

STATE OF MICHIGAN COUNTY OF ALLEGAN 48th Judicial Circuit Court	ADMINISTRATIVE POLICY MEMORANDUM	1/22/24
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113 CHESTNUT STREET, ALLEGAN, MI 49010

TELEPHONE: 269-673-0300

POLICY:

To provide Bond Agencies/Agents in a manner consistent with MCL 750.167b(4), it is the policy of the 48th 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 15th 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 Court Judge will approve a Bond Agencies/Agents list by the first business day of January of each year; compiled and published by the Circuit Court Administrator, or designee, of persons engaged in the business of providing bonds in criminal and/or juvenile delinquency cases.

3. The Bond Agencies/Agents are required to submit the following documentation to the Circuit Court Administrator 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;

<https://difs.state.mi.us/locators?searchtype=InsAgent>

- 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's 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.
4. Upon receiving the completed documentation, the Circuit Court Administrator or designee will present the applicant's request to the Chief Circuit Court 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 Circuit Court Administrator or designee by December 15 of each year. An alphabetized list by agency will be issued annually following Chief Circuit Court Judge approval.
 6. The Circuit Court Administrator or designee will distribute the list by posting on the court's website and circulate the list to the Allegan County Jail, Allegan County Clerk, and the 57th District Court.
 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 failure to satisfy a Judgment After Bond Forfeiture may be reinstated to the list at the next quarterly review following satisfaction of the judgment.
 8. The Circuit Court Administrator 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