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# MISSISSIPPI BAIL PROCEDURES MANUAL

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By  
**MISSISSIPPI COALITION OF LIMITED SURETIES, INC.**

(<https://www.mcols.com>)

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# INTRODUCTION

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This guide has been prepared in order to help clarify issues and statutes related to the bail bond system in Mississippi. Bail agents, court clerks, or any other person involved in the bail bond system should use this guide to ensure the proper operation of the system – particularly in the case of a defendant failing to appear.

Because the laws related to bail bonds were often confusing or vague in the past, the Mississippi Legislature has taken steps in recent years to clarify the statutes governing the bail bond system. This guide provides step-by-step instructions related to bail forfeitures and provides all current Mississippi statutes related to bail bond system.

Click [HERE](#) to view the full Mississippi Code of 1972.

We hope that this guide proves to be a valuable asset for the day-to-day operations of the bail bond system for all parties involved. Please let us know if you have further questions or suggestions about information you would like to see included in future editions of the guide.

The Mississippi Coalition of Limited Sureties, Inc.

## MCOLS Mission

MCOLS is dedicated to limited surety bail. We pledge to fight for the growth and continuation of surety bail in Mississippi. We promise to provide professional bail agents with the knowledge and skills necessary to meet the responsibilities and challenges of bail industry careers with P.R.I.D.E. (Professionalism, Respect, Integrity, Dignity, & Excellence). Additionally, we strive to provide quality educational opportunities so that bail agents can meet state licensing requirements. We also track legislative trends affecting the bail industry in Mississippi and serve as an advocate for our member agents.

# SECTION 1: WHAT ARE THE REQUIREMENTS FOR ACCEPTING A BOND?

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1. Any person who executes or delivers a bail bond must hold a valid license from the Mississippi Insurance Department (MID).
2. Bond forms must have the following information preprinted or stamped clearly and legibly on them. The Court should issue an order to the Sheriff and all bail agents who write bonds within that Court regarding this requirement.
  - Professional Bail Agent's full name
  - Professional Bail Agent's MID license number
  - Professional Bail Agent's legal address
  - Professional Bail Agent's phone number

Additionally, if a bond is posted by a Limited Surety Professional Bail Agent, the following information must also be preprinted or stamped clearly and legibly on the bond form:

- Insurer's name
- Insurer's legal address on file with MID
- Insurer's phone number

A copy of an Individual Power of Attorney authorizing the agent to post the bond must also be attached to all bonds.

If the bond is taken from a Soliciting Bail Agent, the full name of the Soliciting Bail Agent and the license number of such agent must be preprinted or stamped clearly and legibly. In such a case, the bond form must also include all information required for a Professional Bail Agent along with a true and correct copy of an Individual Power of Attorney authorizing such Soliciting Bail Agent to sign the name of the Professional Bail Agent.

A person licensed as Soliciting Bail Agent has no liability to pay the Court any money. The responsible party is the Professional Bail Agent or the Insurer.

3. Soliciting Bail Agents are required to post a Qualifying Power of Attorney providing the agent with authority to sign the Professional Bail Agent's name to the bond. All bonds must be signed in the name of the Professional Bail Agent.

In the absence of a Power of Attorney, the Professional Bail Agent must sign all bonds personally.

The original Qualifying Power of Attorney and copies of the state license of the Professional Bail Agent and the Soliciting Bail Agent should be filed with the Circuit Clerk and attested copies delivered to any other courts of the county.

4. Professional Bail Agents licensed as Limited Surety Agents representing insurance companies must file with the Circuit Clerk a Qualifying Power of Attorney from their Insurer giving them the authority to execute bail bonds. The

## Mississippi Insurance Department

MID's website provides a number of valuable resources for those involved in the bail bond system.

Click [HERE](#) to go directly to the MID Bail Agent Licensing site.

Anyone needing to verify a bail agent or surety's license may use the MID Licensing Search system found [HERE](#).

You may also contact the MID directly at:

Licensing Number: (601) 359-3582

For General Inquiries:  
[info@mid.ms.gov](mailto:info@mid.ms.gov)

original, along with copies of the license, should be filed with the Circuit Clerk (see the MS Code of 1972, Section 99-5-7).

5. All bail bonds should be signed in the name of the Professional Bail Agent. An Individual Power of Attorney should be attached to every bond giving that agent the authority to execute that bond in a specific amount.
6. All bail bonds posted by a Limited Surety Agent or a Bail Soliciting Agent must have an Individual Power of Attorney. If there is no power of attorney attached to a bond written, there is no obligation for the surety to pay.
7. Most Individual Powers of Attorney have a maximum allowable amount. Be sure the bond is not posted for more than the maximum printed on the Power of Attorney. Individual Powers of Attorney cannot be stacked in order to exceed the maximum allowable amount. In other words, it is not allowable to use more than one Power of Attorney on a single bond.
8. Bail agents generally operate under a trade name. However, when it comes to collecting on bonds, trade names are irrelevant. It is not uncommon in the bonding business for agents to change trade/agency names when they have been or are about to be cut off as a result of forfeitures. This is why it is required that all bail bond paperwork specify the full name and license number of the Professional Bail Agent.
9. Some Professional Bail Agents may attempt to operate under one trade name while having one or more of their Soliciting Bail Agents operate under a different trade name. This is also not allowed under current Mississippi law. A Professional Bail Agent may only operate under a single trade name. All Soliciting Bail Agents must operate under the trade name of the Professional Bail Agent (see the MS Code of 1972, Section 83-39-3).

## SECTION 2: WHAT HAPPENS WHEN A BOND IS FORFEITED?

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### FORFEITURE PROCEDURES

1. If a Defendant fails to appear for Court, the bond must be forfeited at that time.
2. Upon the bond forfeiture, the Judge shall sign a Judgment Nisi to formally forfeit the bond.
3. The Clerk should then complete and sign a Scire Facias. The case should then be put on the Court calendar for ninety (90) days from that date (see the MS Code of 1972, Section 99-5-25).
4. Copies of the Warrant, Judgment Nisi and Scire Facias, along with a certified copy of the bond, should be served or sent by certified mail to the Surety, not the Soliciting Bail Agent nor the Limited Surety Agent. A copy may be given to the agent, but he/she is not responsible for your money.

**NOTE:** For the purpose of process, the Surety is defined as the Personal Surety Professional Bail Agent or the Insurance Company per MS Code of 1972, Section 83-39-1.

**NOTE:** If the process sent by certified mail is returned unclaimed twice, it is considered served.

5. If the Bail Agent transports the Defendant to Court or if the Defendant is surrendered, the Bail Agent must present to the Court an Order Setting Aside Judgment Nisi. This order must be signed by the Judge in order to remove the judgment from Court records (see the MS Code of 1972, Section 99-5-25). A copy of the judgment that is set aside shall be served on the Surety by personal service or certified mail. The Judge may require the Defendant or the Bail Agent to pay any costs related to the service of process.
6. If the Bail Agent does not have the Judgment Nisi set aside within ninety (90) days, the Judge should sign a Final Judgment on the forfeiture. However, as per the MS Code of 1972, Section 83-39-7, a Judge may issue an Order Granting Extension of Time to Delay Final Judgment Nisi before issuing a Final Judgment for a valid reason (see the MS Code of 1972, Section 99-5-22) upon being petitioned by an Application for Extension of Time.

If the forfeiture is made final, a copy of the final judgment shall be served on the Surety within ten (10) working days by either personal service or certified mail. The case should again be placed upon the calendar for ninety (90) days from that date.

**NOTE:** Do not send the Scire Facias, Judgment Nisi, or Final Judgment, to the Mississippi Insurance Department. The only document which should be sent to the MID is a Revocation Order.

7. If the Bail Agent transports the Defendant to Court or if the Defendant is surrendered, the Bail Agent must present to the Court an Order Setting Aside Judgment Nisi and Final Judgment. This order must be signed by the Judge in order to remove said judgment from Court records. The Judge may require the Defendant or the Bail Agent to pay any costs related to the service of process.

8. If the Bail Agent is unable to produce the Defendant and pays the forfeiture to the Court as a result, the judgment must still be set aside with an Order Satisfying and Canceling Final Judgment Nisi. This order must be signed by the Judge in order to remove said judgment from Court records.
9. The Bail Agent must satisfy the bond prior to the ninetieth (90<sup>th</sup>) day of the Final Judgment in one of the following ways:
  - The Defendant is returned to the Court
  - The Defendant is surrendered in Court or to jail
  - The Defendant is being held in jail in another jurisdiction with a hold order
  - The bond is paid

## REVOCATION PROCEDURES

10. A Revocation Order should be signed by the Judge if the Final Judgement has not been aside by the ninety-first (91<sup>st</sup>) day of said Final Judgement.
11. If the Revocation Order is on a Professional Bail Agent licensed as a Personal Surety Agent, it should be to revoke the Qualification Bond and License of the Professional Bail Agent and all his/her agents.
12. If the Revocation Order is on a Professional Bail Agent licensed as a Limited Surety Agent, it should be to revoke the License of the Professional Bail Agent and all his/her agents. The Revocation Order should show the name of the Insurer as well as the name of the Professional Bail Agent.
13. The Revocation Order must then be served upon the Commissioner of Insurance.

**NOTE:** It is helpful to include a copy of the original bail bond, copies of the Scire Facias, Judgment Nisi, Final Judgment, and proof of service with the Revocation Order.

14. Upon the Revocation Order being served upon the Commissioner of Insurance, the Sheriff should be notified by the Court that the Bail Agent will no longer be allowed to post bonds in any Court.

**NOTE:** When the Revocation Order is issued and a hearing is held, per the MS Code of 1972, Section 83-39-17, the license is suspended until that order is set aside.

15. Upon receiving payment of the outstanding bond, the Judgment Nisi, Final Judgment and Revocation Order remain in effect until an Order Setting Aside Judgment Nisi/Final Judgment/Revocation is issued directing the Mississippi Insurance Department to remove the original forfeiture order.
16. The Bail Agent is due a remission of the bond if:
  - The Bail Agent has fulfilled payment of the bond **AND**
  - Within eighteen (18) months of the date of the Final Judgement the Bail Agent has: (1) returned the Defendant to the Court, (2) surrendered the Defendant to the Court or jail, **OR** (3) placed a hold order on the Defendant being held in jail in another jurisdiction (see the MS Code of 1972, Section 83-39-7)



Remission must be made upon presentation to the Court of an Application for Remission of Bond (specifying the proper reason for said remission) along with the Order for Remission of Bond. The Judge may order the Bail Agent or the Defendant to pay any related court costs.

## SECTION 3: WHAT HAPPENS WHEN A DEFENDANT JUMPS BOND?

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1. A Defendant who does not appear in Court may be charged with bond jumping (see the MS Code of 1972, Section 83-39-29). Said Defendant may be so charged by the Court or by the Bail Agent.
2. As Bail Agents are not sworn officers of the Court, they are not allowed to serve warrants for bond jumping or any other charge. However, a warrant is not necessary for the Bail Agent to pick up a Defendant who has jumped bond. This is specifically addressed in Mississippi state law (see the MS Code of 1972, Section 99-5-27) and by judicial precedent (Taylor v. Taintor, Wall 366).
3. The Bail Agent shall receive an attested copy of the bond jumping warrant in order to provide protection of a law enforcement officer in the event of trouble arising from the arrest of the Defendant (see the MS Code of 1972, Section 99-5-25 ).
4. Bail Agents are allowed to receive any information available to law enforcement or the courts pertaining to the Defendant for the purpose of safe surrender or for any reasonable cause in order to safely return the Defendant to the custody of law enforcement and the Court (see the MS Code of 1972, Section 99-5-27).

**NOTE:** Such information may include but is not limited to addresses, tag numbers, driver's license numbers, pictures, or any other information to which the Court has access.

## SECTION 4: HOW DOES A BOND BECOME DISCHARGED?

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1. A bail bond is considered discharged or cleared when:
  - The Defendant appears and is found guilty
  - The charge is dismissed or nolle prosequi
  - The charge is retired or remanded to the files
2. A bail bond is discharged or cleared when the Defendant is present in Court and either pleads guilty or is found to be guilty and sentence is pronounced.

**NOTE:** When a Defendant appears before the Court and enters a plea of guilty and the amount of the fine is entered into the Court records, the bond is discharged. A bail bond guarantees the appearance of the defendant only – it does not guarantee the payment of fines or costs (see the MS Code of 1972, Section 99–5–25).

3. A bail bond is discharged or cleared either when the Defendant is surrendered by the Bail Agent in open Court or to the proper jail or Sheriff (see the MS Code of 1972, Section 99-5-27).
4. A bail bond is discharged or cleared when a Defendant is placed on a non-adjudication sentence.

# SECTION 5: MS Code (Section 83–39) – Bail Bonds & Bondsmen

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MISSISSIPPI CODE of 1972

TITLE 83

CHAPTER 39

BAIL BONDS AND BONDSMAN

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## SECTION:

- 83-39-1 Definitions
  - 83-39-3 Individual License Required
  - 83-39-5 License Requirements
  - 83-39-7 Qualification Bond; return of Defendant out on bond
  - 83-39-8 Transfer of Qualification Bond
  - 83-39-9 Issuance of License
  - 83-39-11 License Fees
  - 83-39-13 Annual reports required
  - 83-39-15 Grounds for denial, suspension, revocation, and refusal to renew license
  - 83-39-17 Hearing
  - 83-39-19 Appeals
  - 83-39-21 Judicial proceedings in lieu of departmental hearing
  - 83-39-23 Notice to sheriff and judicial officials
  - 83-39-25 Maximum premium, commission or fee; processing fee; holding collateral to insure payments of premium or indemnify for losses
  - 83-39-27 Prohibited activities
  - 83-39-29 Penalties
  - 83-39-30 Payment to inmates and their jailers prohibited
  - 83-39-31 Fee on appearance bonds and recognizances; additional assessment on bail bonds to be deposited into Victims of Domestic Violence Fund
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## § 83-39-1 - Definitions

The following terms when used in this section shall have the following meanings:

1. Department: the Mississippi Insurance Department.
2. Commissioner: the Mississippi Commissioner of Insurance.
3. Insurer: any domestic or foreign insurance corporation or association engaged in the business of insurance or suretyship which has qualified to transact surety or casualty business in this state.
4. Professional Bail Agent: any individual who shall furnish bail, acting as a licensed personal surety agent or as a licensed limited surety agent representing an insurer as defined by this chapter. The above definition shall not include, and this chapter does not apply to, any individual who is not licensed under this chapter who acts as personal surety in instances where there is no compensation charged or received for such service.
5. Soliciting Bail Agent: any person who as an agent or employee of a professional bail agent, or as an independent contractor, for compensation or otherwise, shall solicit, advertise or actively seek bail bond business for or on behalf of a professional bail agent and who assists the professional bail agent in presenting the defendant in court when required or assists in the apprehension and surrender of the defendant to the court or keeps the defendant under necessary surveillance.
6. Bail Enforcement Agent: a person who assists the professional bail agent in presenting the defendant in court when required, or who assists in the apprehension and surrender of the defendant to the court or who keeps the defendant under necessary surveillance. Nothing herein shall affect the right of professional bail agents to have counselor to ask assistance of law enforcement officers.
7. Limited Surety Agent: any individual who is appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who is duly licensed by the Commissioner to represent such insurer for the restricted lines of bail, fidelity and surety, after successfully completing a limited examination by the department for the restricted lines of business.
8. Personal Surety Agent: any individual who, having posted the necessary qualification bond with the Commissioner as required by Section 83-39-7, and duly licensed by the Commissioner, may execute and sign bail bonds in connection with judicial proceedings. All new personal surety agents licensed after July 1, 1994, shall complete successfully a limited examination by the Department for the restricted lines of business.
9. Surety: the insurer or the personal surety agent guaranteeing the bail bond and for the purpose of process does not mean the agent of such Insurer or personal surety agent.
10. Bail: the use of money, property or other security to cause the release of a defendant from custody and secure the appearance of a defendant in criminal court proceedings, or the monitoring or supervision of defendants who are released from custody on recognizance, parole or probation, except when such monitoring or supervision is conducted after conviction, sentencing or other adjudication and solely by public employees.

