex, at 125 N. Prairieville. Notices of the meeting will be posted on the Henderson County website, and on the south side of the Henderson County Courthouse not less than 72 hours in advance of each meeting.

B. Any requests for special or emergency meetings shall be by written request to the Bail Bond Board chairperson and shall be accompanied by all pertinent data including a statement of why a special or emergency meeting should be called. The request for an emergency meeting must comply with the Texas Open Meetings Act.

3. AGENDA

Items submitted for the Bail Bond Board to be placed on the Agenda shall be submitted, in writing, to the Bail Bond Board Chairperson no later than the close of business on the *Thursday* of the week before the regular Thursday Bail Bond Board Meeting. No item will be placed on an agenda until all relevant information is delivered to the Board Chairperson's Office.

4. ANNUAL ELECTION OF THE LICENSED BAIL BOND SURETIES' REPRESENTATIVE

A. Beginning November 1st of each year, the Bail Bond Board Presiding Officer will accept requests from Licensed Bail Bond Sureties in Henderson County to be placed on the ballot. Requests to be placed on the ballot shall be provided to the Bail Bond Board

Presiding Officer in any manner required by the Bail Bond Board Presiding Officer. Any Bail Bond Board Surety Requesting to be placed on the ballot will be placed on the ballot. In the event that no Bail Bond Surety requests to be placed on the ballot, every licensed Surety will be included on the ballot.

B. The election of the licensed bail bond sureties' representative shall begin on the December 1st of each year.

C. The Bail Bond Board shall prepare and mail out ballots to all Licensed Bail Bond Sureties in Henderson County. Any licensed bail bond surety desiring to vote shall return said ballot to the Bail Bond Board chairperson prior to the 3rd Thursday of each December.

D. The elections shall be conducted by secret ballot on ballots provided by the Board. The Ballots are the property of the Henderson County Bail Bond Board.

E. The ballots will be placed in a sealed ballot box and shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the election is conducted. Ballots where more than one candidate is marked are VOID and shall not be counted.

F. The licensed bail bond sureties' representative shall be elected by a simple majority of the votes cast. The licensed bail bond sureties' representative shall take office at the regular January meeting of the Board.

G. In the event of a tie, a runoff election shall begin on the Monday following the regular meeting where the ballots were canvassed and shall continue for five (5) consecutive business days. The runoff ballots will be handled in the same manner as a regular election of the licensed bail bond sureties' representative. They shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the runoff election is conducted. The licensed bail bond sureties' representative in office at the time of the annual election shall holdover until a successor is qualified. The licensed bail bond sureties' representative elected in a runoff election may take office immediately upon the tally and canvass of the votes.

H. The Bail Bond Sureties Representative's term shall run from January 1 of each year through December 31, of each year.

5. ANNUAL ELECTION OF THE BAIL BOND PRESIDING OFFICER

The Board shall conduct an annual election of the presiding officers at the regular January meeting of the Board. The presiding officer shall be elected by a simple majority vote of the quorum present. The presiding officer may succeed him or herself. In like manner the board shall choose a vice-chairperson who shall act in the temporary absence of the chairperson. In the event the chairperson is disqualified for any reason before the end of his term the vice-chairperson shall automatically become the

chairperson. In such event, or if the vice-chairperson becomes disqualified, at the next regular meeting a new vice-chairperson shall be chosen.

In like manner the board shall choose a secretary who shall act in the temporary absence of the chairperson and the vice-chairperson. The secretary shall be responsible for the minutes of meetings; the publication or posting of notices; and the general office affairs not otherwise specifically assigned by these rules and regulations. All records are to be maintained by the Bail Bond Board Presiding secretary.

6. LICENSEE ADVERTISING RESTRICTIONS

No bondsman (licensed or exempt) shall place, or permit to be placed, any advertising at any place where prisoners are examined, processed, or confined, nor in a location visible from a place where prisoners are examined, processed, or confined. The dissemination of personal or professional cards or solicitation by word, act or deed shall be deemed advertising.

