

**2011 KING COUNTY SUPERIOR COURT JUDGES'  
RESOLUTION REGARDING JUSTIFICATION OF BAIL BOND COMPANIES**

BE IT RESOLVED by the Judges of the Superior Court for King County, Washington, that the following be adopted as the policy of this Court with reference to the justification of bail bond companies, in compliance with statutory requirements:


1. It is the policy of the Superior Court for King County that each individual bail bond company desiring to transact surety bail bonds in the King County Correctional Facility in Seattle or the Norm Maleng Regional Justice Center in Kent be required to justify its qualification annually under the provisions of RCW 19.72.040.
2. No later than October 1 of each year, any bail bond company wishing to be justified to conduct business in King County for the following year shall file a petition in King County Superior Court seeking such justification and shall provide working copies of its petition to the Presiding Judge of the King County Superior Court and to the Civil Division of the King County Prosecuting Attorney's Office. A proposed Order of Justification shall be submitted with each petition and must comply with LCR 7(b)(5)(C). The note for motion, petition, proposed order, and any supporting declarations and exhibits must be in the format provided by the Superior Court on its web site at <http://www.kingcounty.gov/courts/scforms.aspx>. (Once in the Superior Court Forms directory, select the blue "Bail Bond Forms" button from the list on the left.)
3. In its petition, a bail bond company shall provide at least the following: a) a list of bonds within the last year which remained unpaid by the bail bond company after the deadline listed in an order of forfeiture or judgment of forfeiture signed by a Washington State judge, and a copy of each such order, b) documentation from the Washington State Department of Revenue or Department of Licensing listing the bail bond company's UBI number, c) the name(s) of the owner(s) of the bail bond company and the percentage of ownership of each owner, d) an alphabetical listing of bail bond agents who will be engaged in the sale or issuance of bail bonds on behalf of the company, e) a sworn statement from each owner and agent regarding his or her criminal history conviction information, Washington State Department of Licensing disciplinary actions and open investigations, and denial or revocation of justification by any other court or county, with regard to either the individual or a company for which the individual worked, and f) a copy of every agent's current Washington State Department of Licensing Bail Bond Agent license and Insurance Commissioner license.

4. Bail bond companies shall also provide the following information about each Corporate Surety for which they post bonds: a) a copy of the Corporate Surety's power of attorney authorizing the bail bond company or individual agent to act on behalf of the Surety, and b) a certification letter from the Washington State Insurance Commissioner certifying that the bail bond company is a licensed producer for the Surety in the State of Washington, naming each agent as a licensed and affiliated producer, authorizing the bail bond company to conduct insurance business for the Corporate Surety, and authorizing the Corporate Surety to do business in Washington State.
5. No later than November 1 of each year, the Prosecuting Attorney's Office shall file any responses to petitions with the Clerk of the Court. A copy of the response shall be served on the petitioner, as well as a working copy to the Presiding Judge.
6. If the Presiding Judge deems it advisable, a hearing with regard to a bail bond company's petition will be held by November 30 of each year. The Presiding Judge will give notice to all necessary parties with regard to such hearing. In order to be considered, any reply by petitioner shall be filed and served no later than five court days before such hearing date.
7. Although testimony is rarely taken during this process, if testimony is taken, it shall be recorded.
8. All Orders of Justification shall expire on December 1, pursuant to the terms of the Order.
9. Bail bond companies must give written notice to the Presiding Judge and to the Civil Division of the King County Prosecuting Attorney's Office of any expired, revoked or otherwise invalid Washington State Department of Licensing or Insurance Commissioner licenses, for the bail bond company and/or any agents of the bail bond company, within three business days of the changed status. Such notice shall also be filed contemporaneously with the Clerk of the Court.
10. Bail bond companies shall give written notice to the Presiding Judge and to the Civil Division of the King County Prosecuting Attorney's Office when an authorized agent is no longer employed by the bail bond company. Notice shall be provided within three days of the changed status. Such notice shall also be filed contemporaneously with the Clerk of the Court.
11. Other than the process for Annual Justification described above, bail bond companies may file and serve petitions for initial justification, or petitions to amend their justification to reflect changes in company information,

including bond amounts and agents. The note for motion, petition, proposed order, and any supporting declarations and exhibits must be made in the form provided by the Superior Court on its web site at <http://www.kingcounty.gov/courts/scforms.aspx>. (Once in the Superior Court Forms directory, select the blue "Bail Bond Forms" button from the list on the left.) A copy of all such petitions shall be served on the Civil Division of the King County Prosecuting Attorney's Office. All such petitions must be accompanied by a proposed order and shall be noted for hearing pursuant to the Court Rules no fewer than 10 days after being filed and served. If the Presiding Judge sees a need for a court hearing, the Presiding Judge shall so notify the parties.

12. If the Presiding Judge grants the bail bond company's petition, an Order of Justification shall be entered and filed. If, however, a petition is denied, the Presiding Judge shall enter an order reflecting that ruling. Notification of each bail bond company's status will be supplied to the judges of the Superior Court, District Court and Seattle Municipal Courts, to the Prosecuting Attorney of King County, and to the Seattle City Attorney. Any bail bond company desiring a copy of its order may request one by following the procedures outlined in LCR 7(b)(5)(C).
13. The Presiding Judge may refuse to issue an order of justification in whole or in part to the extent a bail bond company files a pleading that is inaccurate, incomplete or insufficient under the terms of this order. The Presiding Judge also may revoke an order of justification or refuse to issue an order of justification in whole or in part for other good cause.

Dated this 17<sup>th</sup> day of August, 2011.

  
The Honorable Richard F. McDermott  
Presiding Judge, King County Superior Court