## § 83-39-3 - Individual license required

1. No person shall act in the capacity of Professional Bail Agent, Soliciting Bail Agent or Bail Enforcement Agent, as defined in Section 83-39-1, or perform any of the functions, duties or powers of the same unless that person shall be qualified and licensed as provided in this chapter. The terms of this chapter shall not apply to any automobile club or association, financial institution, insurance company or other organization or association or their employees who execute bail bonds on violations arising out of the use of a motor vehicle by their members, policyholders or borrowers when bail bond is not the principal benefit of membership, the policy of insurance or of a loan to such member, policyholder or borrower.
2. (a) No license shall be issued or renewed except in compliance with this chapter, and none shall be issued except to an individual. No firm, partnership, association or corporation, as such, shall be so licensed. No Professional Bail Agent shall operate under more than one (1) trade name. A Soliciting Bail Agent and Bail Enforcement Agent shall operate only under the Professional Bail Agent's name. No license shall be issued to or renewed for any person who has ever been convicted of a crime that the Commissioner finds directly relates to the duties and responsibilities of the business of a Professional Bail Agent, Soliciting Bail Agent, or a Bail Enforcement Agent, including, but not limited to, any felony that involves an act of fraud, dishonesty, or a breach of trust, or money laundering. No licenses shall be issued to any person who is under twenty-one (21) years of age. No person engaged as law enforcement or judicial official or attorney shall be licensed hereunder. A person who is employed in any capacity at any jail or corrections facility that houses state, county or municipal inmates who are or may be eligible for bail, whether the person is a public employee, independent contractor, or the employee of an independent contractor, may not be licensed under this section.
  - (b) (i) No person who is a relative of either a sworn state, county or municipal law enforcement official or judicial official, or an employee, independent contractor or the contractor's employee of any police department, sheriff's department, jail or corrections facility that houses or holds federal, state, county or municipal inmates who are or may be eligible for bail, shall write a bond in the county where the law enforcement entity or court in which the person's relative serves is located. "Relative" means a spouse, parent, grandparent, child, sister, brother, or a consanguineous aunt, uncle, niece or nephew. Violation of this prohibition shall result in license revocation.
    - (ii) No person licensed under this chapter shall act as a personal Surety Agent in the writing of bail during a period he or she is licensed as a Limited Surety Agent, as defined herein.
    - (iii) No person licensed under this chapter shall give legal advice or a legal opinion in any form.
3. The department is vested with the authority to enforce this chapter. The department may conduct investigations or request other state, county or local officials to conduct investigations and promulgate such rules and regulations as may be necessary for the enforcement of this chapter. The department may establish monetary fines and collect such fines as necessary for the enforcement of such rules and regulations. All fines collected shall be deposited in the Special Insurance Department Fund for the operation of that agency.
4. (a) Each license issued hereunder shall expire biannually on the last day of September, of each odd-numbered year, unless revoked or suspended prior thereto by the department, or upon notice served upon the Commissioner by the Insurer that the authority of a Limited Surety Agent to act for or on behalf of such Insurer had been terminated, or upon notice served upon the Commissioner that the authority of a Soliciting Bail Agent or Bail Enforcement Agent had been terminated by such Professional Bail Agent.
  - (b) A Soliciting Bail Agent or Bail Enforcement Agent may, upon termination by a Professional Bail Agent or upon his cessation of employment with a Professional Bail Agent, be relicensed without having to comply with the provisions of subsection (7)(a) and (b) of this section, if he has held a license in his respective license category within ninety

(90) days of the new application, meets all other requirements set forth in Section 83-39-5 and subsection (7)(b) of this section, and notifies the previous Professional Bail Agent in writing that he is submitting an application for a new license.

5. The department shall prepare and deliver to each licensee a license showing the name, address and classification of the licensee, and shall certify that the person is a licensed Professional Bail Agent, being designated as a Personal Surety Agent or a Limited Surety Agent, a Soliciting Bail Agent or a Bail Enforcement Agent. In addition, the license, of a Soliciting Bail Agent or Bail Enforcement Agent, shall show the name of the Professional Bail Agent and any other information, as the Commissioner deems proper.
6. The Commissioner, after a hearing under Section 83-39-17, may refuse to issue a privilege license for a Soliciting Bail Agent to change from one (1) Professional Bail Agent to another if he owes any premium or debt to the Professional Bail Agent with whom he is currently licensed. The Commissioner, after a hearing under Section 83-39-17, shall refuse to issue a license for a Limited Surety Agent if he owes any premium or debt to an Insurer to which he has been appointed. If a license has been granted to a Limited Surety Agent or a Soliciting Bail Agent who owed any premium or debt to an Insurer or Professional Bail Agent, the Commissioner, after a hearing under Section 83-39-17, shall revoke the license.
7. (a) Before the issuance of any initial Professional Bail Agent, Soliciting Bail Agent or Bail Enforcement Agent license, the applicant shall submit proof of successful completion of forty (40) hours of prelicensing education approved by the Mississippi Insurance Department unless the applicant is currently licensed under this chapter on July 1, 2014 and maintained that license in compliance with the continuing education requirements of subsection (8) of this section.

Any applicant who has met all continuing education requirements as set forth in subsection (8) (a) of this section and has been properly licensed under this chapter within ninety (90) days of submitting an application for a different license type shall not be subject to the prelicensing education requirement.

(b) All applicants for a Professional Bail Agent, Soliciting Bail Agent, or Bail Enforcement Agent license applying for an original license after July 1, 2014, shall successfully complete a limited examination by the department of the restricted lines of business before the licenses can be issued; however, this examination requirement shall not apply to any licensed Bail Soliciting Agent and Bail Enforcement Agent transferring to another Professional Bail Agent license, any licensed Bail Soliciting Agent applying for a Bail Enforcement Agent license, and any licensed Bail Enforcement Agent applying for a Bail Soliciting Agent license. An applicant shall only be required to successfully complete the limited examination one.

Beginning on July 1, 2011, in order to assist the department in determining an applicant's suitability for a license under this chapter, the applicant shall submit a set of fingerprints with the submission of an application for license. The department shall forward the fingerprints to the Department of Public Safety for the purpose of conducting a criminal history record check. If no disqualifying record is identified at the state level the Department of Public Safety shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history record check. Fees related to the criminal history record check shall be paid by the applicant to the Commissioner and the monies from such fees shall be deposited in the special fund in the State Treasury designated as the "Insurance Department Fund."

8. (a) Before the renewal of the license of any Professional Bail Agent, Soliciting Bail Agent or Bail Enforcement Agent the applicant shall submit proof of successful completion of continuing education hours as follows:
  - (i) There shall be no continuing education required for the first licensure year of an original license.

(ii) Except as provided in subparagraph (i), eight (8) hours of continuing education for each year or part of a year of the two-year license period, for a total of sixteen (16) hours per license period.

(b) In an applicant for renewal failed to obtain the required eight (8) hours for each year of the license period during the actual license year in which the education was required to be obtained, the applicant shall not be eligible for a renewal license but shall be required to obtain an original license and be subject to the education requirements set forth in subsection (7). The Commissioner shall not be required to comply with Section 83-39-17 in denying an application for a renewal license under this paragraph (b).

(c) The education hours required under this subsection (8) shall be approved by the Mississippi Insurance Department.

(d) The continuing education requirements under this subsection (8) shall not be required for renewal of a bail Agent license for any applicant who is sixty-five(65) years of age and who has been licensed as a bail Agent for a continuous period of twenty (20)years immediately preceding the submission of the application as evidenced by submission of an affidavit, under oath, on a form prescribed by the department, signed by the licensee attesting to satisfaction of the age, licensing, and experience requirements of this paragraph (d).

9. No license as a Professional Bail Agent shall be issued unless the applicant has been duly licensed by the department as a Soliciting Bail Agent for a period of three (3) consecutive years immediately preceding the submission of the application. However, this subsection (9) shall not apply to any person who was licensed as a Professional Bail Agent before July 1, 2011.

10. A nonresident person may be licensed as a Professional Bail Agent, Bail Soliciting Agent or Bail Enforcement Agent if:

(a) The person's home state awards licenses to residents of this state on the same basis; and

(b) The person has satisfied all requirements set forth in this chapter.

11. On or before October 1, 2016, the Insurance Department shall establish a statewide Electronic Bondsmen Registry for all licenses, powers of appointment and powers of attorney requiring registration under this section. Once established, each Professional Bail Agent, Limited Surety Agent, Bail Soliciting Agent, Bail Enforcement Agent or insurance company writing bail bonds shall be required under this subsection (11) to register and maintain a record of each required license, power of appointment and Power of Attorney in the registry. Failure to comply with this provision will subject the Agent to the penalties provided in Section 83-39-29.

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## § 83-39-7 - Qualification bond; return of Defendant out on bond

1. (a) Each applicant for a Professional Bail Agent license who acts as personal Surety shall be required to post a qualification bond in the amount of Thirty Thousand Dollars (\$30,000.00).

(b) The Insurance Department shall submit a report to the Senate and House of Representatives Committees on Accountability, Efficiency and Transparency that details the amount of all bonds or undertakings that each bail bondsman has written in this state on which the bail bondsman is absolutely or conditionally liable since the Bail Bond Database was established by the department. The report shall be submitted on or before December 1, 2017. The report shall also include the number of bail bondsmen who have failed to comply with the database reporting requirements, if any, the technical issues that may have occurred since the database was established and any



suggested legislation to ensure each bail bondsman's continued compliance with the database reporting requirements.

2. The qualification bond shall be made by depositing with the Commissioner the aforesaid amount of bonds of the United States, the State of Mississippi or any agency or subdivision thereof, or a certificate of deposit issued by an institution whose deposits are insured by the Federal Deposit Insurance Corporation and made payable jointly to the owner and the Department of Insurance, or shall be written by an Insurer as defined in this chapter, shall meet the specifications as may be required and defined in this chapter, and shall meet such specifications as may be required and approved by the department. The bond shall be conditioned upon the full and prompt payment of any bail bond issued by such Professional Bail Agent into the court ordering the bond forfeited. The bond shall be to the people of the State of Mississippi in favor of any court of this state, whether municipal, justice, county, circuit, Supreme or other court.
3. If any bond issued by a Professional Bail Agent is declared forfeited and judgment entered thereon by a court of proper jurisdiction as authorized in Section 99-5-25, and the amount of the bond is not paid within ninety (90) days, that court shall order the department to declare the qualification bond of the Professional Bail Agent to be forfeited and the license revoked. If the bond was not forfeited correctly under Section 99-5-25, it shall be returned to the court as uncollectible. The department shall then order the Surety on the qualification bond to deposit with the court an amount equal to the amount of the bond issued by the Professional Bail Agent and declared forfeited by the court, or the amount of the qualification bond, whichever is the smaller amount. The department shall, after hearing held upon not less than ten (10) days' written notice, suspend the license of the Professional Bail Agent until such time as another qualification bond in the required amount is posted with the department. The revocation of the license of the Professional Bail Agent shall also serve to revoke the license of each Soliciting Bail Agent and Bail Enforcement Agent employed or used by such Professional Bail Agent. In the event of a final judgment of forfeiture of any bail bond written under the provisions of this chapter, the amount of money so forfeited by the final judgment of the proper court, less all accrued court costs and excluding any interest charges or attorney's fees, shall be refunded to the bail Agent or his insurance company upon proper showing to the court as to which is entitled to same, provided the Defendant in such cases is returned to the sheriff of the county to which the original bail bond was returnable within twelve (12) months of the date of such final judgment, or proof made of incarceration of the Defendant in another jurisdiction, and that a "Hold Order" has been placed upon the Defendant for return of the Defendant to the sheriff upon release from the other jurisdiction, the return to the sheriff to be the responsibility of the Professional Bail Agent, then the bond forfeiture shall be stayed and remission made upon petition to the court, in the amount found in the court's discretion to be just and proper. A bail Agent licensed under this chapter shall have a right to apply for and obtain from the proper court an extension of time delaying a final judgment of forfeiture if such bail Agent can satisfactorily establish to the court wherein such forfeiture is pending that the Defendant named in the bail bond is lawfully in custody outside of the State of Mississippi.
4. The qualification bond may be released by the department to the professional bail personal Surety Agent upon an order to release the qualification bond issued by a court of competent jurisdiction, or upon written request to the department by the professional bail personal Surety Agent no earlier than five (5) years after the expiration date of his last license.

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## § 83-39-8 - Transfer of qualification bond

If a Professional Bail Agent who acts as a personal Surety Agent dies, the personal representative of the estate may contract with licensed Professional Bail Agents, Soliciting Bail Agents or Bail Enforcement Agents to assist him in managing and closing the business affairs of the Professional Bail Agent. The licensed Professional Bail Agent, Soliciting Bail Agent or Bail Enforcement Agent contracted by the personal representative may, on behalf of the personal representative, present Defendants in court when required, assist in the apprehension and surrender of Defendants to

the court, or keep Defendants under necessary surveillance. Nothing herein shall give the personal representative the authority to execute and sign bail bonds in connection with judicial proceedings.

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### § 83-39-9 - Issuance of license

The department upon receipt of the license application, the required fee, and proof of good moral character and, in the case of a Professional Bail Agent, an approved qualification bond in the required amount, shall issue to the applicant a license to do business as a Professional Bail Agent, Soliciting Bail Agent or Bail Enforcement Agent as the case may be. No licensed Professional Bail Agent shall have in his employ in the bail bond business any person who could not qualify for a license under this chapter, nor shall any licensed Professional Bail Agent have as a partner or associate in such business any person who could not so qualify.

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### § 83-39-11 - License fees

Each license application and application for license renewal to engage in the business of Professional Bail Agent shall be accompanied by a fee of One Hundred Dollars (\$100.00). Each license application and application for license renewal to engage in the business of Soliciting Bail Agent or Bail Enforcement Agent shall be accompanied by a fee of Forty Dollars (\$40.00).

