



Superior Court
Of Snohomish County

ADMINISTRATIVE ORDER 12-06

BAIL BOND FORFEITURE PROCEDURE

Adopted: March 8, 2006
Updated: December 12, 2006

Whereas the Snohomish County Superior Court, Snohomish County Clerk, and Civil and Criminal Divisions of the Snohomish County Prosecuting Attorney's Office have agreed upon appropriate procedures for bail bond forfeiture in accordance with Washington State law;

The Snohomish County Superior Court hereby adopts the following procedures for bail bond forfeiture:

1. Actions upon failure to appear:
 - a. Upon a defendant's failure to appear, the prosecuting attorney involved with the matter will present an order which includes a statement that bail/bond has been forfeited.
 - b. The criminal division of the prosecutor's office will send notification of the defendant's failure to appear and the forfeiture of bail to the Clerk's office. Within thirty days of the scheduled date of appearance at which the defendant failed to appear, the Clerk's office, on behalf of the Snohomish County Superior Court, will prepare a letter to both the bail bond company and the surety indicating the date the defendant failed to appear, the amount of the forfeited bail/bond, that bail/bond has been declared forfeited, and that unless the bail/bond is paid into the registry of the court or the defendant is produced

Superior Court of Snohomish County

within sixty (60) days, the matter will be referred to the civil division of the Prosecuting Attorney's office for revocation of the bail bond justification and to obtain a judgment against both the bail bond company and its surety. The letters will be signed by a Clerk's representative and indicate that it is being sent by the court.

- 2. Enforcement of bond forfeiture:
 - a. After sixty days have elapsed from the date the defendant failed to appear, the Clerk's office will determine whether the defendant has subsequently appeared or the bail has been paid into the registry of the court.
 - b. If neither event has occurred, the Clerk will send a copy of the docket showing the date the defendant failed to appear, a copy of the letters that were sent to the bail bond company and surety notifying them of the defendant's failure to appear, a copy of the appearance bond, and a copy of the qualifying power of attorney, to the criminal division of the Prosecutor's office requesting that appropriate action be taken. After confirming the defendant's status, the information will be forwarded to civil division of the Prosecutor's office for action.

- 3. Disposition of bail bond funds paid in to the registry of the court:
 - a. In the event funds are paid into the registry of the court, said funds shall be held for one year pursuant to RCW 10.19.140. If the defendant is produced within one year due to the actions of the surety, the funds will be returned pursuant to RCW 10.19.140.

Dated this ____ day of _____, 2013

Michael T. Downes, Presiding Judge

Supersedes: Reformatted February 20, 2013-no change to content; Updated 12/12/06; Adopted March 8, 2006