

**IN THE CIRCUIT COURT OF
MADISON, HENDERSON AND CHESTER COUNTY, TENNESSEE
26th JUDICIAL DISTRICT**

ORDER

RE: ALL EXISTING AND NEW BONDING COMPANIES THAT DO OR REQUEST TO DO BUSINESS IN THE 26TH JUDICIAL DISTRICT (MADISON, HENDERSON AND CHESTER COUNTY) MUST MEET THE FOLLOWING REQUIREMENTS TO HAVE BONDING PRIVILEGES. UNLESS OTHERWISE STATED HEREIN, ALL EXISTING BONDING COMPANIES ALREADY DOING BUSINESS IN THE 26TH JUDICIAL DISTRICT MUST BE IN COMPLIANCE WITH THE NEW RULES AND REGULATIONS BY JANUARY 1, 2015.

- 1) Petitions for approval shall be made and filed on a semi-annual basis and shall be filed on or before January 15 and July 15 of each year. FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL PREVENT APPROVAL. PETITIONS FILED AFTER THE CUTOFF DATE WILL NOT BE CONSIDERED or heard until the next approval date.
 - a) Petitions which are in error are deemed to not have been timely filed, including errors discovered after acceptance by the Clerk.
 - b) Any changes to a Bonding Company's name, ownership, or agents as submitted in the original petition must be submitted in writing and approved by the Court, with such MODIFICATIONS only being allowed to be made in January and July of each year.
 - c) New agents for Bonding Companies shall only be added upon request filed on a semi-annual basis, and will only be added in January and July each year.

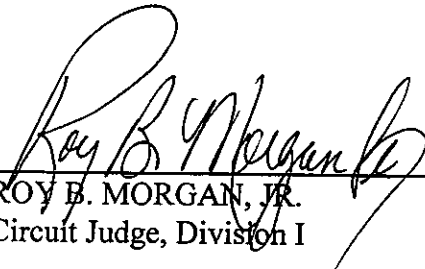
- 2) All bonding companies APPROVED AFTER January 1, 2015, must deposit a minimum of \$75,000.00 cash with the Clerks Office for the Clerk to hold in an interest bearing account. This applies to all bonding companies whether insurance or money backed. All insurance backed bonding companies must also supply insurance verification which consist of proof of insurance and that the company is in compliance with all insurance requirements.
 - a) All bonding companies must deposit \$5,000.00 cash with the Clerks Office for the Clerk to hold in an interest bearing account for each bonding agent that write bonds, other than the owner, for their company.
 - b) The deposited cash shall not be withdrawn or applied to satisfy a Final Forfeiture of Judgment. Withdrawal will be permitted upon the termination of business and all bail bonds paid or exonerated.
- 3) A company operating on posted security may write bail bonds up to ten (10) times the amount of the security. Security is defined as the total amount of cash on deposit with the Circuit Court Clerk. Any company utilizing insurance companies and having posted the minimum cash deposit may be entitled to write bail bonds up to twenty (20) times the amount of the security posted with the Circuit Court Clerks Office.
- 4) When a bonding company has active written bail bonds in excess of the approved limits, the Clerk shall notify the bonding company by certified mail. The bonding company shall have thirty (30) days from date of notice to make additional cash deposit with the Clerk. If the bonding company fails to comply by making the deposit with the Clerk, the Clerk shall notify the Court and an Order will be entered suspending bonding privileges.
- 5) No bonding company shall make a single bond of more than \$200,000.00 on any defendant for any single crime/warrant/indictment/presentment without prior approval of the Court exercising jurisdiction over the bonding company. If a bonding company has set limits on their agent to amounts less than \$200,000.00 then that is a matter between the bonding company and the agent.

- 6) All new bonding companies and agents must have a letter of good standing from all the surrounding counties. The letter should also inform our Clerks Office if they have any outstanding Conditional or Final Forfeitures and if their bonding privileges have been suspended.
- 7) All bondsmen or agents must submit to random drug screens as requested by the Court, and cost of screens shall be paid by the bonding company.
- 8) All bondsmen or agents must comply with all statutory requirements regarding professional bondsmen within the state of Tennessee. This includes compliance with T.C.A. 40-11-317, criminal background checks, prior to being approved by the Court.
- 9) Pursuant to T.C.A. 40-11-303, all bonding companies will have to supply a semi-annual report to the Clerks Office with a proof of insurance attached and a certificate of compliance. An educational certificate for that calendar year shall be attached for each agent, pursuant to T.C.A. 40-11-401.
- 10) A bondsman or agent can only have a financial interest in one bonding company.
- 11) Upon any bonding company receiving an ORDER OF FINAL FORFEITURE, all bonding privileges of that bonding company shall be suspended until such Order of Final Forfeiture is satisfied by payment in full to the Clerk. The bonding company has thirty (30) days from the date of the Final Forfeiture to satisfy payment in full.
- 12) A bonding company shall not be allowed total forfeitures evidence by Conditional and/or Final Judgments which exceeds more than 100% of the amount of cash collateral posted with the Clerk. If this amount is exceeded by the bonding company then the Clerk shall notify the bonding company allowing the bonding company thirty (30) days to rectify this violation.
- 13) Complaints against bonding companies and/or agents must be in writing, signed and notarized and filed with the Clerk of the Court. Said complaint must include address and phone numbers of complainant. The Judge presiding over that term of


Court will review said complaint and determine whether there exists just cause for a hearing. If a hearing is held all parties will be notified in writing by the Clerk of the Court regarding the hearing date.

- 14) These rules may be amended from time to time. The Clerk will notify all approved bonding companies as to any amendments. Upon receipt of notice, all bonding companies will comply with said amendments.


ENTER, this the 5th day of DECEMBER, 2014.



ROY B. MORGAN, JR.
Circuit Judge, Division I



DONALD H. ALLEN
Circuit Judge, Division II



KYLE C. ATKINS
Circuit Judge, Division III