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### § 83-39-13 - Annual reports required

1. Each Professional Bail Agent licensed under this chapter, under oath, shall provide to the Insurance Department an annual financial statement. The annual financial statement shall show assets, liabilities and net worth as of the end of the most recent calendar year. The statement shall be submitted annually to the department by June 1.\
2. (a) For purposes of applicable examinations, a Professional Bail Agent licensed in this state shall maintain at least one (1) office physically located in any municipality or county in this state, to serve as his principal place of business operations where records pertaining to his bail Agent business conducted in Mississippi are maintained and this office location shall be registered with the Insurance Department.  
  
(b) When applying for an original or renewal license as a Professional Bail Agent, the applicant shall indicate the address of the office location to serve as his principal place of business operations, and this address shall be evidenced on the face of the license issued to the licensee.  
  
(c) If for any reason the Professional Bail Agent changes the location of his principal place of business operations, removes to another state, or no longer continues in the profession as a bail Agent, the bail Agent shall register the new location with the department, or notify the department of his removal from the state or his cessation of business as a Professional Bail Agent as appropriate.
3. On or before October 1, 2016, the Mississippi Insurance Department shall establish a Bail Bond Database within the department for the reporting of all bail bonds written by personal Surety Agents and Limited Surety Agents in this

state. By November 15, 2016, each bail Agent must input his or her bail bond information into the Bail Bond Database for all bonds written from and after October 1, 2016. By the fifteenth day of each subsequent month, each bail Agent must update the Bail Bond Database regarding his or her bail bond information for bail bonds written from and after October 1, 2016, and each update must be current through the last day of the previous month. Any bail Agent who fails to comply with the provisions of this subsection (3) shall be assessed a fine in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation.

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## § 83-39-15 – Grounds for denial, suspension, revocation, and refusal to renew license

1. The department may deny, suspend, revoke or refuse to renew, as may be appropriate, a license to engage in the business of Professional Bail Agent, Soliciting Bail Agent, or Bail Enforcement Agent for any of the following reasons:
  - (a) Any cause for which the issuance of the license would have been refused had it then existed and been known to the department.
  - (b) Failure to post a qualification bond in the required amount with the department during the period the person is engaged in the business within this state or, if the bond has been posted, the forfeiture or cancellation of the bond.
  - (c) Material misstatement, misrepresentation or fraud in obtaining the license.
  - (d) Willful failure to comply with, or willful violation of, any provision of this chapter or of any proper order, rule or regulation of the department or any court of this state.
  - (e) Conviction of felony or crime involving moral turpitude.
  - (f) Default in payment to the court should any bond issued by such bail Agent be forfeited by order of the court.
  - (g) Being elected or employed as a law enforcement or judicial official.
  - (h) Engaging in the practice of law.
  - (i) Writing a bond in violation of Section 83-39-3 (2) (b) (i) and (ii).
  - (j) Giving legal advice or a legal opinion in any form.
  - (k) Acting as or impersonating a bail Agent without a license
  - (l) Use of any other trade name than what is submitted on a license application to the department.
  - (m) Issuing a bail bond that contains information intended to mislead a court about the proper delivery by personal service or certified mail of a writ of scire facias, judgment Nisi or final judgment.
2. In addition to the grounds specified in subsection (1) of this section, the department shall be authorized to suspend the license, registration or permit of any person for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license, registration or permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license, registration or permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license,

registration or permit suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

3. In addition to the sanctions provided in this section, the department may assess an administrative fine in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation. Such administrative fines shall be in addition to any criminal penalties assessed under Section 99-5-1.

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### § 83-39-17 - Hearing

Before any license shall be refused or suspended or revoked, or the renewal thereof refused hereunder, the Commissioner shall give notice of his intention to do so, by registered mail, to the applicant or licensee and to the Insurer or Professional Bail Agent appointing or employing the applicant or licensee, as the case may be, and shall set a date, not less than twenty (20) days from the date of mailing the notice, when the applicant or licensee and a duly authorized representative of the Insurer or Professional Bail Agent may appear to be heard and produce evidence. In the conduct of the hearing, the Commissioner or any regular salaried employee specially designated by him for this purpose shall have power to administer oaths, to require the appearance of and examine any person under oath, and to require the production of books, records, or papers relevant to the inquiry upon his own initiative or upon the request of the applicant or licensee. Upon the termination of the hearing, findings shall be reduced to writing and, upon approval by the Commissioner, shall be filed in his office and notice of the findings sent by registered mail to the applicant or licensee and the Insurer or Professional Bail Agent concerned.

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### § 83-39-19 - Appeals

Any person aggrieved by an act of the Commissioner under the provisions of this chapter may appeal therefrom, within thirty (30) days after receipt of notice thereof, to the circuit court of the county in which is located the domicile of said person by writ of certiorari, upon giving bond with the Surety or sureties and in such penalty as shall be approved by the circuit clerk of said county, conditioned that such appellant will pay all costs of the appeal in the event such appeal is not prosecuted successfully. The said circuit court shall have the opportunity and jurisdiction to hear said appeal and render its decision in regard thereto, either in term time or vacation time.

Actions taken by the Commissioner or department in suspending a license, registration or permit when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a suspension of a license, registration or permit that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section.

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### § 83-39-21 - Judicial proceeding in lieu of departmental hearing

The Commissioner, in his discretion, in lieu of the hearing provided for in Section 83-39-17, may file a petition to suspend or revoke any license authorized hereunder in a court of competent jurisdiction of the county or district in

which the alleged offense occurred. In such cases, subpoenas may be issued for witnesses, and mileage and witness fees paid by the Defendant, if found guilty. If costs cannot be made and collected from the Defendant, the costs shall be assessed against the qualification bond if the Defendant is a Professional Bail Agent, and if the Defendant is a Soliciting Bail Agent or Bail Enforcement Agent, against the employing Professional Bail Agent or his qualification bond.

Any court of competent jurisdiction within this state may suspend or revoke the license of any person licensed under this chapter for any of the following reasons:

1. Misappropriation, conversion or unlawful withholding of monies belonging to insured principals or others and received in the conduct of business under a license provided by this chapter.
2. Fraudulent or dishonest practices in the conduct of the business under a license provided by this chapter.
3. The commission of any act, which would prohibit or restrict the licensee from holding a license under this chapter.

The court, which suspends or revokes a license under the terms of this chapter, or the clerk thereof, shall promptly furnish the Commissioner a copy of the suspension or revocation order.

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### § 83-39-23 - Notice to sheriff and judicial officials

No sheriff or other official shall accept bond from a Professional Bail Agent unless the bail Agent is licensed under this chapter and unless the bail Agent shall exhibit to the court a valid certificate or license issued by the department, and the license of the bail Agent shall not have been suspended or revoked. The department shall provide notice to the sheriff and municipal law enforcement and to the courts of every county and municipality of any suspension or revocation of a professional, soliciting or bail enforcement license. The department, upon request, may furnish to any sheriff, district, circuit, county or justice court Judge or municipal Judge additional information, which would appropriately identify the duly licensed Professional Bail Agent and Insurers whose operation is covered by this chapter.

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### § 83-39-25 - Maximum premium, commission or fee; processing fee; holding collateral to insure payment of premium or indemnify for losses

1. A Professional Bail Agent or his Agent shall charge and collect for his premium, commission, or fee an amount of ten percent (10%) of the amount of bail per bond posted by him, or One Hundred Dollars (\$100.00), whichever is greater, except on a bond on a Defendant who is charged with a capital offense, or on a Defendant who resides outside the State of Mississippi, in which case the premium, commission or fee shall be fifteen percent (15%) of the amount of bail, per bond posted by him, or One Hundred Dollars (\$100.00), whichever is greater.
2. A Professional Bail Agent or his Agent shall also charge an additional Fifty Dollars (\$50.00) processing fee on each bond issued by him.
3. Nothing herein shall prohibit a Professional Bail Agent or his Agent from holding collateral or taking a security interest in collateral for the purpose of insuring the payment of the premium of the bond posted or indemnifying the Professional Bail Agent for losses incurred due to a forfeiture of a bond or the costs of apprehension and surrender of the principal.

4. Any fee charged by a Professional Bail Agent or his Agent for court-approved electronic monitoring or drug testing shall not be considered part of the premium, commission or fee charged under this section.
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### § 83-39-27 - Prohibited activities

It is unlawful for a licensee to engage in any of the following activities:

1. Specify, suggest or advise the employment of any particular attorney to represent his principal.
  2. Pay a fee or rebate or give or promise to give anything of value to a jailer, policeman, peace officer, clerk, deputy clerk, any other employee of any court, district attorney or any of his employees or any person who has power to arrest or to hold any person in custody.
  3. Pay a fee or rebate or give anything of value to an attorney in bail bond matters, except in defense of any act on a bond, or as counsel to represent such bail Agent, his Agent or employees.
  4. Pay a fee or rebate or give or promise to give anything of value to the person on whose bond he is Surety.
  5. Pay a fee or rebate or give or promise to give anything of value to any person, other than a Soliciting Bail Agent, for the purpose of procuring a bail bond.
  6. Accept anything of value from a person on whose bond he is Surety, or from others on behalf of such person, except the fee or premium on the bond, but the bail Agent may accept collateral security or other indemnity.
  7. Coerce, suggest, aid and abet, offer promise of favor or threaten any person on whose bond he is Surety or offers to become Surety, to induce that person to commit any crime.
  8. Give legal advice or a legal opinion in any form.
  9. Refuse to return collateral security or other indemnity when the fee or premium on the bond has been fully paid or when the bail Agent's obligation on the bond has been terminated.
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### § 83-39-29 - Penalties

1. The department may provide information to the district attorney in the district in which a Professional Bail Agent, a Soliciting Bail Agent or Bail Enforcement Agent is domiciled so that proper legal action may be pursued against any licensee who is alleged to have violated any provision of Chapter 39 of Title 83. Such licensee is guilty of a misdemeanor and shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00), imprisonment in the county jail for not more than one (1) year, or both. Any Insurer violating any provision of Chapter 39 of Title 83 may be fined in an amount not to exceed Fifty Thousand Dollar (\$50,000.00).
2. Any person or entity who acts or attempts to solicit, write or present a bail bond as a Professional Bail Agent, Soliciting Bail Agent, or Bail Enforcement Agent as defined in this chapter and who is not licensed under this chapter is guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00), imprisonment in the county jail for not more than one (1) year, or both.

3. Any person who acts or attempts to act, represents himself to be, or impersonates a Professional Bail Agent, a Soliciting Bail Agent or a Bail Enforcement Agent as defined in this chapter by attempting to arrest or detaining any person and who is not licensed under this chapter is guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than Five Thousand Dollars (\$5,000.00), imprisonment for not more than one year, or both.
4. A bail Agent, Bail Soliciting Agent or Bail Enforcement Agent from another state shall report to the sheriff's department of the county in which he is attempting to locate a fugitive prior to looking for the fugitive to prove his licensing and legal right to the fugitive. Failure to prove licensing shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000.00).
5. Any person charged with a criminal violation who has obtained his release from custody by having a Professional Bail Agent, Insurer, Agent of a bail Agent or Insurer, or any person other than himself furnish his bail bond and who fails to appear in court, at the time and place ordered by the court, is guilty of "bond jumping" and, upon conviction, shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00), imprisonment in the county jail for not more than one (1) year, or both, and payment of restitution for reasonable expenses incurred returning the Defendant to court.
6. Any person who knowingly and intentionally aids and abets any person in the commission of the offense of bond jumping, whether the person committing the principal offense is actually convicted, shall be guilty of aiding and abetting bond jumping and, upon conviction, shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than one (1) year, or both, and payment of restitution for reasonable expenses incurred in returning the Defendant to court. Any person who is convicted of aiding and abetting shall be jointly and severally liable for payment of restitution for reasonable expenses incurred in returning the Defendant to court.
7. Any bail Agent who is prejudiced or injured by the commission of any of the offenses set forth in this section shall have standing to file a complaint alleging the commission of the offense or offenses.

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### § 83-39-30 - Payment to inmates and their jailers prohibited

1. Any person licensed under this chapter who pays or gives anything of value, either directly or indirectly, to any law enforcement or judicial official or any employee of any facility where Defendants who are or may be eligible for bail are detained or may post bail for the purpose of enticing that official or employee to refer business in any manner to them shall be guilty of a felony subject to imprisonment for not more than five (5) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both. Nothing in this section shall prohibit bail Agent from making political contributions to persons running for public office.
2. Any person licensed under this chapter who pays or gives anything of value, either directly or indirectly, or who solicits another person to pay or give anything of value to any convicted inmate or trustee, regardless of whether they are held pretrial or post-conviction in any facility where Defendants who are or may be eligible for bail are detained or may post bail for the purpose of enticing that convicted inmate or trustee to refer business in any manner to them shall be guilty of a felony subject to imprisonment for not more than five (5) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.
3. Any person who is convicted under this section shall have their license permanently revoked and may not be involved in any bail business in any way.

SECTION 7. This act shall take effect and be in force from and after July 1, 2014.

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§ 83-39-31 – Fee on appearance bonds and recognizances; additional assessment on bail bonds to be deposited into victims of domestic violence fund

1. Upon every Defendant charged with a criminal offense who posts a cash bail bond, a Surety bail bond, a property bail bond or a guaranteed arrest bond certificate conditioned for his appearance at trial, there is imposed a fee equal to two percent (2%) of the face value of each bond or Twenty Dollars (\$20.00), whichever is greater, to be collected by the clerk of the court when the Defendant appears in court for final adjudication or at the time the Defendant posts cash bond unless subsection (4) applies.
2. Upon each Defendant charged with a criminal offense who is released on his own recognizance, who deposits his driver's license in lieu of bail, or who is released after arrest on written promise to appear, there is imposed a fee of Twenty Dollars (\$20.00) to be collected by the clerk of the court when the Defendant appears in court for final adjudication unless subsection (4) applies.
3. Upon each Defendant convicted of a criminal offense who appeals his conviction and posts a bond conditioned for his appearance, there is imposed a fee equal to two percent (2%) of the face value of each bond or Twenty Dollars (\$20.00), whichever is greater. If such Defendant is released on his own recognizance pending his appeal, there is imposed a fee of Twenty Dollars (\$20.00). The fee imposed by this subsection shall be imposed and shall be collected by the clerk of the court when the Defendant posts a bond unless subsection (4) applies.
4. If a Defendant is found to be not guilty or if the charges against a Defendant are dismissed, or if the prosecutor enters a nolle prosequi in the Defendant's case or retires the Defendant's case to the file, or if the Defendant's conviction is reversed on appeal, the fees imposed pursuant to subsections (1), (2) (3) and (7) shall not be imposed.
5. The State Auditor shall establish by regulation procedures providing for the timely collection, deposit, accounting and, where applicable, refund of the fees imposed by this section. The Auditor shall provide in the regulations for certification of eligibility for refunds and may require the Defendant seeking a refund to submit a verified copy of a court order or abstract by which the Defendant is entitled to a refund.
6. It shall be the duty of the clerk or any officer of the court authorized to take bonds or recognizances to promptly collect, at the time such bonds or recognizances are received or taken, all fees imposed pursuant to this section. In all cases, the clerk or officer of the court shall deposit all fees so collected with the State Treasurer, pursuant to appropriate procedures established by the State Auditor, for deposit into the State General Fund.



