



Superior Court
Of Snohomish County

ADMINISTRATIVE ORDER 07 - 09

JUSTIFICATION OF BAIL BOND COMPANIES AND SURETIES

Adopted: August 15, 2003
Updated: February 11, 2009

Snohomish County Superior Court here by adopts the following procedure for justification of bail bond companies and sureties in Snohomish County.

- A. No bond posted by a bail bond company or corporate surety may be accepted by or on behalf of Snohomish County Superior Court, District Court or Juvenile Court unless the bonding company or corporate surety posting such bond has obtained and is operating under an order of justification issued by the Snohomish County Superior Court. The Snohomish County Superior Court will issue such an order of justification only after hearing on a petition filed in compliance with the terms of this administrative order. No authority may be sought or granted by Snohomish County Superior Court for justification in any municipal court in the county.
- B. The Snohomish County Superior Court Presiding Judge will hold a hearing in December of each year to determine petitions for orders of justification for the upcoming calendar year. The Civil Division of the Snohomish County Prosecuting Attorney's Office will send notice of the annual hearing date to all companies justified to post bonds in Snohomish County as of September 1st of the current calendar year. The Presiding Judge may set other hearing dates as necessary or appropriate.

Superior Court of Snohomish County

- C. A bail bond company or corporate surety seeking an order of justification from Snohomish County Superior Court must file a petition with the Snohomish County Clerk under the standards set forth in paragraph (e). Any company justified in Snohomish County at the time the petition is filed may file the petition under the existing cause number. If a company is not justified at the time the petition is filed, the company may file the petition only under a new cause number, regardless of whether the company was justified at an earlier time.
- D. At least forty-five (45) days prior to a hearing on justification, a petitioner must serve a copy of the filed petition for justification on the Superior Court Presiding Judge and the Civil Division of the Snohomish County Prosecuting Attorney's Office. Hearing on the petition may be stricken or the order of justification denied in whole or in part if affidavits of service of the petition do not appear in the court file at the time of the hearing on justification or if service has not been timely made.
- E. The petition for justification shall clearly state the name of the court or courts in Snohomish County in which authorization to post bail bonds is sought, and shall contain a true and correct copy of each of the following documents:
1. Petitioner's state business license and bail bond agency and/or branch office license that is effective for the period for which justification is sought;
 2. If justification is sought to post surety bonds, a Certificate of Authority from the Washington State Insurance Commission for the petitioner or underlying surety to do surety insurance business in the State of Washington;
 3. If justification is sought to post surety bonds, a fully executed and current power of attorney for each agent, individual or corporate, authorized to execute surety bonds on behalf of each surety that may guarantee bonds under the justification order sought;
 4. If justification is sought to post property bonds, a letter of credit, evidence of blocked interest account, or other form of guarantee effective for the period for which justification is sought;
 5. A current list of petitioner's total bond obligations by county, segregating property bonds from surety bonds;
 6. A current bail bond agent license for each agent for whom authorization to post bail bonds is sought;

Superior Court of Snohomish County

7. A truthful declaration signed under penalty of perjury by each proposed agent stating that person's full name, any aliases, former name(s), including maiden name(s), address, date of birth, and statement of misdemeanor and felony convictions. The declaration filed with the Prosecuting Attorney's Office should also include the proposed agent's social security number. Pursuant to GR 31 (e), the social security number should be redacted from the declaration filed with the court. An unredacted copy shall be filed with the court under seal;
 8. A list of known investigations conducted or in progress by the state department of licensing since the prior order of justification, if any, including the basis for investigation, status, and consequence, if known;
 9. Such other proof of financial, corporate and agent responsibility as the Presiding Judge of the Superior Court shall find to be sufficient to justify the surety or property bond agent.
- F. At the hearing on justification the court shall consider petitioner's proof of financial, corporate and agent responsibility, any objections or proof submitted by the Snohomish County Prosecuting Attorney and/or courts named in the petition, and any other information bearing on the sufficiency of the petition for justification. The court shall deny an order of justification in whole or in part to the extent a petitioner files a petition that is incomplete or insufficient under the terms of this order, and may deny an order of justification in whole or in part for other good cause.
- G. If approved, the court shall sign an order of justification that shall designate the corporate surety on which surety bonds may be written, state the basis on which property bonds may be written, name the authorized agents, set the maximum amount that may be written on any one bond by each surety, and specify any other conditions of justification.
- H. No order shall generally authorize a bonding company to write bonds exceeding two hundred fifty thousand dollars (\$250,000) for any single bond, provided that any company justified by the county may seek approval for authorization to bond for additional sums on an individual case.
- I. An order of justification shall be in full force and effect for the period specified in the order, in any event not to exceed one year. Authorization shall expire at midnight on December 31st of the year in which authorization to transact business as a bail bond company is effective.

Superior Court of Snohomish County

- J. The Snohomish County Jail shall not accept a surety or property bond unless it can verify that the bond is posted under the conditions specified in a current order of justification. It shall be the responsibility of the petitioner to provide a true and correct copy of the current order of justification and current photo of each authorized agent to the Snohomish County Jail before transacting business as a bail bond company in Snohomish County.
- K. An order of justification may be suspended or revoked at any time upon a determination of insufficiency or unreliability of the sureties or their agents or for such other reason as the court deems good cause. Suspension or revocation may be initiated by the Office of the Prosecuting Attorney upon filing a notice of intent to seek suspension or revocation with the Snohomish County Superior Court Clerk. The notice of intent to seek suspension or revocation shall include a short statement of the basis on which suspension or revocation is sought and shall be served on the bonding company whose justification is at issue. A hearing will be set within thirty (30) days of filing and service of the notice of intent to seek suspension or revocation.
- L. During the period an order of justification is in effect, a petitioner may seek to add additional agents by filing with the Snohomish County Superior Court Clerk and serving on the Civil Division of the Snohomish County Prosecuting Attorney's Office a Notice of Intent to Add Agent(s) together with supporting information as required in paragraphs (e) (vi) of this order. Absent objection by the Prosecuting Attorney, the intended agent(s) will be added without further order no later than the end of ten (10) court days after filing and service of said notice. In the event of objection, petitioner may file a motion for review of the Notice of Intent to Add Agents(s), which shall be heard and determined by the Snohomish County Superior Court Presiding Judge under the standards of this order.
- M. A bail bond company must notify the Superior Court Presiding Judge and the Civil Division of the Snohomish County Prosecuting Attorney's Office when an agent authorized to post bonds under an order of justification is terminated from employment with the bail bond company. Failure to provide notice within twenty (20) days of the termination may constitute grounds for suspension or revocation of an order of justification.

Superior Court of Snohomish County

Dated this ____ day of _____, 2013

Michael T. Downes, Presiding Judge

Supersedes: Reformatted February 20, 2013-no change in content; Updated 2/11/09; 12/12/06; 2003 Administrative Order Justification of Bail Bond Companies and Sureties 03-07 No change in content – just renumbered; Adopted August 15, 2003