7. APPLICATION REQUIREMENTS

All Application Forms are available through the Bail Bond Board. All completed Application Forms must be submitted to the Board through the Bail Bond Board with all required attachments including a certified copy of the Power of Attorney (for Corporations) filed with the Henderson County Clerk. All Applications shall be submitted with an original and one copy. Identifying information (date of birth, social security number and account numbers) may be redacted from the copy. An email address is required on all Application Forms for notification of any additional information needed.

Applications for a "Bail Bond Surety License" shall be on the form adopted by this Board. A completed Application Form for an original Bail Bond Surety License, along with all required attachments, must be on file with the Board at least sixty (60) days before a license will be considered by the Board.

A completed Application Form for a renewal of an existing Bail Bond Surety License, along with all required attachments, must be on file with the Board at least thirty-one (31) days prior to the expiration of the license.

Each application for a license (original and renewal) must be accompanied by a filing fee of \$500.00. This \$500.00 filing fee is not refundable. Each applicant is hereby placed on notice that once the application is submitted, the \$500.00 filing fee will not be refunded. (Tex. Occ. Code 1704.154 & 1704.162)

Each Agent application (original and renewal) must be accompanied by a filing fee of \$25.00. This \$25.00 filing fee is not refundable. Each applicant is hereby placed on notice that once the application is submitted, the \$25.00 filing fee will not be refunded. The Agent application will have the same renewal date as the licensee's application. Each time

the licensee wishes to add an Agent, the Agent application will need to be completed and submitted to the Bail Bond Board chairperson. The subsequent renewal date for that Agent will then be the same as the licensee's application. The Licensee/Surety is to immediately notify the Bail Bond Board chairperson in writing of any changes of employment status for said Agents.

Applicant and all employees/agents of the Applicant shall have a criminal background check conducted before Board approval by the Henderson County Sheriff's Department to ensure compliance with Tex.Occ.Code 1704.153.

These rules regarding the Application Process for currently licensed bondsmen shall not take effect until September 19, 2013. All bondsmen who are currently licensed shall be permitted to continue to make bonds through September 19, 2013. All currently licensed bondsmen shall be required to submit an Application with appropriate copies and fees to the Bail Bond Board Chairperson for consideration and approval by the Bail Bond Board no later than September 1, 2013.

All currently licensed attorneys who desire to make a bail bond are required to comply with all provisions and rules of the Texas Occupation Code and all applicable Texas Disciplinary Rules of Professional Conduct.

8. LOCATION OF OFFICE

All licensees must maintain an office in Henderson County and must notify the Board through the Bail Bond Board within seven (7) days of opening a new office or moving an existing office to a new location. For purposes of these rules, "office" is defined as any location where a licensee conducts bail bond business, maintains business records, employs, meets with clients, accepts payment of bonds, and installs and maintains an advertised phone number.

9. ADDRESS AND PHONE NUMBER CHANGES

If any address or telephone number listed on the most recent application for license should change for any reason, the applicant or licensee shall provide written notice of such changes within 5 business days to the Bail Bond Board chairperson.

10. NOTICE OF CHANGES IN REGISTERED OR DESIGNATED AGENTS OR ATTORNEYS

Both individual and corporate sureties shall notify the Board through the Bail Bond Board chairperson in writing of any change in the registered or designated agent or attorney for service of citation within five business days of such a change. Sureties shall include the full name, address and telephone number of the new registered or designated agent or attorney for service. This includes notice of the waiver or rescinding of the waiver of citation as contemplated by Texas Code of Criminal Procedure art. 22.03 filed with the Application Form.

11. SECURITY REQUIREMENTS

A. Cashier's Checks and Certificates of Deposit

Cashier's checks and certificates of deposit intended for use as security for a bail bond license shall be styled "Henderson County Treasurer for the benefit of _____"

The Board will not accept certificates of deposit or cashier's checks containing, or subject to, set-off provisions. Applicants for a license using cashier's checks or certificates of deposit for security shall execute and have the issuing bank execute a security assignment to the Board. The applicant shall deliver the original to the Henderson County Treasurer. The form for the security assignment will be distributed with Applications. Applicants for a license/Licensed Bail Bond Sureties using cashier's checks or certificates of deposit for security shall deliver the original cashier's checks or certificates of deposit to the Henderson County Treasurer.

The Henderson County Treasurer shall take possession of the original cashier's checks or certificates of deposit and the Security Assignment.