## SECTION 6: MS Code (Section 99–5) – Bail

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MISSISSIPPI CODE OF 1972  
TITLE 99  
CHAPTER 5  
BAIL

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SECTION:

- 99-5-1 Form of bail; professional and Soliciting Bail Agents to provide certain additional information; penalties
  - 99-5-3 Form of Bail – taken in open court by entry on minutes
  - 99-5-5 Bonds to be made payable to state; effect expiration and renewal
  - 99-5-7 Fidelity or Surety insurance company may give bail
  - 99-5-9 Cash bail bond
  - 99-5-11 Justices of the peace may take recognizance or bond; certificate of default; alias warrant
  - 99-5-13 Court may require additional bail
  - 99-5-15 Duty of officer to release Defendant from custody; approval of sureties
  - 99-5-17 Sheriff to return bail-bond to clerk
  - 99-5-19 Person who takes insufficient bail-bond, etc., to stand special bail
  - 99-5-21 Bond good though it does not describe offense
  - 99-5-23 Bonds, recognizance’s, etc., to be valid and binding whether or not properly taken or recited in return of officer
  - 99-5-25 Forfeiture of bond; Scire Facias
  - 99-5-27 Sureties may arrest and surrender principal; return of Defendant out on bond
  - 99-5-29 Surety may cause arrest of principal by officer
  - 99-5-31 Mittimus inailable cases to fix the bail
  - 99-5-33 Accused committed to prison if injured party is dangerously wounded
  - 99-5-35 When prisoner charged with capital offense entitled to bail
  - 99-5-37 Domestic violence or knowing violation of domestic abuse protective order; required appearance before Judge; considerations; conditions
  - 99-5-39 Appearance bond as condition of probation, community control, payment plan, or other court ordered supervision
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§ 99-5-1 - Form of bail; professional and Soliciting Bail Agents to provide certain additional information; penalties

Bail may be taken in the following form:

State of Mississippi,  
\_\_\_\_\_ County

We \_\_\_\_\_, principal, and \_\_\_\_\_ and \_\_\_\_\_, sureties, agree to pay the State of Mississippi \_\_\_\_\_ Dollars, unless the said \_\_\_\_\_ shall appear at the next term of the Circuit Court of \_\_\_\_\_ County, and there remain from day to day and term to term until discharged by law, to answer a charge of \_\_\_\_\_.”

Signed \_\_\_\_\_

Approved \_\_\_\_\_

When the bail is for appearance before any committing court or a Judge, the form may be varied to suit the condition. When a bond is taken from a Professional Bail Agent, the following must be preprinted or stamped clearly and legibly on the bond form: full name of the Professional Bail Agent, Department of Insurance license number, full and correct legal address of the Professional Bail Agent and complete phone number of the Professional Bail Agent. In addition, if the bond is posted by a limited Surety Professional Bail Agent, the name of the Insurer, the legal address of the Insurer on file with the department and phone number of the Insurer must be preprinted or stamped, and a true and correct copy of an individual's Power of Attorney authorizing the Agent to post such bond shall be attached.

If the bond is taken from a Soliciting Bail Agent, the full name of the Soliciting Bail Agent and the license number of such Agent must be preprinted or stamped clearly and legibly along with all information required for a Professional Bail Agent and a true and correct copy of an individual's Power of Attorney authorizing such Soliciting Bail Agent to sign the name of the Professional Bail Agent.

Any Professional Bail Agent and/or Soliciting Bail Agents who issue a bail bond that does not contain this required information may have their license suspended up to six (6) months and/or be fined not more than One Thousand Dollars (\$1,000.00) for the first offense, may have their license suspended up to one (1) year and/or be fined not more than Five Thousand Dollars (\$5,000.00) for the second offense and shall have their license permanently revoked if they commit a third offense.

The court of the clerk of the court shall notify the department when any Professional Bail Agent or Soliciting Bail Agent or Insurer issues a bail bond that contains information that misleads a court about the proper delivery by personal service or certified mail of a writ of scire facias, judgment Nisi or final judgment.

§ 99-5-3 - Form of bail; taken in open court by entry on minutes

Bail taken in open court may be entered on the minutes as follows, to wit:

The State

No. \_\_\_\_\_ v.

A. B.

“Came the said A. B. and C. D. and E. F. and agreed to pay the state of Mississippi \_\_\_\_\_ dollars, unless the said A. B. shall appear at the present term of this court, and remain from day to day, and from term to term until discharged by law, to answer a charge of \_\_\_\_\_.

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§ 99-5-5 - Bonds to be made payable to state; effect; expiration and renewal

All bonds and recognizance’s taken for the appearance of any party, either as Defendant, prosecutor, or witness in any criminal proceeding or matter, shall be made payable to the state, and shall have the effect to bind the accused and his sureties on the bond or recognizance until the principal shall be discharged by due course of law, and shall be in full force, from term to term, for a period of three (3) years, except that a bond returnable to the Supreme Court shall be in full force for a period of five (5) years. If it is necessary to renew a bond, it shall be renewed without additional premium. At the end of the applicable period, a bond or recognizance that is not renewed shall expire and shall be uncollectible unless the collection process was started on or before the expiration date of such bond or recognizance. Any bond or recognizance taken prior to July 1, 1996, shall expire on July 1, 1999. If a Defendant is charged with multiple counts in one (1) warrant only one (1) bond shall be taken.

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§ 99-5-7 - Fidelity or Surety insurance company may give bail

Bail may be given to the sheriff or officer holding the Defendant in custody, by a fidelity or Surety insurance company authorized to act as Surety within the State of Mississippi. Any such company may execute the undertaking as Surety by the hand of officer or attorney authorized thereto by a resolution of its board of directors, a certified copy of which, under its corporate seal, shall be on file with the clerk of the circuit court and the sheriff of the county, and such authority shall be deemed in full force and effect until revoked in writing by notice to said clerk and sheriff.

## § 99-5-9 - Cash bail bond

In addition to any type of bail allowed by statute, any committing court, in its discretion, may allow any Defendant, to whom bail is allowable, to deposit cash as bail bond in lieu of a Surety or property bail bond, by depositing such cash sum as the court may direct with the sheriff or officer having custody of Defendant, who shall receipt therefore and who shall forthwith deliver the said monies to the county treasurer, who shall receipt therefore in duplicate. The sheriff, or other officer, upon receipt of the county treasurer, shall forthwith deliver one (1) copy of such receipt to the committing court who shall then order the release of such Defendant.

The order of the court shall set forth the conditions upon which such cash bond is allowed and shall be determined to be the agreement upon which the bailee has agreed.

The sums received by the county treasurer shall be deposited by him in a special fund to be known as "Cash Bail Fund," and shall be received by him subject to the terms and conditions of the order of the court.

If the committing court authorizes bail by a cash deposit under subsection (1) of this section, but anyone authorized to release a criminal Defendant allows the deposit of an amount less than the full amount of the bail ordered by the court, the Defendant may post bail by a Professional Bail Agent in an amount equal to one-fourth (1/4) of the full amount fixed under subsection (1) or the amount of the actual deposit whichever is greater.

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## § 99-5-11 - Justices of the peace may take recognizance or bond; certificate of default; alias warrant

All justices of the peace and all other conservators of the peace are authorized, whenever a person is brought before them charged with any offense not capital for which bail is allowed by law, to take the recognizance or bond of such person, with sufficient sureties, in such penalty as the justice or conservator of the peace may require, for his appearance before such justice or conservator for an examination of his case at some future day. And if the person thus recognized or thus giving bond, fail to appear at the appointed time, it shall be the duty of the justice or conservator to return the recognizance or bond, with his certificate of default, to the court having jurisdiction of the case, and a recovery may be had therein by scire facias, as in other cases of forfeiture. The justice or other conservator shall also issue an alias warrant for the defaulter.

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## § 99-5-13 - Court may require additional bail

When it shall appear to the committing court or the court before which any person charged with a criminal offense has given bail to appear is insufficient or excessive in any respect, the court may (i) after a hearing, order the issuance of a revised mittimus reducing the previously set bail; or (ii) order the issuance of process for the arrest of such person, and may, after a hearing, require him to give bail as may be ordered, and, in default thereof, may commit him to jail as in other cases.

### § 99-5-15 - Duty of officer to release Defendant from custody; approval of sureties

It is the duty of the sheriff or other officer having custody of such Defendant, upon his compliance with the order of the committing court or officer, to release him from custody; and he shall approve the sureties on the bond, except admitted and authorized fidelity and Surety insurance companies acting as Surety, and for that purpose may examine them on oath, or take their affidavit in writing, and may administer such oath.

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### § 99-5-17 - Sheriff to return bail-bond to clerk

It is the duty of the sheriff taking a bail-bond to return the same to the clerk of the circuit court of the county in which the offense is alleged to have been committed on or before the first day of the next term thereof.

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### § 99-5-19 - Person who takes insufficient bail-bond, etc., to stand special bail

If any person, except a properly authorized Judge, authorized to release a criminal Defendant neglects to take a bail bond, or if the bail bond from any cause is insufficient at the time he took and approved the same, on exceptions taken and filed before the close of the next term, after the same should have been returned, and upon reasonable notice thereof to the person, he shall stand as special bail, and judgment shall be rendered against him as such, except when bond is tendered by fidelity or insurance company or Professional Bail Agent or its bail Agent authorized by Mississippi state license act as bail Surety. The person taking and approving a bail bond from a fidelity or insurance company or Professional Bail Agent or its bail Agent with a valid Mississippi state license shall bear no financial liability on the bail bond in the event of a bail bond forfeiture or default.

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### § 99-5-21 - Bond good though it does not describe offense

All bonds and recognizances taken in criminal cases, whether they describe the offense actually committed or not, shall have the effect to hold the party bound thereby to answer to such offense as he may have actually committed, and shall be valid for that purpose until he be discharged by the court.

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### § 99-5-23 - Bonds, recognizances, etc., to be valid and binding whether or not properly taken or recited in return of officer

All bonds, recognizance's, or acknowledgments of indebtedness, conditioned for the appearance of any party before any court or officer, in any state case or criminal proceeding, which shall have the effect to free such party from jail or legal custody of any sort, shall be valid and bind the party and sureties, according to the condition of such bond, recognizance, or acknowledgment, whether it was taken by the proper officer or under circumstances authorized by law or not, or whether the officer's return identify it or not. It shall not be an objection to any bail-bond or recognizance that it is in the form of an acknowledgment before a court or officer and is without the signature of any person, or is without

the endorsement of approval by any officer; but all persons who, by their acknowledgment before any officer of liability to pay a sum of money to the state if some person shall not appear before some court or officer in a criminal prosecution, procure the discharge from custody of such person, shall be bound accordingly upon the recognizance. An obligation signed by a person to obtain the discharge from custody of another shall not be invalid, if it have that effect, because it does not have endorsed on it the approval.

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## § 99-5-25 – Forfeiture of bond; scire facias

1. (a) The purpose of bail is to guarantee appearance and a bail bond shall not be forfeited for any other reason.

(b) If a Defendant in any criminal case, proceeding or matter fails to appear for any proceeding as ordered by the court, then the court shall order the bail forfeited and a judgment Nisi and a bench warrant issued at the time of nonappearance. The clerk of the court shall notify the Surety of the forfeiture by writ of scire facias, with a copy of the judgment Nisi and bench warrant attached thereto, within ten (10) working days of such order of judgment Nisi either by personal service or by certified mail. Failure of the clerk to provide the required notice within ten (10) working days shall constitute prima facie evidence that the order should be set aside. Any felony warrant issued by a court for nonappearance shall be put on the National Crime Information Center (NCIC) until the Defendant is returned to custody.

(c) The judgment Nisi shall be returnable for ninety (90) days from the date of issuance. If during such period the Defendant appears before the court, or is arrested and surrendered, then the judgment Nisi shall be set aside and a copy of the judgment that is set aside shall be served on the Surety by personal service or certified mail. If the Surety produces the Defendant or provides to the court reasonable mitigating circumstances upon such showing, then the forfeiture shall not be made final. If the forfeiture is made final, a copy of the final judgment shall be served on the Surety within ten (10) working days by either personal service or certified mail. Reasonable mitigating circumstances shall be that the Defendant is incarcerated in another jurisdiction, that the Defendant is hospitalized under a doctor's care, that the Defendant is in a recognized drug rehabilitation program, that the Defendant has been placed in a witness protection program and it shall be the duty of any such agency placing such Defendant into a witness protection program to notify the court and the court to notify the Surety, or any other reason justifiable to the court.

(d) Execution upon the final judgment shall be automatically stayed for ninety (90) days from the date of entry of the final judgment. If, at any time before execution of the final judgment, the Defendant appears in court either voluntarily or in custody after surrender or arrest, the court shall on its own motion direct that the forfeiture be set aside and the bond exonerated as of the date the Defendant first appeared in court.
2. If a final judgment is entered against a Surety licensed by the Department of Insurance and has not been set aside after ninety (90) days, or later if such time is extended by the court issuing the judgment Nisi, then the court shall order the department to revoke the authority of the Surety to write bail bonds. The Commissioner shall, upon notice of the court, notify the Surety within five (5) working days of receipt of revocation. If after ten (10) working days of such notification the revocation order has not been set aside by the court, then the Commissioner shall revoke the authority of the Surety and all Agents of the Surety and shall notify the sheriff of every county of such revocation.
3. If within eighteen (18) months of the date of the final forfeiture the Defendant appears for court, is arrested or surrendered to the court, or if the Defendant is found to be incarcerated in another jurisdiction and a hold order placed on the Defendant, then the amount of bail, less reasonable extradition cost, excluding attorney fees, shall be refunded by the court upon application by the Surety.

---

§ 99-5-27 - Sureties may arrest and surrender principal; return of Defendant out on bond

1. (a) "Surrender" means the delivery of the Defendant, principal on bond, physically to the sheriff or chief of police or in his absence, his jailer, and it is the duty of the sheriff or chief of police, or his jailer, to accept the surrender of the principal when presented and such act is complete upon the execution of verbal or written surrender notice presented by a bail agent and shall relieve the bail agent of liability on the principal's bond.

(b) A bail agent may surrender the principal if the principal is found to be detained on another charge. If the principal is found incarcerated in another jurisdiction, the bail agent may surrender him by verbal or written notice of surrender to the sheriff or chief of police, or his jailer, of that jurisdiction and the notice of surrender shall act as a "Hold Order" and upon presentation of written surrender notice to the court of proper jurisdiction, the court shall order a "Hold Order" placed on the principal for the court and shall relieve the bail agent of liability on the principal's bond, with the provision that, upon release from incarceration in the other jurisdiction, return of the principal to the sheriff shall be the responsibility of the bail agent. The bail agent shall satisfy the responsibility to return a principal held by a "Hold Order" in another jurisdiction upon release from the other jurisdiction either by personally returning the principal to the sheriff at no cost to the county or, where the other jurisdiction will not release the principal to any person other than a law enforcement officer, by reimbursing to the county the reasonable cost of the return of the principal, not to exceed the cost that would be entailed if the first option were available.

