



# Office of the Sheriff

Brett E. McGuire  
PALO PINTO COUNTY  
Law Enforcement Center  
420 Cedar Street  
P.O. BOX 279  
Palo Pinto, Texas 76484



Effective Date: February 12, 2018

## Palo Pinto County Sheriff's Office Bonding Policy

1. All Sureties must meet the qualifications as outlined in 17.10 CCP.
2. Each bondsman (Surety) **shall** file, with the Sheriff, a current financial statement, which form shall be in accordance with the standards as established by the American Institute of Certified Public Accountants. Each financial statement must be furnished annually, no later than February 28<sup>th</sup> of each year. All financial statements shall exclude any properties exempted by law from execution and properties that have debts, mortgages, liens, judgments or any other encumbrances attached. Bondsmen are required to provide a legal description of any real property listed as an asset on the financial statement and shall provide proof of deposit of any cash funds listed.
3. Along with the financial statement each bondsman shall provide to the Sheriff a signed and notarized original of the Sufficiency of Sureties Ascertained OATH as outlined in Article 17.13 of the Texas CCP.
4. Bondsmen shall be residents of the State of Texas and have property therein liable to execution worth **twice the sum** for which the Surety is bound. This total amount shall be inclusive of all bonds posted or held in this or any other County or Counties.
5. All Bondsmen must provide proof of educational requirements under 17.10 as required.
6. All Bondsmen must provide an Assumed Name Certificate filed and recorded in Palo Pinto County if doing business under a business name that is unincorporated or a Power of Attorney designating and authorizing the agent(s) if an incorporated insurance company.
7. Bondsmen shall provide to the Sheriff on the first business day of each month a record of all outstanding bonds posted or held in this County or any other County.

8. It shall be the responsibility of each Bondsman to reconcile the disposition of all outstanding bonds with the listing held by the Sheriff's Office. A bond disposition report form(s) shall be provided and shall be returned to the Sheriff's Office (Administration Division) no later than the 15<sup>th</sup> day of each month.
9. The Sheriff may, upon taking or considering any bail bond, require an affidavit attesting to the Surety's worth. The Sheriff may require further evidence of the Surety's worth, a property's value, proof of clear title or of the property being liable to execution as may be required to assure a Surety's worth.
10. The Surety shall sign every bond personally. Bonding agents may not sign bonds for a Surety.
11. Bail bonds shall contain the requisites as set forth in Article 17.08 of the Texas CCP. All bonds must be executed on a form approved by the Sheriff and any bond may be rejected due to form by the Sheriff or his designee.
12. Any bond on which two or more sureties are jointly and severally bound must be approved by the Sheriff, personally, as to its validity and form.
13. All attorneys are subject to these rules and regulations and any attorney bond must be accompanied by a letter from the attorney stating that he is representing the person being bonded. The Sheriff, Jail Administrator or the Assistant Jail Administrator must approve all attorney bonds.
14. If a judgment due to forfeiture is levied against a Bondsman by Palo Pinto County, or any other county in Texas, said Bondsman will not be allowed to bond in Palo Pinto County until the judgment is satisfied and proof of such has been presented to the Sheriff.
15. Any Surety who is not on the approved list to post bonds in Palo Pinto County must be approved by the Sheriff prior to posting any bonds in Palo Pinto County.
16. Notwithstanding the foregoing, out of County bonds and out of County attorney bonds will be approved if they are signed by the Sheriff of that County.
17. Any corporation authorized by law to post bail bonds shall file a Power of Attorney with the County Clerk of Palo Pinto County designating and authorizing the agent or agents who have the authority to execute a bail bond for the corporation.
18. Bondsmen or their designated agents shall personally present all bonds for approval.
19. Bondsmen shall provide the Sheriff with the name of each approved agent that works for them and a copy of the agent's driver's license.


20. No bondsman or agent of a bondsman will be allowed in the Palo Pinto County Jail at any time.
21. All bonds presented by a bondsman or a bondsman's agent shall be dropped in the window in the front lobby area of the Sheriff's Office (or other designated place) and it shall be the bondsman's responsibility to notify the jail by telephone that they have placed a bond in the window.
22. The defendant shall be required to indicate in writing to jail staff which bonding company that they wish to use. Only bonds presented by the bonding company of the defendant's choice will be presented to the defendant. If someone other than the defendant secured the services of a particular bonding company on behalf of the defendant, then the bondsman or agent shall provide written documentation to that effect, and shall provide the name and contact information of the person that has secured their services. Unsolicited bonds will not be accepted.
23. Neither bondsmen nor their agents shall be allowed to solicit bonding business within the confines of the Palo Pinto County Sheriff's Department or on any of its property.
24. Bondsmen and their agents are expected to conduct themselves in a professional and ethical manner at all times. Verbal abuse of staff (or others), use of profanity, causing a disturbance etc. will not be tolerated and the offending bondsmen or their agents will not be allowed into the Law Enforcement Center for a period of time to be determined by the Sheriff. Bondsmen and their agents will be expected to conduct their business in accordance with accepted business practices.
25. Employees of the Palo Pinto County Sheriff's Department will not require, solicit or persuade any inmate to use the services of any particular bonding company. A current list of all approved bondsmen will be available to all inmates and the list will be rotated and updated on a monthly basis.

It is the inmate's responsibility to contact and negotiate with whomever they may choose from the approved bondsman list. Employees of the Palo Pinto Sheriff's Office are prohibited from communicating in any way with inmates about a bonding company.

26. No employee of the Sheriff's Department will be affiliated in any way with bonds, bonding agents or the inmate's choice of bonding companies. No bondsman or agent will be permitted to solicit the aid of any Sheriff's Department employee for bonding business. Any employee found to be in violation of this rule will be subject to disciplinary action and the bonding company will be prohibited from conducting business in the Palo Pinto County Detention Facility.
27. The Surety will be liable for all reasonable and necessary expenses incurred in returning the accused into the custody of the Sheriff of Palo Pinto County when and if the Surety wishes to be removed from liable obligations of the bond.

28. Bondsmen shall provide to the Sheriff any additional documentation deemed necessary as soon as available but in no event later than fifteen (15) days from the date of the request.
29. Any unforeseen problems or concerns should be brought to the Sheriff for his consideration and resolution and the Sheriff will make the final decision in the matter.

Approved and adopted this 12<sup>th</sup> day of FEBRUARY, 2018.

  
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Brett E. McGuire, Sheriff  
Palo Pinto County, Texas