B. Real Property as Collateral

When a licensee submits real property as collateral (a) it must be appraised by a real estate appraiser who is a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program, e.g. Member of Appraisers Institute (M.A.I.) or Society of Real Estate Appraisers (S.R.E.A.); or provide proof of value according to a statement from the county from the county's most recent certified tax appraisal roll; (b) it must have a minimum appraised value of Fifty Thousand Dollars (\$50,000.00); (c) it must be re-appraised for each license renewal thereafter or if the certified tax appraisal roll is used to determine value, a statement must be annually provided to the Board on the anniversary of the effective date of surety's license.

Real Property Deeded in Trust to the Board must meet the following requirements;

- a. Property cannot be exempt from forced sale.
- b. Such property must be unencumbered.
- c. The following documentation must be submitted;
- d. Original or Certified copy of warranty deed executed and filed vested in the name of the licensee, and Schedule C of the Title Commitment specifying that there are no outstanding liens against the property other than the Board's deed of trust.
- e. Surety must annually provide proof of property insurance covering any improvements on the property in accordance with section 11(B)(6) of these Rules.

- f. Official tax receipt photocopies of all State, County, City and School District taxes through the previous tax year must be timely submitted with application or renewal application.

Any Deeds of Trust must be in a form approved by the Board. The Board must be the Grantee in the Deed(s) of Trust and such must be recorded with the Henderson County Clerk or in the county wherein the property used as collateral is located. Prior to recording, the deed of trust must be approved as directed by the Board. The original or certified copy of the recorded Deed of Trust will be held and secured as directed by the Board.

On or before June 30th of each year, bondsmen with real estate pledged as collateral for making bail bonds will provide a copy of paid tax receipts for each piece of real estate so pledged to the Bail Bond Board. These receipts must show proof of taxes paid in full by June 30th, and must show such payment for any County, City, School District and other ad valorem taxes which are due for the previous calendar year. Failure to comply with this provision will result in the applicable property being immediately deducted from posted collateral as of June 30th of the applicable year. If a bondsman provides proof that taxes were paid in full by June 30th, but provides that proof after June 30th, any collateral previously deducted by the Board shall be immediately restored to the bondsman's account without the necessity of further Board action.

If, however, a bondsman fails to pay taxes in full by June 30th but makes a later payment in full, he must make a request to the Board for reinstatement of collateral. Upon written request from a bondsman received ten (10) days before a scheduled monthly meeting of the Board, a request to reinstate real estate pledged which has been deducted from posted collateral for non-payment or late payment of property taxes as stated above shall be placed on the agenda for the Board's consideration. If the bondsman provides proof at such a meeting that all property taxes and penalties have been fully paid as of that time, the real estate pledged shall be immediately restored to a bondsman's posted collateral.

Within 10 days after the insurance policy renewal date, bondsmen with real estate pledged as collateral for making bail bonds will annually provide proof of insurance coverage for each piece of real estate improvements so pledged to the Bail Bond Board Chairperson. The amount of the policy is not required to exceed the value of the improvement that is pledged as collateral. Failure to comply with this provision will result in the applicable property being immediately deducted from posted collateral. If a bondsman provides proof that insurance is currently in effect, but provides that proof after the due date (i.e., within 10 days after the insurance policy renewal date), he must make a request to the Board for reinstatement of collateral. Upon written request from a bondsman received ten (10) days before a scheduled monthly meeting of the Board, a request to reinstate real estate pledged which has been deducted from posted collateral for not providing proof of insurance as stated above shall be placed on the agenda for the Board's consideration. If the bondsman provides proof at such a meeting that the bondman has properly insured the property as of that time, the real estate pledged shall be immediately restored to a bondsman's posted collateral.

12. NAMES ON BONDS/BOND FORMS

All sureties shall include their full names, addresses for court notices, addresses for service of citation, and license numbers, all legibly written, on the face of each bond they write in Henderson County. Failure to comply with this rule may result in the suspension or revocation of a license. All bonds shall be issued on the form adopted by this Board.

13. COMPLAINTS

A. FILING A COMPLAINT

The Secretary of the Board is designated as the agent of the Board for the receipt of complaints.