(c) The surrender of the principal by the bail agent, within the time period provided in Section 99-5-25, shall serve to discharge the bail agent's liability to the State of Mississippi and any of its courts; but if this is done after forfeiture of the bond or recognizance, the court shall set aside the judgment Nisi or final judgment upon filing of surrender notice by the bail agent.
2. (a) A bail agent, at any time, may surrender the principal to any law enforcement agency or in open court in discharge of the bail agent's liability on the principal's bond if the law enforcement agency that was involved in setting the original bond approves of such surrender, to the State of Mississippi and any of its courts and at any time may arrest and transport its principal anywhere or may authorize another to do so, may be assisted by any law enforcement agency or its agents anywhere upon request of bail and may receive any information available to law enforcement or the courts pertaining to the principal for the purpose of safe surrender or for any reasonable cause in order to safely return the principal to the custody of law enforcement and the court.

(b) A bail agent, at any time, may arrest its principal anywhere or authorize another to do so for the purpose of surrender of the principal on bail bond. Failure of the sheriff or chief of police or his jailer, any law enforcement agency or its agents or the court to accept surrender by a bail agent shall relieve the bail agent of any liability on the principal's bond, and the bond shall be void.
3. A bail agent, at any time, upon request by the Defendant or others on behalf of the Defendant, may privately interview the Defendant to obtain information to help with surrender before posting any bail bond on behalf of the Defendant. All licensed bail agents shall have equal access to jails or detention facilities for the purpose of such interviews, the posting of bail bonds and the surrender of the principal.
4. Upon surrender, the court, after full review of the Defendant and the pending charges, in open court, may discharge the prisoner on his giving new bail, but if he does not give new bail, he shall be detained in jail.

§ 99-5-29 - Surety may cause arrest of principal by officer

The sheriff or a constable in a proper case, upon the request of a Surety in any bond or recognizance, and tender of the legal fee for executing a *capias* in a criminal case, and the production of a certified copy of the bond of recognizance, shall arrest, within his county, the principal in the bond or recognizance. The Surety or his Agent shall accompany the officer to receive the person.

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§ 99-5-31 - Mittimus inailable cases to fix the bail

When a Defendant charged with a criminal offense shall be committed to jail by a court, Judge, justice or other officer, for default in not giving bail, it is the duty of such court or officer to state in the Mittimus the nature of the offense, the county where committed, the amount of bail, and number of sureties required, and to direct the sheriff of the county where such party is ordered to be confined to release him, on his entering into bond as required by the order of the court or committing officer; and this shall apply to a case where, on habeas corpus, an order for bail may be made.

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§ 99-5-33 - Accused committed to prison if injured party is dangerously wounded

If a person be dangerously wounded the party accused shall be committed to prison until it be known whether the person wounded will recover or not, unless it appear to the court of inquiry that the case, in any event, would not amount to murder; in which case, or in the event that the person wounded do or will recover, the accused shall be dealt with as in other cases.

---

§ 99-5-35 - When prisoner charged with capital offense entitled to bail

Any person having been twice tried on an indictment charging a capital offense, wherein each trial has resulted in a failure of the jury to agree upon his guilt or innocence, shall be entitled to bail in an amount to be set by the court.

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§ 99-5-37 - Domestic violence or knowing violation of domestic abuse protective order; required appearance before judge; considerations; conditions

In any arrest for a misdemeanor, which is an act of domestic violence, as defined in Section 97-3-7, or for a knowing violation of a domestic abuse protective order issued pursuant to Section 93-21-1 et seq., no bail shall be granted until the person arrested has appeared before a Judge of the court of competent jurisdiction. The Defendant shall be brought before a Judge at the first reasonable opportunity, not to exceed twenty-four (24) hours from the time of the arrest. In calculating the twenty-four (24) hours, weekends and holidays shall be included. The appearance may be by telephone. Upon setting bail in any case involving a misdemeanor which is an act of domestic violence or a knowing violation of a domestic abuse protective order, the Judge shall give particular consideration to the exigencies of the case, including, but not limited to, (a) the potential for further violence, (b) the past history, if any, of violence between the Defendant



and alleged victim, (c) the level of violence of the instant offense, (d) any threats of further violence and (e) the existence of a domestic violence protection order prohibiting the Defendant from engaging in abusive behavior, and shall impose any specific conditions as he or she may deem necessary. Specific conditions which may be imposed by the Judge may include, but are not limited to, the issuance of an order prohibiting the Defendant from contacting the alleged victim prior to trial, prohibiting the Defendant from abusing or threatening the alleged victim or requiring Defendant to refrain from drug or alcohol use. All such orders shall be reduced to writing and a certified copy of any such order shall be provided at no cost to the arrested person upon his or her release, to the appropriate law enforcement agency, and to the victim of the alleged crime.

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### § 99-5-39 - Appearance bond as condition of probation, community control, payment plan, or other court ordered supervision

1. As a condition of any probation, community control, payment plan for any fine imposed or any other court ordered supervision, the court may order the posting of a bond to secure the appearance of the defendant at any subsequent court proceeding or to otherwise enforce the orders of the court. The appearance bond shall be filed by a duly licensed professional bail agent with the court or with the sheriff who shall provide a copy to the clerk of court.
2. The court may issue an order sua sponte or upon notice by the clerk or the probation officer that the person has violated the terms of probation, community control, court ordered supervision or other applicable court order to produce the Defendant. The court or the clerk of the court shall give the bail agent a minimum of a seventy-two-hour notice to have the defendant before the court. If the bail agent fails to produce the defendant in court or to the sheriff at the time noticed by the court or the clerk of court, the bond shall be forfeited according to the procedures set forth in Section 99-5-25. The defendant's failure to appear shall be the sole grounds for forfeiture of the appearance bond.
3. The provisions of Sections 83-39-1 et seq. and 99-5-1 et seq. shall govern the relationship between the parties except where they are inconsistent with this section.

# SECTION 7: MS Code (Section 21–23–8) – Municipal Bond Forfeitures

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MISSISSIPPI CODE of 1972  
TITLE 21  
CHAPTER 23  
SECTION 8 – MUNICIPALITY BOND FORFEITURES

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## § 21–23–8 Municipality bond forfeitures

1. (a) The purpose of bail is to guarantee appearance and a bail bond shall not be forfeited for any other reason.
  - (b) (i) If a Defendant in any criminal case, proceeding or matter fails to appear for any proceeding as ordered by the municipal court, then the court shall order the bail forfeited and a judgment Nisi and a bench warrant issued at the time of nonappearance. The clerk of the municipal court shall notify the Surety of the forfeiture by writ of scire facias, with a copy of the judgment Nisi and bench warrant attached thereto, within ten (10) working days of such order of judgment Nisi either by personal service or by certified mail. Failure of the clerk to provide the required notice within ten (10) working days shall constitute prima facie evidence that the order should be set aside.
    - (ii) 1. The judgment Nisi shall be returnable for ninety (90) days from the date of issuance. If during that period the Defendant appears before the municipal court, or is arrested and surrendered, then the judgment Nisi shall be set aside. If the Surety produces the Defendant or provides to the municipal court reasonable mitigating circumstances upon such showing, then the forfeiture shall not be made final. If the forfeiture is made final, a copy of the final judgment shall be served on the Surety within ten (10) working days by either personal service or certified mail.
      2. Reasonable mitigating circumstances shall be that the Defendant is incarcerated in another jurisdiction, that the Defendant is hospitalized under a doctor's care, that the Defendant is in a recognized drug rehabilitation program, that the Defendant has been placed in a witness protection program, in which case it shall be the duty of any agency placing the Defendant into a witness protection program to notify the municipal court and the municipal court to notify the Surety, or any other reason justifiable to the municipal court.
2. If a final judgment is entered against a Surety licensed by the Department of Insurance and has not been set aside after ninety (90) days, or later if such time is extended by the municipal court issuing the judgment Nisi, then the municipal court shall order the department to revoke the authority of the Surety to write bail bonds. The Commissioner of Insurance shall, upon notice of the municipal court, notify the Surety within five (5) working days of receipt of the order of revocation. If after ten (10) working days of the notification the revocation order has not been set aside by the municipal court, then the Commissioner shall revoke the authority of the Surety and all Agents of the Surety and shall notify the sheriff of every county of such revocation.
3. If within eighteen (18) months of the date of the final forfeiture the Defendant appears for Municipal court, is arrested or surrendered to the municipal court, or if the Defendant is found to be incarcerated in another jurisdiction and a hold order placed on the Defendant, then the amount of bail, less reasonable extradition cost, excluding attorney fees, shall be refunded by the municipal court upon application by the Surety.

4. (a) The municipal Judge shall set the amount of bail for persons charged with offenses in municipal court and may approve the bond or recognizance therefor.

(b) In instances where the municipal Judge is unavailable and has not provided a bail schedule or otherwise provided for the setting of bail, it is lawful for any officer or officers designated by order of the municipal Judge to take bond, cash, property or recognizance, with or without sureties, in a sum to be determined by the officer, payable to the municipality and conditioned for the appearance of the person on the return day and time of the writ before the court to which the warrant is returnable, or in cases of arrest without a warrant, on the day and time set by the court or officer for arraignment, and there remain from day to day and term to term until discharged.

(c) All bonds shall be promptly returned to the court, together with any cash deposited, and be filed and proceeded on by the court in a case of forfeiture. The chief of the municipal police or a police officer or officers designated by order of the municipal Judge may approve bonds or recognizances.

(d) All bonds and recognizances in municipal court where the municipal court shall have the jurisdiction to hear and determine the case may be made payable to the municipality and shall have the effect to bind the principal and any sureties on the bond or recognizance until they shall be discharged by due course of law without renewal.

# Appendix I: COURT DOCUMENTS

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Click [HERE](#) to access fillable PDF versions of all court document forms directly from our website.

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The following forms are contained in Appendix I:

- Final Judgement Nisi
- Order Setting Aside Final Judgement Nisi
- Revocation Order (Limited Surety – Insurance)
- Revocation Order (Personal Surety)
- Scire Facias on Forfeited Bail Bond

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

CAUSE NUMBER:

\_\_\_\_\_

**FINAL JUDGEMENT NISI**

This cause came on to be heard on the Judgment Nisi heretofore entered herein upon which a Scire Facias was issued, commanding that \_\_\_\_\_, license number \_\_\_\_\_, as Surety, show cause why said Judgment Nisi shall not be made absolute and final execution issued thereon and it appeared that \_\_\_\_\_, Surety, had been duly and properly served with said Scire Facias and Judgment Nisi and was called thrice and came not, nor produced the body of its principal as by its bond it was required to do and is wholly in default upon said Judgment Nisi and therefore said Judgment Nisi should be made final.

It is, therefore, considered and so ordered by this Court that the State of Mississippi does have and recovers judgment of and against \_\_\_\_\_, Surety, in the sum of \_\_\_\_\_ for which let execution issue.

SO, ORDERED AND ADJUDGED, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**ORDER SETTING ASIDE FINAL JUDGEMENT NISI**

For proper reason shown to the Court herein, the Final Judgment Nisi previously entered on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the above-styled and numbered cause for the charge of \_\_\_\_\_ on written bond is hereby set aside and Surety/Sureties \_\_\_\_\_ on said bond are exonerated and discharged from further liability and held for naught in connection herewith as said Surety/Sureties has presented the Court with proof that:

**SEE DOCUMENTATION ATTACHED HERETO AS "EXHIBIT 1"**

It is ordered by the Court that cost in connection herewith be and hereby are taxed and assessed against said Defendant in the amount of \_\_\_\_\_.

SO ORDERED AND ADJUDGED, this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

REQUESTED BY:

\_\_\_\_\_

\_\_\_\_\_

JUDGE

NAME:

ADDRESS:

CITY/STATE/ZIP:

PHONE:

REASON FOR SET ASIDE:

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

CAUSE NUMBER:

\_\_\_\_\_

**ORDER OF REVOCATION OF LICENSE**

**THIS DAY** this cause came on to be heard upon the motion, ore tenus, of the State of Mississippi, by and through the Office of the District Attorney, pursuant to Section 83-39-7 of the Mississippi Code of 1972, as amended, seeking to declare that the Final Judgment against the Principal and Sureties on the bond entered by the Court of \_\_\_\_\_ County, Mississippi, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the above styled and numbered cause against the Defendant, \_\_\_\_\_, and Professional Bondsman, \_\_\_\_\_, License Number \_\_\_\_\_, and the Insurer, \_\_\_\_\_, in the amount of \_\_\_\_\_ which is currently outstanding and further that the said \_\_\_\_\_ has not been paid within the ninety (90) day statutory period and that the license of said Professional Bondsman, \_\_\_\_\_, License Number \_\_\_\_\_, should be revoked, and the Mississippi Insurance Department should take action against the Insurer to require payment of such bond, and this Court being fully advised in all the promises is of the opinion that said motion is well taken and should be sustained.

**IS IT THEREFORE ORDERED AND ADJUDGED** that the License of Professional Bondsman \_\_\_\_\_ should be and is hereby revoked, and that the Commissioner of Insurance is ordered and directed to revoke the License of said Professional Bondsman on file in his office and that the License shall remain revoked until such time as the judgment of \_\_\_\_\_ is paid and that the Professional Bondsman shall not act as Surety on any further bail or recognizance, and that the Mississippi Insurance Department is ordered to recover such judgment amount against the Insurer.

**SO, ORDERED AND ADJUDGED** on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

CAUSE NUMBER:

\_\_\_\_\_

**ORDER FOR REVOCATION OF THE QUALIFICATION BOND**

**THIS DAY** this cause came on to be heard upon the motion, ore tenus, of the State of Mississippi, by and through the Office of the District Attorney, pursuant to Section 83-39-7 of the Mississippi Code of 1972, as amended, seeking to declare that the Final Judgment against the Principal and Sureties on the bond entered by the Court of \_\_\_\_\_ County, Mississippi, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the above styled and numbered cause against the Defendant, \_\_\_\_\_, and Professional Bondsman, \_\_\_\_\_, License Number \_\_\_\_\_, in the amount of \_\_\_\_\_ which is currently outstanding and further that the said \_\_\_\_\_ has not been paid within the ninety (90) day statutory period, and that the Qualification Bond of said Professional Bondsman, \_\_\_\_\_, License Number \_\_\_\_\_, should be forfeited and the License revoked, and this Court being fully advised in all the premises is of the opinion that said motion is well taken and should be sustained.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the Qualification Bond of Professional Bondsman \_\_\_\_\_ should be and is hereby forfeited in the amount of \_\_\_\_\_, and that the Commissioner of Insurance is ordered and directed to satisfy the same out of the Qualification Bond on file in his office, and that he should further revoke the License of said Professional Bondsman, \_\_\_\_\_, License Number \_\_\_\_\_, to act as Surety on any further bail or recognizance.

**SO, ORDERED AND ADJUDGED** on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE



**SCIRE FACIAS ON FORFEITED BAIL BOND**

THE STATE OF MISSISSIPPI

\_\_\_\_\_ COURT

TO ANY LAWFUL OFFICER OF THE STATE OF MISSISSIPPI:

**WHEREAS**, \_\_\_\_\_, Defendant and Principal, was bailed to appear in the \_\_\_\_\_ Court of \_\_\_\_\_ County, Mississippi on the charge of \_\_\_\_\_ and there attend from day to day until discharged by said Court and being called, came not, but wholly failed; and \_\_\_\_\_, Sureties on Defendant’s said bond, being called to bring the body of said Defendant and Principal into Court, wholly failed; and

**WHEREUPON**, Judgment Nisi was entered by the said Court that the said County recover of and from the said Defendant and Sureties jointly and severally the sum of \_\_\_\_\_, unless the severally appear in said Court and show good cause to the contrary;

**THEREFORE**, you are hereby ordered to summons the said Defendant and/or his/her Sureties by service of this writ thereon to personally appear before said Court, on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_ o’clock \_\_M, in the \_\_\_\_\_ Court of \_\_\_\_\_ County, Mississippi to show sufficient cause, if any they can, why said judgment should not be made final and failing thereunto or failing to deliver the said Defendant into custody of the law officer of said County by said date, the aforesaid judgment will be made final and will be proceeded thereon according to law.

The officer’s return of service is due 14 days from the date of this writ.

**WITNESS MY HAND AND SEAL** this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
COURT CLERK

(SEAL)

**OFFICER’S RETURN:**

I have this day executed the within writ personally, by delivering the named respondent(s) \_\_\_\_\_ a true copy of this writ. This the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
OFFICER

## Appendix II – BAIL DOCUMENTS

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Click [HERE](#) to access fillable PDF versions of all bail document forms directly from our website.

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The following forms are contained in Appendix II:

- Application for Extension of Time to Delay Final Judgement
- Application for Remission of Bond
- Certificate of Surrender of Prisoner
- Certificate of Surrender of Prisoner in Foreign Jurisdiction
- Executing Weekly Report
- Order for Remission of Bond
- Order Granting Extension of Time to Delay Final Judgement
- Order Placing Hold on Principal/Defendant
- Order Satisfying and Cancelling Judgement Nisi
- Order Setting Aside Judgement Nisi Releasing Defendant and Recalling Warrant
- Order Setting Aside Judgement Nisi
- Transfer Bond Worksheet
- Waiver of Privacy Act

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**APPLICATION FOR EXTENSION OF TIME TO DELAY FINAL JUDGEMENT**

Comes now \_\_\_\_\_, Agent for \_\_\_\_\_, Surety for Defendant, and applies to the Court for an Order Granting Extension of Time to Delay Final Judgment as approved by section 83-39-7, Mississippi Code, 1972, as amended, and as supported therefore, would show the following to wit:

1. \_\_\_\_\_, Defendant in this Court on a charge of \_\_\_\_\_ failed to appear for a noticed Court appearance on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. Pursuant to said default, Defendant's appearance bond in the amount of \_\_\_\_\_ was ordered forfeited by all proper writs of Scire Facias and Judgment Nisi and Bench Warrant.
2. \_\_\_\_\_, Agent for \_\_\_\_\_, Surety for Defendant, has presented proof that the Defendant is: \_\_\_\_\_
3. Should Defendant have to be transported to this jurisdiction from outside the State of Mississippi, said Surety agrees to pay all costs of transporting said Defendant to this jurisdiction.

REQUESTED BY:

\_\_\_\_\_

NAME:  
ADDRESS:  
CITY/STATE/ZIP:  
PHONE:

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**APPLICATION FOR REMISSION OF BOND**

Comes now \_\_\_\_\_, agent for \_\_\_\_\_ for defendant, and applies to the court for an order for remission of bond in such amount as provided by Section 99-5-25, Mississippi Code, 1972, as amended, and as support therefore, would show the following, to-wit:

1. Said bond was satisfied in full by payment by \_\_\_\_\_, agent for \_\_\_\_\_, in the sum of \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_;
2. \_\_\_\_\_, agent for \_\_\_\_\_, sureties for defendant has presented the court with proof that: the defendant was surrendered to the \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.
3. \_\_\_\_\_, agent for \_\_\_\_\_ is entitled to remissions of said bond in the amount of \_\_\_\_\_. It is therefore ordered and adjudged that remissions of said bond should be made in the sum of \_\_\_\_\_ to:

\_\_\_\_\_  
Agent

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

**SEE DOCUMENTATION ATTACHED HERETO AS "EXHIBIT 1".**

THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

RESPECTFULLY SUBMITTED,

\_\_\_\_\_  
NAME:  
ADDRESS:  
CITY/STATE/ZIP:  
PHONE:

# CERTIFICATE OF SURRENDER OF PRISONER IN FOREIGN JURISDICTION

**CASE NUMBER:**

SHERIFF DEPARTMENT  
COUNTY OF \_\_\_\_\_

POLICE DEPARTMENT  
CITY OF \_\_\_\_\_

## STATE OF MISSISSIPPI

The surety, upon the bail bond of \_\_\_\_\_, hereinafter called defendant, charged with \_\_\_\_\_ by indictment having delivered to me a certified copy of the bail bond surrendering said defendant, and I having thereupon taken in custody the said defendant, do hereby certify and by this certificate acknowledge the \_\_\_\_\_ has surrendered the said defendant, and that said defendant is now in my custody.

THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
DEPUTY SHERIFF/JAILOR/COURT CLERK

SURRENDERED BY:

INSURANCE COMPANY:

BOND POWER NUMBER:

BOND AMOUNT:

BOND DATE:

REASON FOR SURRENDER:

# CERTIFICATE OF SURRENDER OF PRISONER

SHERIFF DEPARTMENT  
COUNTY OF \_\_\_\_\_

POLICE DEPARTMENT  
CITY OF \_\_\_\_\_

## THE STATE OF MISSISSIPPI

The surety, upon the bail bond of \_\_\_\_\_, hereinafter called the defendant charged with \_\_\_\_\_ having delivered to me a certified copy of the bail bond surrendering said defendant, and I, having thereupon taken into custody the said defendant, do hereby certify and by this certificate acknowledge that \_\_\_\_\_ has surrendered the said Defendant, and the said defendant is now in my custody. This the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

NAME:

TITLE:     SHERIFF     POLICE     JUDGE     JAILOR

SURRENDERED BY:

AND/OR:

POWER NUMBER:

BOND AMOUNT:

BOND DATE:

### REASON FOR SURRENDER:

**AUTHORITY FOR ARREST AND SURRENDER OF DEFENDANT BY SURETY:** The Supreme Court of the United States, in the case of Taylor vs. Taintor, 16 Wall, 366, uses the following language, which has been quoted in the decision ever since. (The Sureties)", whoever they chose to do so may seize him/her and deliver him/her upon their discharge, and if this cannot be done at once, they may imprison him/her until it can be done. They may pursue him/her to another state; may arrest him/her on the Sabbath, and, if necessary, may break and enter his/her home for that purpose. The seizure is not made by virtue of new process. None is needed it is likened to the arrest by the sheriff of an escaping prisoner.

**BOND JUMPING: MISSISSIPPI CODE 83-39-29 SECTION 5:** Any person charged with a criminal violation who has obtained his/her release from custody by having professional bail agent, insurer, agent of such bail agent or insurer, or any person other than himself /herself furnish his bail bond and who fails to appear in court, at the time and place ordered by the court, is guilty of "bond jumping" and, upon conviction, shall be subjected to a fine of not more than One Thousand Dollars (\$1,000.00), imprisonment in the county jail for not more than one (1) year, or both, and a payment of restitution of reasonable expenses incurred returning the defendant to court.

**AIDING AND ABETTING: MISSISSIPPI CODE 89-39-29 SECTION 6:** Any person who knowingly and intentionally aids and abets any person in the commission of the offense of bond jumping, whether the person committing the principal offense is actually convicted, shall be guilty of bond jumping to the same degree as the person so aided and abetted and shall be punished accordingly. Any person who is convicted of aiding and abetting shall be jointly and severally liable for payment of restitution of reasonable expenses incurred in returning the defendant to court.

Date: \_\_\_\_\_  
 Agent Number: \_\_\_\_\_  
 Agent Name: \_\_\_\_\_

**EXECUTING WEEKLY REPORT**

Power Number	Defendant Name	Date	Liability	Premium	Amount Owed

**EXECUTION REPORT TOTALS**

--	--	--

**WEEKLY PAYMENTS**

Power Number	Defendant Name	Date	Amount Owed	Payment Amount	Balance Due	Next Due Date

**WEEKLY PAYMENT TOTALS**

--	--	--

Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_ Amount: \_\_\_\_\_

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**ORDER FOR REMISSION OF BOND**

This day this cause came on to be heard on the application of \_\_\_\_\_, agent for \_\_\_\_\_, surety for defendant, for an order for remission of bond in such amount as provided by Section 99-5-25, Mississippi Code, 1972, as amended, and the court, having considered same, finds as follows:

1. Said bond was satisfied in full payment by \_\_\_\_\_, agent for \_\_\_\_\_ in the sum of \_\_\_\_\_ on or about the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_;
2. \_\_\_\_\_, agent for \_\_\_\_\_, surety for defendant has presented the court with proof that: the defendant was surrendered to the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**AS SHOWN ON DOCUMENTATION ATTACHED TO APPLICATION**

3. \_\_\_\_\_, agent for \_\_\_\_\_ is entitled to remissions of said bond in the amount of \_\_\_\_\_. It is therefore ordered and adjudged that remissions of said bond should be made in the sum of \_\_\_\_\_ to:

\_\_\_\_\_  
Agent

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

SO, ORDERED AND ADJUDGED, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE



IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**ORDER GRANTING EXTENSION OF TIME TO DELAY FINAL JUDGEMENT**

This day this cause came to be heard on the application of \_\_\_\_\_  
Surety for Defendant on a final judgment nisi for default of Defendant's appearance before this Court an order granting  
extension of time and thereby delaying Order of Final Judgment of forfeiture, and the Court having heard and  
considered the same, finds that:

1. \_\_\_\_\_, Defendant in this Court on a charge of \_\_\_\_\_  
\_\_\_\_\_, failed to appear for a noticed Court appearance on the \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_. Pursuant to said default Defendant's appearance bond in the amount of \_\_\_\_\_ was ordered by  
all proper writs of Scire Facias and Judgment Nisi and Bench Warrant.
2. \_\_\_\_\_, Surety of Defendant has presented the Court  
with proof that the Defendant: \_\_\_\_\_  
\_\_\_\_\_.

Should Defendant have to be transported to this jurisdiction from outside the State of Mississippi, and Surety agrees to  
pay all costs of transporting said Defendant to this jurisdiction.

The Surety is therefore entitled to an extension of time before Order of Final Judgment.

IT IS, THEREFORE ORDERED AND ADJUDGED that the Surety in this cause is granted an extension until or on  
about the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before entry of Order of Revocation.

SO, ORDERED AND ADJUDGED, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
SURETY  
NAME:  
ADDRESS:  
CITY/STATE/ZIP:  
PHONE:

\_\_\_\_\_  
CIRCUIT COURT JUDGE

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**ORDER PLACING HOLD ON PRINCIPAL/DEFENDANT**

**THIS CAUSE HAVING COME ON** for consideration by the Court to place a "**Hold**" on the above named Principal/Defendant due to the Notice of Surrender of said Principal/Defendant filed by **Bail** for the reason(s) stated therein and the Court being fully advised in the premises finds that placing a "**Hold**" on said Principal/Defendant is necessary and appropriate under the circumstances.

**IT IS THEREFORE ORDERED AND ADJUDGED** that a **HOLD** is hereby authorized to be placed on said Principal/Defendant by the legal authority, as stated in the Notice of Surrender filed herein, who has custody of said Principal/Defendant and prior to release from custody, the releasing legal authority shall notify this Court and the Sheriff ( or Designee) of the County aforestated sufficiently prior to said release to allow the said Principal/Defendant to be taken into custody and transported to the County Jail of the County aforestated for incarceration; and the Clerk of Designee is authorized to affix the signature of the Court to any such order if the Court is unavailable.

**IT IS FURTHER ORDERED AND AJUDGED** that **Bail** is hereby released from liability as to the bond posted herein by said **Bail** for and on behalf of said Principal/Defendant, provided that, upon release from incarceration in the foreign jurisdiction, return of the Principal/Defendant to the Sheriff of the County aforestated, shall be the responsibility of **Bail**.

**FURTHER, Bail** shall satisfy the responsibility to return Principal/Defendant held on this "**Hold Order**" in a foreign jurisdiction, upon release of the Principal/Defendant from the foreign jurisdiction either by personally returning Principal/Defendant to the Sheriff ( of Designee) of the County aforestated at no cost to the said County or, where the foreign jurisdiction will not release Principal/Defendant to any person other than a lawful officer of the State of Mississippi, by said **Bail** reimbursing the County aforestated the reasonable cost of the return of said Principal/Defendant, not to exceed the cost that would be entailed or incurred in **Bail** personally returned the Principal/Defendant to the custody of the Sheriff ( or Designee) of the County aforestated.

**SO, ORDERED AND ADJUDGED, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.**

\_\_\_\_\_

JUDGE

**REASON FOR HOLD:**

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**ORDER SATISFYING AND CANCELLING JUDGEMENT NISI**

For proper reason shown to the Court herein, the final judgement nisi previously entered on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in the above-styled and numbered cause is hereby cancelled, said bond having been satisfied in full payment of \_\_\_\_\_ by \_\_\_\_\_.

**AS SHOWN BY DOCUMENTATION ATTACHED AS "EXHIBIT 1"**

SO, ORDERED AND ADJUDGED, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

REQUESTED BY:

\_\_\_\_\_

\_\_\_\_\_

JUDGE

NAME:

ADDRESS:

CITY/STATE/ZIP:

PHONE:

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**ORDER SETTING ASIDE JUDGEMENT NISI RELEASING DEFENDANT AND RECALLING WARRANT**

For proper reason shown to the Court herein, the judgement nisi previously entered on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in the above-styled and numbered cause of \_\_\_\_\_ is hereby set aside and Surety/Sureties \_\_\_\_\_, hereby resume and acknowledge their obligation as Sureties for the above Defendant, said obligation approved and acknowledged by their signature below, said power number being \_\_\_\_\_ in the amount of \_\_\_\_\_ ordered and adjudged that the judgement nisi be set aside, the Defendant released and recall the warrant on failure to appear this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

REQUESTED BY:

\_\_\_\_\_

\_\_\_\_\_  
JUDGE

NAME:  
ADDRESS:  
CITY/STATE/ZIP:  
PHONE:

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY \_\_\_\_\_, MISSISSIPPI

STATE OF MISSISSIPPI

CAUSE NUMBER:

VS.

\_\_\_\_\_

POWER NUMBER:

**ORDER SETTING ASIDE JUDGEMENT NISI**

For proper reason shown to the Court herein, the judgement nisi previously entered on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in the above-styled and numbered cause for the charge of \_\_\_\_\_ is hereby set aside and \_\_\_\_\_

Surety/Sureties on said bond are exonerated and discharged from further liability in connection herewith as said Surety/Sureties has presented the Court with proof that:

**SEE DOCUMENTATION ATTACHED HERETO AS "EXHIBIT 1"**

It is ordered by the Court that cost in connection herewith be and hereby are taxed and assessed against said Defendant in the amount of \_\_\_\_\_.