B. PROCESSING A COMPLAINT

Upon receipt of a complaint, the Secretary shall send a copy to each member of the Board. The Board shall consider said complaint at the next regularly scheduled meeting of the Board, unless considered earlier at a special or emergency session called by the Chairperson of the board, and shall make such orders as it deems appropriate respecting the investigation and prosecution of said complaint.

C. NOTICE OF COMPLAINT

The Secretary shall give notice to the accused licensee by certified mail at least ten (10) days prior to the date of a hearing on the complaint. The notice shall specify the charges of the violation made against the licensee, and the hearing shall be limited to those charges.

D. DISQUALIFICATION

If the complaint relates to a licensee who is a member of the Board, said licensee shall be disqualified as a member of the Board to consider said complaint. The Chairperson shall call a special session of the Board as soon as practicable for the purpose of election, by a majority of the licensees present at said meeting, of a licensee to serve as a member of the Board in place and stead of the licensee Board member complained against.

E. RULE 505 SUBPOENAS

The Board vests authority to issue subpoenas upon the request of any interested person in the Chairperson, ViceChairperson, or Secretary of the Board.

14. SURRENDER OF PRINCIPAL

All Surrender of Principal requests shall be on the form adopted by this board.

15. BAIL BOND FORFEITURES

A Surety must pay all reasonable and necessary expenses incurred by any peace officer in re-arresting his or her clients in the event that the clients fail to appear before a court or magistrate as specified. When a surety receives a bill for such re-arrest from any sheriff or peace officer, such bill must be paid within thirty (30) days of the date indicated on the letter unless the surety provides proof to the Henderson County Sheriff that he or she is contesting the expenses in court or that a bail bond forfeiture case in connection with the expenses has not yet been finally adjudicated. If a Surety fails to pay re-arrest expenses in accordance with this rule, he or she will be suspended from the active bond list by the Henderson County Sheriff until such time as payments are current and in compliance with this rule.

All Bond Forfeitures must be paid within thirty (30) days following final judgment or the bondsperson will be suspended from the active bond list.

16. SAVINGS CLAUSE

The rules and regulations promulgated by the Board are in addition to the Texas Occupations Code and the Texas Code of Criminal Procedure and in case of a conflict, the statute will prevail.

**HENDERSON COUNTY BAIL BOND LICENSE APPLICATION
FOR A CORPORATE SURETY**

*****Note: You Must Submit One Original And Fourteen Copies To The Board Office*****

Date of Application _____
New Application _____ Renewal Application _____ Agent Application _____
If renewal, please list license number and expiration date _____
Name of Applicant _____
Business Name _____
Applicant's Address _____
Phone Number _____
E-mail Address _____ Fax _____
Physical Address where business is conducted within County _____

(Tex.Occ. Code Ann. § 1704.213)

*****FOR BACKGROUND CHECK ONLY*****

Name, address and background information of the person who is the agent for the corporate surety in Henderson County.

Name _____
Mailing Address _____
Phone Number _____ Sex _____ DOB _____ SSN _____
Drivers license number _____
Home Address _____
Name and address for Agent for service of process for corporate surety under §804 of the Texas Insurance Code.
Name _____
Address for service _____
Phone Number _____
Fax Number _____

Will you be waiving citation as contemplated by Tex. Code Crim. Proc. Ann. Art 22.03
Yes _____ No _____

The following are names of all employees and agents actively engaged with the applicant in processing the giving or making of bail bonds within the county. Applicant further attaches hereto the personal information sheet (*Exhibit "A"*) for the applicant and each employee and agent. The applicant agrees that he will file with the Henderson County Bail Bond Board additional personal information sheets on all employees and agents subsequently employed. *Such information shall be filed within thirty (30) days of each such employment.*

Applicant agrees that all licensed sureties or agents who execute bonds on his/her behalf are required to have on file a current personal information sheet and fingerprint card on the forms provided by the board before they will be permitted to execute bonds as directed by the Board.

Are you a corporation? Yes _____ No _____

If yes, please answer the following

1) Are you a Texas Corporation licensed to do business in Texas?