SO, ORDERED AND ADJUDGED, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

REQUESTED BY:

\_\_\_\_\_

\_\_\_\_\_  
JUDGE

NAME:  
ADDRESS:  
CITY/STATE/ZIP:  
PHONE:

REASON FOR SET ASIDE:

# TRANSFER BOND WORKSHEET

PLEASE FAX THIS  
COMPLETED WORKSHEET TO:

*Always follow your faxed Transfer Bond Worksheet with a phone call @*

TODAY'S DATE:	DATE OF BOND:	AUTH REQ'D BY:
AGENCY NAME:		AGENCY NO:
AGENT PHONE:	AGENT FAX:	AGENT CELL:
BOND AMT(S):	POWER NO(S):	
NAME:	APPROVAL NO:	BY:
ADDRESS:		
OCCUPATION:	AGE/DOB:	SSN:
CHARGES:		
ADDRESS:		
PRIOR CONVICTIONS:	YES	NO
TRANSFER BOND?	YES	NO
WHERE?		
ATTORNEY:	YES	NO
ATTORNEY NAME:		

NUMBER ONE INDEMNITOR INFORMATION	COLLATERAL
NAME:	DEED OF TRUST
OCCUPATION:	PROMISSORY NOTE
ADDRESS:	INDEMNITY AGREEMENT
CITY/STATE/ZIP:	CASH
RELATIONSHIP:	CAR TITLE
COLLATERAL:	OTHER
VALUE:	EQUITY:
	LIEN(S):
SOURCE:	

NUMBER TWO INDEMNITOR INFORMATION	COLLATERAL
NAME:	DEED OF TRUST
OCCUPATION:	PROMISSORY NOTE
ADDRESS:	INDEMNITY AGREEMENT
CITY/STATE/ZIP:	CASH
RELATIONSHIP:	CAR TITLE
COLLATERAL:	OTHER
VALUE:	EQUITY:
	LIEN(S):
SOURCE:	

NUMBER THREE INDEMNITOR INFORMATION	COLLATERAL
NAME:	DEED OF TRUST
OCCUPATION:	PROMISSORY NOTE
ADDRESS:	INDEMNITY AGREEMENT
CITY/STATE/ZIP:	CASH
RELATIONSHIP:	CAR TITLE
COLLATERAL:	OTHER
VALUE:	EQUITY:
	LIEN(S):
SOURCE:	

NOTES:

**WAIVER OF PRIVACY ACT**

The Defendant hereby warrants that the foregoing declarations made and answers given are truth without reservations and are made for the purpose of inducing the Surety to become surety or to promote surety-ship on the bond or undertaking applied for herein, with the intent and purpose that they be fully relied on. In addition, the Defendant hereby authorizes and directs his relatives, employers, bankers, the Federal Social Security Administration, the Internal Revenue Service, the State Department of Disability Insurance, the United States Armed Forces, all telephone companies, the State Division of Motor Vehicles, all Municipal, County, State, and Federal Law Enforcement Agencies and any other persons or organizations having information concerning the Defendant's whereabouts to give such information to Professional Surety and it's assigns and/or dully appearance and/or apprehension for Court appearance and for the purpose of securing reimbursement for expenses incurred as a result on Defendant's non-appearance. The Defendant hereby waives his/her rights and with respect to the Privacy Act and authorizes the use of copies of this document by a Professional Surety and its assigns and/ or duly authorized representatives.

**WAIVER OF INFORMATION**

Authority to procure records or other information from any and all persons, entities or corporations; Defendant and Indemnitor(s) hereby authorize you to provide \_\_\_\_\_, authorized representative(s), any and all information or reports, educational records, employment records, court records, police or law enforcement records, phone records and wireless communication records, etc., photo reproduction of this Authority, wherever and whenever presented, shall have the same effect as the original.

By my signature hereon, I, \_\_\_\_\_, authorize and direct my attorney in the cause for which Surety is bonding me, to release any and all information in my file deemed desirable by Surety to help locate me at any time Surety shall request said information.

X \_\_\_\_\_  
DEFENDANT

**WAIVER OF EXTRADITION**

I, \_\_\_\_\_, of my own free will and accord, to hereby voluntarily agree and consent to return to the STATE OF MISSISSIPPI as a prisoner to answer to the criminal charge(s) of: \_\_\_\_\_ pending against me.

I hereby waive all rights to contest extradition and consent to accompany the Bondsman or his agents or any authorized representative of the ST ATE OF MISSISSIPPI. as a prisoner and hereby release said representative(s) from any and all liability by reason thereof.

I hereby state that I have read the above bond agreement and stipulations and agree to abide by same. I also agree to notify my bond agent in the event my address, phone number or place of employment should change during the course of this bond.

X \_\_\_\_\_  
DEFENDANT

**UNITED STATES COURT RULING**

When bail is given, the principal is regarded as delivered to the custody of his sureties. Their dominion is a continuance of the original imprisonment. Whenever they choose to do so, they may seize him/her until it can be done. They may exercise their rights in person or by agent. They may pursue him in another state, may arrest on the Sabbath, and if necessary, may break and enter his house for the purpose. The seizure is not made by virtue of new process, none is needed. It is likened to the re-arrest by the Sheriff of an escaping prisoner.

## Appendix III – POWERS OF ATTORNEY

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See the following pages for examples of Power of Attorney documents.



<b>POWER OF ATTORNEY</b>		<b>COLLATERAL RECEIPT</b> Financial Casualty & Surety, Inc. 5181 Postville, Suite 600, Houston, TX 77056 877.737.2245	DATE _____ POWER # <b>FCS25-18299-88</b> RECEIPT NO. _____
Received of _____ (Print & Signature) (Address) _____		Social Sec. No. _____ or Date of Birth _____	
In full of the defendant _____		the following described indebtedness:	
Amount \$ _____		(\$2,000.00)	
Said indebtedness is deposited securely for the payment of any sums which may become due to the Agency or Financial Casualty & Surety, Inc. (FCS) by the terms of the said bond agreement covered by said Defendant and Depositor, all of the terms of which are made a part of this Receipt by the Attorney-in-Fact. Said Collateral is retained until such time as the Defendant and Depositor are released from the Agency & FCS relating to bond(s) now hereon in full.			
I hereby agree to pay to the said Agency or Financial Casualty & Surety, Inc. or its agents the full amount of the said indebtedness in full.			
The above conditions are agreed to by _____ (Signature of Agent) _____ (Signature of Defendant)			
<b>RECEIPT FOR RETURN OF COLLATERAL</b>		The undersigned hereby certifies on behalf of the attached party and represents for the return and receipt of all collateral listed above. The collateral is held in escrow and no liability shall be incurred by the depositor hereby unless Financial Casualty & Surety, Inc. and its agents agree to pay to the party-in-fact or responsibility in relation to the collateral.	
ACCEPTED BY: _____	DATE: _____	ACCEPTED BY: _____	DATE: _____

FCS-181 (REV. 10/06) COPY FOR DEFENDANT

<b>POWER OF ATTORNEY</b>		<b>PROGRAM RECEIPT / CHARGES</b> Financial Casualty & Surety, Inc. 5181 Postville, Suite 600, Houston, TX 77056 877.737.2245	POWER NUMBER <b>FCS25-18299-88</b>
Received of _____ (Print & Signature) (Address) _____		DATE _____	
By _____ (Print & Signature) (Address) _____		Bill Bond Premium \$ _____	
By _____ (Print & Signature) (Address) _____		MISC. Charges \$ _____	
By _____ (Print & Signature) (Address) _____		TOTAL Charges \$ _____	
By _____ (Print & Signature) (Address) _____		Handed in Amount \$ _____	
By _____ (Print & Signature) (Address) _____		BALANCE DUE \$ _____	
Was Collateral taken? (YES) (NO) If Yes, only check collateral receipt (limited liability). "MISC. Charges" and "HANDLING FEE" items are not applicable to some states (ALABAMA, etc.)			
<b>WARRANT INFORMATION FOR BAIL BOND INTERVIEW</b>			
Warrant No. _____	FOR or BY _____	Bond Amount \$ _____ Case Number _____ City/State _____	
County _____	Client _____	Date to Appear _____	Time to Appear _____
Received Copy of above Receipt and Items (Signature of Defendant or Depositor) _____			

FCS-182 (REV. 10/06) COPY FOR DEFENDANT

<b>VOID IF NOT ISSUED BY</b> <b>32-535-38</b>	<b>State of Texas POWER OF ATTORNEY</b> Financial Casualty & Surety, Inc.	POWER NUMBER <b>FCS25-18299-88</b>
5181 Postville, Suite 600, Houston, TX 77056 TCSonly@fcsurety.com	Tel: 877.737.2245	
KNOW ALL MEN BY THESE PRESENTS that Financial Casualty & Surety, Inc. a corporation duly organized and existing under the laws of the State of Texas, free from all debts and liabilities, and that the undersigned, _____, of the County of _____, State of _____, do hereby certify that the above named party is a bona fide owner of the collateral hereinbefore described and that the same is held in full payment of the indebtedness hereinbefore described, and that the same is being held in full payment of the indebtedness hereinbefore described, and that the same is being held in full payment of the indebtedness hereinbefore described, and that the same is being held in full payment of the indebtedness hereinbefore described.		
I, _____, Attorney-in-Fact for the State of Texas, do hereby certify that the above named party is a bona fide owner of the collateral hereinbefore described, and that the same is held in full payment of the indebtedness hereinbefore described, and that the same is being held in full payment of the indebtedness hereinbefore described, and that the same is being held in full payment of the indebtedness hereinbefore described.		
IN WITNESS WHEREOF, FINANCIAL CASUALTY & SURETY, INC. has caused these presents to be signed by its duly authorized officer, _____, for the purpose and for the purposes set forth herein, this _____ day of _____, 20____.		
Defendant _____	City _____	County _____
Client _____	City _____	County _____
Bond Amount \$ _____	Charge(s) _____	
Powering Agent _____	_____	_____

FCS-183 (REV. 10/06) COPY FOR COURT

VERIFY FIRST - THIS DOCUMENT IS PRINTED IN BLUE, RED & BLACK INKS.

Only the original Power of Attorney will bind this Surety.

POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

POWER NUMBER I53K-318059

THIS POWER VOID IF NOT USED BY: December 31, 2011 AMOUNT \$ 3,000

I, WALL MEN BY THESE PRESENTS, THE INTERNATIONAL FIDELITY INSURANCE COMPANY, A Corporation duly organized and existing under the laws of the State of New Jersey, has constituted and appointed, and does hereby constitute and appoint, its true and lawful Attorney-in-Fact, with full power and authority to sign the company's contracts...

THIS POWER OF ATTORNEY IS VOID IF ALTERED OR ERASED, THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF THREE THOUSAND\*\*\*\*\*

NO MAY BE EXECUTED FOR RECOGNIZANCE ON CRIMINAL BAIL BONDS ONLY.

Authority of such Attorney-in-Fact is limited to the execution of appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel restrictions, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearances.

Defendant: \_\_\_\_\_ Date Executed: \_\_\_\_\_

NOTICE: Seizing of Powers is strictly prohibited. No more than one power from this Surety may be used to post any one bail amount.

IN WITNESS WHEREOF, said INTERNATIONAL FIDELITY INSURANCE COMPANY, by virtue of authority conferred by its Board of Directors, has caused these presents to be sealed with its corporate seal and attested by its Chairman of the Board and attested hereon this 19th day of March, 1984.

Resident: \_\_\_\_\_ DOB: \_\_\_\_\_
Age: \_\_\_\_\_
Address: \_\_\_\_\_
City: \_\_\_\_\_
State: \_\_\_\_\_
County: \_\_\_\_\_
Total Premium Charged: \_\_\_\_\_
City: \_\_\_\_\_
Write, give orig. power to: \_\_\_\_\_ [Increase] [Decrease]



Routing Agent: \_\_\_\_\_ Signature: \_\_\_\_\_ License Number: \_\_\_\_\_



FL0100 (10/17) ORIGINAL

VERIFY FIRST - THIS DOCUMENT IS PRINTED IN BLUE, RED & BLACK INKS.

Only the original Power of Attorney will bind this Surety.

POWER OF ATTORNEY INTERNATIONAL FIDELITY INSURANCE COMPANY

POWER NUMBER I56K-957736

THIS POWER VOID IF NOT USED BY: December 31, 2011 AMOUNT \$ 6,000

I, WALL MEN BY THESE PRESENTS, THE INTERNATIONAL FIDELITY INSURANCE COMPANY, A Corporation duly organized and existing under the laws of the State of New Jersey, has constituted and appointed, and does hereby constitute and appoint, its true and lawful Attorney-in-Fact, with full power and authority to sign the company's contracts...

THIS POWER OF ATTORNEY IS VOID IF ALTERED OR ERASED, THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF SIX THOUSAND\*\*\*\*\*

NO MAY BE EXECUTED FOR RECOGNIZANCE ON CRIMINAL BAIL BONDS ONLY.

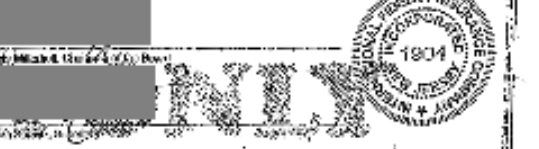
Authority of such Attorney-in-Fact is limited to the execution of appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel restrictions, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearances.

Defendant: \_\_\_\_\_ Date Executed: \_\_\_\_\_

NOTICE: Seizing of Powers is strictly prohibited. No more than one power from this Surety may be used to post any one bail amount.

IN WITNESS WHEREOF, said INTERNATIONAL FIDELITY INSURANCE COMPANY, by virtue of authority conferred by its Board of Directors, has caused these presents to be sealed with its corporate seal and attested by its Chairman of the Board and attested hereon this 25th day of March, 1984.

Resident: \_\_\_\_\_ DOB: \_\_\_\_\_
Age: \_\_\_\_\_
Address: \_\_\_\_\_
City: \_\_\_\_\_
State: \_\_\_\_\_
County: \_\_\_\_\_
Total Premium Charged: \_\_\_\_\_
City: \_\_\_\_\_
Write, give orig. power to: \_\_\_\_\_ [Increase] [Decrease]



Routing Agent: \_\_\_\_\_ Signature: \_\_\_\_\_ License Number: \_\_\_\_\_



FL0100 (10/17) ORIGINAL

**FACE ONLY  
POWER AMOUNT  
25500.00**

**BANKERS INSURANCE COMPANY 562169535 - 9**  
P.O. Box 33415 • St. Petersburg, Florida 33713 • 800-627-6000  
**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** that Bankers Insurance Company, a corporation duly organized and existing under the laws of the State of Florida, has made pursuant to Article IV, Section 11 of the D.F. Laws, which was adopted by the Directors of the said company, and is now in effect, does constitute and appoint, and by these presents does make, constitute and appoint below named agent in fact and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, and solely, a bail bond only. Authority of such Attorney-In-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. This power void if altered or erased, void if used with other powers of this company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF THIS STATED FACE AMOUNT AND PROVIDED THIS Power of Attorney is filed with the bond and retained as a part of the bond records. The said Attorney-In-Fact is hereby authorized to issue in this Power of Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, BANKERS INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_

Face Amount \$ \_\_\_\_\_ Appointed Date \_\_\_\_\_

Defendant \_\_\_\_\_

S.S.A. \_\_\_\_\_ D.O.B. \_\_\_\_\_

Case # \_\_\_\_\_

County \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Offense \_\_\_\_\_

If Remit, Original # \_\_\_\_\_

Receiving Agent \_\_\_\_\_

81000065016

**BANKERS INSURANCE COMPANY**



JUDY COPPEL, President



USE ORIGINAL TO VERIFY THE AUTHORITY OF THE AGENT OR POWER OF ATTORNEY.

**FACE ONLY  
POWER AMOUNT  
25500.00**

**BANKERS INSURANCE COMPANY 556193534 - 9**  
P.O. Box 33415 • St. Petersburg, Florida 33713 • 800-627-6000  
**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** that Bankers Insurance Company, a corporation duly organized and existing under the laws of the State of Florida, has made pursuant to Article IV, Section 11 of the D.F. Laws, which was adopted by the Directors of the said company, and is now in effect, does constitute and appoint, and by these presents does make, constitute and appoint below named agent in fact and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, and solely, a bail bond only. Authority of such Attorney-In-Fact is limited to appearance bonds. This power must be filed with the court as a permanent court record to abide the surety for court appearances only, of the named Defendant. This power shall not obligate the surety for the Defendant's future lawful conduct, court-imposed conditions, restrictions, or fines costs, restitution or any other conditions not specifically related to court appearances.

This Power of Attorney is for use with Bail Bonds for State, County and Municipal Courts only. Not valid in Federal Court nor if used in connection with Federal Immigration Bonds. This power shall be void if its original format has been altered, if it exceeds the maximum amount listed, is used with other powers of this or any other surety company to cover one bond amount, or is used by an individual who is not authorized to execute surety bonds on behalf of Bankers Insurance Company.

THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF THIS STATED FACE AMOUNT AND PROVIDED THIS Power of Attorney is filed with the bond and retained as a part of the bond records. The said Attorney-In-Fact is hereby authorized to issue in this Power of Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, BANKERS INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_

Face Amount \$ \_\_\_\_\_ Appointed Date \_\_\_\_\_

Defendant \_\_\_\_\_

S.S.A. \_\_\_\_\_ D.O.B. \_\_\_\_\_

Case # \_\_\_\_\_

County \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Offense \_\_\_\_\_

**BANKERS INSURANCE COMPANY**



JUDY COPPEL, President

VOID IF NOT DECEMBER 31, 2018 USED BY

USE ORIGINAL TO VERIFY THE AUTHORITY OF THE AGENT OR POWER OF ATTORNEY.

**RAIL ONLY  
POWER AMOUNT**

**JOHN DOE d/b/a DOLLAR BAIL BOND COMPANY**  
100 EASY STREET, P.O. Box 100 Yesterday, MS 39888  
Office (801) 888-8888 Fax (801) 777-7777  
**POWER OF ATTORNEY**

**V100-183135**

KNOW ALL MEN BY THESE PRESENTS: that John Doe d/b/a DOLLAR BAIL BOND COMPANY, is Professional Bail Agent, as licensed by the Commission of Insurance of Mississippi, License Number 9431082 does constitute and appoint the below named agent its true and lawful attorney-in-fact and is limited for him and in his name, place and stead, to execute, seal and deliver for said on his behalf and as his act and deed, as surety, a bail bond only. Authority of such attorney-in-fact is limited to appearance bonds and cannot be construed to guarantee for failure to provide pay/perks, fines, or wage law claims on behalf of below named defendant.

This power is void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of Debble Cardier shall not exceed the sum of the bond or

**ONE HUNDRED THOUSAND (100,000.00) DOLLARS**

whichever is less, and provided this power of attorney is filed with the bond and retained as part of the court records. The said attorney-in-fact is hereby authorized to insert in this power-of-attorney the name of the person on whose behalf this bond was given.

IN WITNESS THEREOF, John Doe has caused these presents to be signed by him, proper for purpose and his seal hereunto affixed

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

**PLEASE PRINT CLEARLY**

Bond amount \$ \_\_\_\_\_ Appearance Date \_\_\_\_\_

**DOLLAR BAIL BOND COMPANY**

Defendant \_\_\_\_\_

S.S.# \_\_\_\_\_ DOB \_\_\_\_\_

Court \_\_\_\_\_

John Doe

Court \_\_\_\_\_

**PROFESSIONAL BAIL AGENT**

City \_\_\_\_\_ State \_\_\_\_\_

Offense \_\_\_\_\_

If newfile, Original # \_\_\_\_\_

Executing Agent \_\_\_\_\_

did if not  
used by



**BAIL ONLY  
POWER AMOUNT**

**JOHN DOE d/b/a DOLLAR BAIL BOND COMPANY**  
100 EASY STREET, P.O. Box 100 Yesterday, MS 39989  
Office (601) 558-8988 Fax (601) 777-7777  
**POWER OF ATTORNEY**

**V25-183135**

KNOW ALL MEN BY THESE PRESENTS: that John Doe d/b/a DOLLAR BAIL BOND COMPANY, a Professional Bail Agent, as licensed by the Commissioner of Insurance of Mississippi, License Number 94B14452 does constitute and appoint the below named agent its true and lawful attorney-in-fact and is limited for him and in his name, place and stead, to execute, seal and deliver for and on his behalf and as his act and deed, as surely, a bail bond only. Authority of such attorney-in-fact is limited to appearance bonds and cannot be construed to guarantee for failure to provide payments, fines, or wage law claims on behalf of below named defendant.  
This power is void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of Debbie Gardner shall not exceed the sum of the bond or

**TWENTY FIVE THOUSAND (25,000.00) DOLLARS**

whichever is less, and provided this power-of-attorney is filed with the bond and retained as part of the court records. The said attorney-in-fact is hereby authorized to insert in this power-of-attorney the name of the person on whose behalf this bond was given.

IN WITNESS THEREOF, John Doe has caused these presents to be signed by him, proper for purpose and his seal hereunto affixed

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**PLEASE PRINT CLEARLY**

Bond amount \$ \_\_\_\_\_ Appearance Date \_\_\_\_\_  
Defendant \_\_\_\_\_  
S.S.# \_\_\_\_\_ DOB \_\_\_\_\_  
Casualty \_\_\_\_\_  
Court \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_  
Offense \_\_\_\_\_  
I rewrite, Original if \_\_\_\_\_  
Executing Agent \_\_\_\_\_

**DOLLAR BAIL BOND COMPANY**

John Doe

**PROFESSIONAL BAIL AGENT**

2011 11 11  
Used by \_\_\_\_\_

**FINANCIAL CASUALTY & SURETY, INC.**

No. 66658

The Bail Insurance Company  
3131 Eastside #600  
Houston, Texas 77098  
877.737.2245  
713.351.8401 FAX

**POWER OF ATTORNEY**

Valid in \_\_\_\_\_ County, State of Mississippi

KNOW ALL MEN BY THESE PRESENTS:

That FINANCIAL CASUALTY & SURETY, INC., (hereinafter called Company) a corporation of the State of TEXAS, hereby make, constitute, and appoint:

its true and lawful attorney-in-fact, with full power and authority for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto, if a seal is required, on bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof, as follows:

Bail bonds (not including non-appearance related recognizances/bail bonds)

not to exceed \$500,000.00 (Five Hundred thousand dollars and no cents) for each bond or defendant

and to bind FINANCIAL CASUALTY & SURETY, INC. thereby, and all of the acts of said attorney-in-fact, pursuant to these presents are hereby ratified and confirmed.

FINANCIAL CASUALTY & SURETY, INC. shall NOT be liable hereunder unless face sheets and/or bonds are affixed to a valid FINANCIAL CASUALTY & SURETY, INC. Power of Attorney, as fully described on the reverse hereof.

This appointment is made under and by authority of resolution of the Board of Directors of Financial Casualty & Surety, Inc. IN WITNESS WHEREOF, FINANCIAL CASUALTY & SURETY, INC. has caused these presents to be signed by its duly authorized officer this 28<sup>th</sup> day of July, 2017.

Corporate Seal:

FINANCIAL CASUALTY & SURETY, INC.

By \_\_\_\_\_

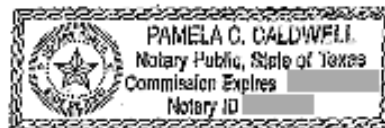
Kathleen M Ledbetter  
Vice President

STATE OF TEXAS }  
COUNTY OF HARRIS } SS

On this 28<sup>th</sup> day of July, 2017, before me a notary public, the undersigned officer, personally appeared, Kathleen M Ledbetter, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

In witness whereof, I have this set my hand and official seal:

\_\_\_\_\_  
Notary Public



Any correspondence regarding this Power of Attorney address to:  
FINANCIAL CASUALTY & SURETY, INC.  
P.O. Box 4479  
Houston, Texas 77219-4479

This Qualifying Power of Attorney is NOT valid unless affixed with a pressure corporate seal and wet signatures.

RETURN TO  
**Bankers Insurance Company**  
P.O. Box 33015 St. Petersburg, Florida 33733

**GENERAL QUALIFYING POWER OF ATTORNEY**

Valid in State of Mississippi \_\_\_\_\_ County only

KNOW ALL MEN BY THESE PRESENTS: That Bankers Insurance Company, a licensed Florida insurance carrier, having its principal office in the City of St. Petersburg, County of Pinellas, State of Florida, hereinafter called "Company".

Has made, constituted and appointed and by these presents does make, constitute and appoint

\_\_\_\_\_ of \_\_\_\_\_

its true and lawful agent and attorney-in-fact to make, execute, seal and deliver as surety, as its act and deed, Bail Bonds and recognizes only in a penalty sum not to exceed

\*FIVE HUNDRED THOUSAND (\$500,000.00).....

ALL BAIL BONDS AND RECOGNIZANCES MUST BE ACCOMPANIED BY AN INDIVIDUAL NUMBERED POWER OF ATTORNEY PROPERLY EXHIBITED, IN AN AMOUNT EQUAL TO OR IN EXCESS OF THE PARTICULAR BOND BEING ISSUED.

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon Company as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officials of the Company at its office in St. Petersburg, Florida, in their own proper persons.

IN WITNESS WHEREOF, Bankers Insurance Company has caused these presents to be signed by its duly authorized officer, and its

Corporate seal hereto affixed, this 6<sup>th</sup> Of September 2017

**BANKERS INSURANCE COMPANY**

By: \_\_\_\_\_  
BRIAN KESNECK, SENIOR VICE PRESIDENT

STATE OF FLORIDA  
COUNTY OF PINELLAS

On this 6<sup>th</sup> day of September 2017 before the subscriber, a Notary Public of the State of Florida, in and for the County of Pinellas, duly commissioned and qualified, came Brian Kesneck, Senior Vice President of BANKERS INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposed and said that he is the officer of the said company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation, and that the Article IV, Section 3 of the By-Laws of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereto set my hand, and affixed my Official Seal at the City of St. Petersburg, the day and year first above written.

\_\_\_\_\_  
Notary Public My Commission Expires \_\_\_\_\_



QUALIFYING POWER ONLY, NOT TO BE ATTACHED TO ANY BOND.  
VALID ONLY IF INDIVIDUAL POWER OF ATTORNEY IS ATTACHED TO EACH BOND EXECUTED. DO NOT ACCEPT IF COPY.

IQP 119922

# Certified Copy QUALIFYING POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a Not Jersey Corporation, having its principal office in the City of Newark, County of Essex, State of New Jersey, does hereby make consue and appin:

in the City of \_\_\_\_\_ County of \_\_\_\_\_ State of Mississippi  
with limited authority, its true and lawful Agent and Attorney-in-Fact, with full power and authority hereby conferred to sign, execute, acknowledge and deliver for and on its behalf as Secretary, subject to the limitation as herein set forth, any and all papers and documents necessary or incidental to the making of Bail Bonds in Judicial Proceedings, whether criminal or civil; surety bonds, peace bonds, appeal bonds or any other kind of appearance bond in any State Court, County Court or Municipal Court, and in all U.S. Federal Courts and all U.S. Federal Agencies, not to exceed the amount of \_\_\_\_\_ or any one bond.

\*\*\*Two Hundred Fifty Thousand Dollars and 00/100 \*\*\*\*(250,000.00)\*\*\*\*

PROVIDED individual power of attorney be attached to each bond executed AND REMAIN A PERMANENT PART OF THE COURT RECORDS.

This acknowledgment and execution of any such document by the said Attorney-in-Fact shall be as binding upon this Company as if such bond has been executed and acknowledged by the regularly elected officers of this Company.

All authority hereby conferred shall expire and terminate without notice or warning on September 30, 2019. INTERNATIONAL FIDELITY INSURANCE COMPANY further certifies that the following is a true and exact copy of a resolution of the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY, duly adopted and now in force, to wit: All Bonds of the Corporation shall be executed in the corporate name of the Company by the President or Vice-President or by such other officers of the Board of Directors may authorize. The President or Vice-President, Secretary or any Assistant Secretary may appoint Attorneys-in-Fact or agents who shall have authority to execute bonds in the name of the Company. The Corporate Seal is not necessary for the validity of any bonds of the Corporation.

IN WITNESS WHEREOF, the said INTERNATIONAL FIDELITY INSURANCE COMPANY has caused these presents to be executed by its officers this day of September 7, 2017.

QUALIFYING POWER ONLY, NOT TO BE ATTACHED TO ANY BOND.  
VALID ONLY IF INDIVIDUAL POWER OF ATTORNEY IS ATTACHED TO EACH BOND EXECUTED. DO NOT ACCEPT IF COPY.

INTERNATIONAL FIDELITY INSURANCE COMPANY



By [Redacted]  
Norman R. Konvitz, SECRETARY

State of NEW JERSEY

County of ESSEX

On the date above written, before me a Notary Public, personally appeared NORMAN R. KONVITZ, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as Secretary of the said INTERNATIONAL FIDELITY INSURANCE COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

Angela Francis  
NOTARY PUBLIC



[Redacted]  
Notary Public

FL0106 (REV. 12/15) WARNING: A CREDIT ORIGINATOR MAY VERIFY THAT THESE ARE ORIGINAL DOCUMENTS. THE FURNISHING OF THIS INFORMATION IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION AND VERIFICATION IS REQUIRED. WARNING: A CREDIT ORIGINATOR MAY VERIFY THAT THIS IS AN ORIGINAL DOCUMENT. THE FURNISHING OF THIS INFORMATION IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION AND VERIFICATION IS REQUIRED.

RECEIPT AND REPORT OF USE OF POWER OF ATTORNEY  
INTERNATIONAL FIDELITY INSURANCE COMPANY

IQP 119922



This manual has been prepared by:

**MISSISSIPPI COALITION OF BAIL SURETIES, INC.**

156 West Broad Street, Decatur MS 39327

PO Box 248

Phone: 877-771-2245

Fax: 601-635-4044

Email: [mcobsinc@gmail.com](mailto:mcobsinc@gmail.com)

Website: [mcobs.org](http://mcobs.org)

This manual and copies of all included documents  
may be found on our website under the Agent Resources section.