Yes _____ No _____

2) If not a Texas Corporation, what is the state of your incorporation? _____

3) Are you qualified to write fidelity, guaranty and surety bonds under the Texas Insurance Code as amended? Yes _____ No _____

Tex. Occ. Code Ann. §1704.211 and §1704.154

4) Attach a certified copy of your franchise tax permit and certificate of authority to do business.

5) Any corporation which acts a surety shall, before executing any bail bond, first file in the office of the County Clerk, a Power of Attorney designating and authorizing the named agent of such corporation to execute such bail bonds by such agent. This Power of Attorney shall be a valid and binding obligation of the corporation. A separate license is required for each agent operating under a corporate Power of Attorney. Tex. Occ. Code Ann. §1704.160

6) If license is approved, the corporation shall furnish a cashier's check, certificate of deposit, or cash in the amount of \$50,000. Tex. Occ. Code Ann. §1704.160

7) The collateral supplied shall be used to pay the final judgment of any bond forfeitures that result from the licensee's execution of a bail bond.

The amount of cash value of any certificates of deposit or cashier's check you, as the applicant, intend to place on deposit with the Henderson County Treasurer

Certificates of Deposit or Cashier's Checks:

I.D. Number _____ Amount _____
I.D. Number _____ Amount _____
I.D. Number _____ Amount _____

[Certificates of Deposit or Cashier's Check must read: "Surety name or Henderson County Treasurer"]

If the license is approved, deliver the cashier's check, certificate of deposit, or cash to the Henderson County Treasurer's Office within 90 days following the Board's tentative approval of the license. Tex. Occ. Code Ann. §1704.155.

Have you or your agent ever been convicted or granted probation for any criminal offense? (Traffic convictions in Justice or Municipal Courts need not be listed) Tex. Occ. Code Ann. §1704.153 and §1704.252

Yes _____ No _____

If yes, list the name of the offense, the court, the date, and disposition.

Are you involved in any civil litigation at this time (including bail bond litigation)?

Yes _____ No _____

If yes, give the date of filing each suit, names of the parties and court in which pending and brief description of the nature of litigation.

Is the applicant currently in the bail bond business? Yes _____ No _____

If yes, list name of bail bond company (companies) and all counties with which you are currently associated. Tex. Occ. Code Ann. §1704.152.

Has the applicant been previously engaged in the bail bond business? Yes _____ No _____

If yes, list the name of the company (companies) previously associated with

If applicant or agent designated by the corporation has been licensed under Tex. Occ. Code Ann. §1704. in another county, the application shall be accompanied by-a sworn statement from the agent designated by the corporation that he/she has **no** unpaid final judgments. Exhibit "B". Tex Occ.Code Ann. § 1704.152.

Has applicant been denied or refused a license to act as a bondsman? (This includes revocation or suspension of a license.) Yes _____ No _____

If yes, where and when did such action occur?

Has applicant withdrawn an application before a bail bond board voted on it? Yes _____ No _____

If yes, where and when such action occurred and give the details.

Has the agent for the corporate surety been denied or refused a license to act as a bondsman?
(This includes revocation or suspension of a license.) Yes _____ No _____

If yes, where and when did such action occur?

Applicant shall submit a fee a \$500.00 made payable to the Henderson County Treasurer for the filing of any original or renewal application, and a copy of the receipt submitted with this application. Applications without a receipt from the Henderson County Treasurer will not be processed. Tex. Occ. Code Ann. §1704.154.

Applicant shall submit Exhibit (“C”) acknowledging the proper apprenticeship and continuing legal education. Applicant shall also submit Exhibit “D” from the supervising licensed surety. Tex. Occ. Code Ann. § 1704.152.

Applicant's agent shall submit a photograph and fingerprints of the applicant's agent taken by the Sheriff's Office, along with this application. Tex. Occ. Code Ann. §1704.154.

Applicant shall attach letters of recommendation containing current addresses and current telephone numbers from three (3) reputable persons who have known the applicant's agent for a period of at least (3) years, recommending the applicant's agent “has a reputation of honesty, truthfulness, fair dealing and competency,” and recommending the Board grant approval of the license to the applicant. Tex. Occ. Code Ann. §1704.154(c) (Vernon Supp. 2005).

Applicant agrees to attach a current financial statement. *Exhibit "E"*.

Applicant declares that it and all employees including the agent for the corporate surety, have read and will comply with Tex. Occ. Code Ann. §1704 (Vernon-Supp. 2005), Tex. Code Crim. Proc. Ann. §17 and §22 (Vernon Supp. 2005), and the rules prescribed by the Board.

Applicant shall- submit to the Board a valid assumed name certificate or certified copy thereof, properly filed with the County Clerk of Henderson County indicating the name in which the agent for the corporate surety will conduct business in Henderson County. Tex. Occ. Code Ann. §1704.154.

Applicant agrees and consents that in the event this application is found to contain any false statements, omission of material information or misrepresentation of any kind, this application may be disapproved, suspended or revoked. Tex. Occ. Code Ann. §1704.252.

Applicant agrees that no licensee may use a telephone number, address or office of a non-licensee to conduct any bail bond activities and will not advertise or solicit under an unlicensed name, telephone number, address, or logo. Tex. Occ. Code Ann. §§ 1704.109 & 1704.303. The Applicant understands that such advertisement or solicitation may result in the suspension or revocation of its license. Tex. Occ. Code Ann. §§ 1704.109 & 1704.303.

APPLICANT

The State of Texas §
County of Henderson §

Before me, the undersigned authority, a Notary Public in and for The State of Texas, on this day personally appeared _____, who, after being by me duly sworn, on oath deposes and says:

My name is _____. I am capable of making this affidavit and competent to testify to matters stated hereby; I am personally acquainted with the facts stated in this application and know such facts to be true and correct. I further swear all facts and information are true and correct.

APPLICANT

Given under my Hand and Seal of Office, this the _____ day of _____, 20____.

SEAL

Notary public in and for the State of Texas

EXHIBIT "A"

**BAIL BOND I.D. APPLICATION
HENDERSON COUNTY**

DATE: _____

EMPLOYER: _____

NAME: _____ RACE: _____ SEX: _____

 Last, First, Middle, Maiden

TELEPHONE:

Home _____ Work _____

By what other names have you been known (nicknames, alias * refer to next question)

Have you legally changed your name? _____ If yes, date: _____

Place: _____ Court: _____

Date of Birth: _____ Age: _____ Social Security Number: _____

Place of Birth: City _____ County _____ State _____

Height: _____ Weight: _____

Current Drivers License: _____ State _____ Expiration date: _____

Naturalized: No _____ Yes _____ If Yes,

Where _____

Are You: Single _____ Married _____ Divorced _____

Full Name of Spouse: _____

 Last, First, Middle, Maiden

Date of Birth: _____ Age: _____ Social Security Number: _____

Current Drivers License: _____ State _____ Expiration date: _____

List all the address where you have lived during the past five (5) years:

From-To Street Address City, State

EXHIBIT "B"

**CERTIFICATE OF NO OUTSTANDING
FINAL JUDGMENTS**

This is to certify that neither the Applicant nor the agent have final judgments that have been unpaid for more than 30 days and that arose directly or indirectly from any bond executed by the Agent as a surety or an agent for a surety in any of the counties of the State of Texas.

Affiant's Signature

The State of Texas §
County of Henderson §

_____, being duly sworn, deposes and says: The foregoing certification of no outstanding final judgments, marked *Exhibit "B"* is true and correct and is within my personal knowledge.

Subscribed and sworn to, before me, this the _____ day of _____, 20__.

Notary Public in and for the State of Texas

SEAL

EXHIBIT "C"

**STATEMENT OF APPRENTICESHIP AND
CONTINUING LEGAL EDUCATION**

1. In the two (2) years preceding this application, I have had at least one year of continuous employment in the bail bond business under the supervision of a licensed surety for not less than 30 hours per week, excluding annual leave, and have performed duties that encompass all phases of the bonding business.

Dates of continuous work experience:

A. Name, address and telephone number of company where experience was obtained:

B. Name, address and telephone number of supervisor where experience was obtained:

2. I have completed in person at least eight (8) hours of continuing legal education in criminal law courses or bail bond law courses that are approved by the State Bar of Texas and that are offered by an accredited institution of higher education in the State.

Name of the course(s) of continuing legal education taken and number of hours per course:

Where the course(s) of continuing legal education were taken:

A. Dates the course(s) were taken:

Affiant's Signature

The State of Texas §
County of Henderson §

_____, being duly sworn, deposes and says: The foregoing statement, marked *Exhibit "C"* is a full and complete statement of my apprenticeship and continuing legal education. This statement is true and correct and is within my personal knowledge.

Subscribed and sworn to, before me, this the _____ day of _____, 20__.

Notary Public in and for the State of Texas

SEAL

EXHIBIT "D"

The State of Texas §
County of Henderson §

SUPERVISORS AFFIDAVIT OF APPRENTICESHIP

My name is _____ and I am authorized and competent to make this affidavit. I am licensed surety in the County of _____, Texas. In the two (2) years preceding his /her application, I have supervised _____ whom I have employed continuously for one (1) year. He/She has worked not less than 30 hours per week, excluding annual leave, and has performed duties that encompass all phases of the bonding business/

Affiant

SUBSCRIBED AND SWORN under penalty of perjury the ____ day of _____, 20__.

Notary Public

EXHIBIT "E"

FINANCIAL STATEMENT
(PLEASE ATTACH HERE)

Revised 8/03



COUNTY BAIL BOND BOARD

c/o County Treasurer
125 N. Prairieville, Room 204
Athens, Texas 75751
Phone: (903)675-6119 Fax: (903)677.7297

Jean Godwin, District Clerk
Gwen Moffeit, County Clerk
Ann Marie Lee, District Court Representative
Chairperson, Michael Bynum, County Treasurer
_____ , Bail Bond Companies' Representative
Judge Richard Sanders, Commissioners' Court Representative

Judge Nancy Perryman, CC L #2
R. Scott McKee, District Attorney
Judge Dale Blaylock, JP 2
John Youngblood, Attorney Representative
Ray Nutt , Sheriff
Vice-Chair, Steve Green, Municipal Judge

COUNTY BAIL BOND BOARD
SECURITY AGREEMENT

1. This is a pledge/security agreement between the County Bail Bond Board (“the Board”) and _____, hereinafter “Licensed Bail Bond Surety,” entered into on this date.
2. In consideration of the Board granting a bail bond license as provided in the Texas Occupation Code § 1704, Licensed Bail Bond Surety hereby grants the Board a security interest in that certain certificate of deposit (“CD”) representing funds at _____ [“the Bank”] numbered _____ and dated _____ and in the face amount of _____. The CD represents the security required by the Texas Occupation Code for a bail bond license.
3. The Bank hereby acknowledges and accepts this Security Agreement and the purpose of securing a bail bond license as prescribed by Texas law. The Board’s claim on this CD is superior to any claim the Bank may have.
4. The original certificate of deposit shall be tendered to the Henderson County Treasurer or her successors, assigns, or designees as provided by the Texas Occupation Code. The Henderson County Treasurer acts on behalf of the Board for the purposes and use of the CD.
5. Licensed Bail Bond Surety shall pay a final judgment on a forfeiture of a bail bond executed by Licensed Bail Bond Surety not later than the 31st day after the date of the final judgment unless a timely motion for a new trial or a notice of appeal has been filed according to Texas Occupation Code §1704.204. If Licensed Bail Bond Surety fails to pay a final judgment

as required, the Treasurer shall pay the judgment from the funds of the CD without further notice to Licensed Bail Bond Surety from the Board. The Henderson County Treasurer may redeem the CD for unpaid judgments.

6. It is agreed that this is a continuing agreement and that the provisions of this agreement apply to all future bail bond transactions between the Board and Licensed Bail Bond Surety.

7. Texas law shall apply to this security agreement.

8. This agreement inures to the benefit of the parties herein, their representative, heirs, executors, administrators, legal representatives, successors, and assigns.

9. In the event any one or more of the provisions contained in this agreement is for any reason held to be invalid, illegal or unenforceable, all other provisions remain valid, binding, and effective as if the invalid, illegal, or unenforceable provisions had not been included.

10. This agreement constitutes the sole agreement of the parties and supercedes any prior understanding or written or oral agreements regarding this security. This agreement is subject to the Texas Occupation Code and its provisions

EXECUTED this ____ day of _____, 20 ____.

Authorized Agent for

Authorized Agent for

[COMPANY]

[BANK]

SURETY'S ACKNOWLEDGEMENT

STATE OF TEXAS §

§

COUNTY OF _____ §

On this day, personally appeared before me, the undersigned notary public, _____ who is the duly authorized Representative of the Surety. I administered an oath to him, upon his oath, he said he read the foregoing Security Agreement and acknowledged that he had the authority to enter into such Security Agreement and further acknowledged that it was executed for the purposes stated within such Security Agreement.

SWORN TO, and SUBSCRIBED before me by _____, on the ____ day of _____, 20 ____.

Notary Public in and for the

State of Texas
BANK'S ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF _____§

On this day, personally appeared before me, the undersigned notary public, _____ who is the duly authorized Representative of the Bank. I administered an oath to him, upon his oath, he said he read the foregoing Security Agreement and acknowledged that he had the authority to enter into such Security Agreement and further acknowledged that it was executed for the purposes stated within such Security Agreement.

SWORN TO, and SUBSCRIBED before me by _____, on the ____ day of _____, 20__.

Notary Public in and for the
State of Texas

ACCEPTED:

Chair, Michael Bynum
Henderson County Bail Bond Board

Styling of Certificate of Deposit

With Insurance/Surety:

HENDERSON COUNTY TREASURER FBO {INSURANCE COMPANY NAME}, AGENT {AGENT NAME}, DBA {BAIL BOND COMPANY NAME}

Without Insurance/Surety:

HENDERSON COUNTY TREASURER FBO, AGENT {AGENT NAME}, DBA {BAIL BOND COMPANY NAME}

Instructions: Certificate of Deposit shall be styled as indicated above. Bank shall complete the Security Agreement and have all appropriate locations signed and notarized. The original Security Agreement and Certificate of Deposit should be submitted to the Henderson County Treasurer, 125 N. Prairieville, Room 204, Athens, Texas 75751. For additional information please contact the Henderson County Treasurer at (903)675-6119.

The section to be filled out by bondsman/agent:

RE: THE STATE OF TEXAS VS. _____

CHARGE: _____

DATE BOND WAS MADE: _____

This section to be filled out by the County/District Clerk:

I have checked the Docket of this court and find the above referenced charge has not been filed in:

- Henderson County Court
- Henderson County Court at Law
- District Courts associated with Henderson County

And **has/ has not** been assigned a case number.

Clerk of the Court
Henderson County Clerk

Date

Clerk of the Court
Henderson County District Clerk

Date

This section to be filled out by bondsman/agent:

I affirm that I have checked with the clerk of the proper Court to ascertain if the above referenced charge has been filed and assigned a case number.

Bondsman/Bondsman Agent

Date

AFFIDAVIT TO SURRENDER
PERSON IN CUSTODY IN HENDERSON COUNTY

NO. _____

THE STATE OF TEXAS § IN THE _____ DISTRICT COURT
 §
V. § COUNTY CRIMINAL COURT AT LAW NO. ____
 § OF HENDERSON COUNTY, TEXAS

(Defendant)

Race: _____ Sex: _____ D.O.B. _____

BEFORE ME, the undersigned authority, on this day personally appeared _____,
(Surety) who being duly sworn, disposes on his/her oath states: "I am a surety on the appearance bond of the above-
named defendant who is charged with the offense of _____ in the above-captioned
cause; I further state the bond was executed on above-captioned cause; I further state the bond was executed on
_____; the fee paid for bond was \$ _____; and the reason for this
surrender is:

____ I further state that the defendant is currently in the custody of the Sheriff of Henderson County, Texas.
____ I further state that the defendant is currently in the custody of the Sheriff of _____ County, Texas.
____ I wish to surrender the defendant into the custody of the Sheriff of Henderson County, Texas, at this time.

Surety

SWORN and SUBSCRIBED TO before me on this ____ day of _____, 20__.

Notary Public

This surrender is **APPROVED** / **NOT APPROVED** on this day of _____, 20__.

Clerk of the Court

Surrender of the defendant into custody is hereby acknowledged on this _____ day of _____, 20__.

RAY NUTT, SHERIFF
HENDERSON COUNTY, TEXAS

By: _____
Deputy