

STATE OF MICHIGAN

HARVEY A. KOSELKA - Judge

Adrian, Michigan

THIRTY-NINTH JUDICIAL CIRCUIT

Rex B Martin
Judicial Building
425 North Main Street
Adrian, Michigan 49221

Circuit Judges

~~XXXXXXXXXX~~

Harvey A. Koselka
Timothy P. Pickard

ADMINISTRATIVE ORDER

1998 - 01

APPLICATION FOR PLACEMENT ON LIST OF
APPROVED BONDSMEN FOR THE COUNTY OF LENAWEЕ

1. Scope and Applicability

This administrative order governs the application procedure and requirements for placement on the annual list of approved bondsmen for the County of Lenawee and apply to all persons making application therefor. If there is a conflict between this administrative order and any prior local court rule or administrative order, this administrative order controls.

2. Purpose

MCLA 750.167(b)(4) requires that a list of bondsmen shall be compiled annually by the judges of the circuit court of each circuit, and the names of persons engaged in the business of becoming surety upon bonds for compensation shall be added to the list by the judges upon proper application. There exists a need to make known and apply a uniform method of making proper application by those persons wishing to be included in that list.

3. Application

All persons desiring to engage in the business of becoming surety upon bonds for compensation in criminal cases within Lenawee County shall apply by submitting a copy of each and every Michigan license relied on by applicant and a sworn affidavit on or before December 20th of the year prior to the compilation of said list, pursuant to one of two alternative methods:

- ALTERNATIVE I - PROPERTY
- ALTERNATIVE II - INSURANCE

The affidavit specified must utilize the format provided. A financial statement, while helpful, is not acceptable standing alone or in conjunction with an affidavit which merely refers the court to the provisions of the financial statement. Failure to provide the information requested may result in a person's name being omitted from the list of approved bondsmen.

ALTERNATIVE I - PROPERTY

The applicant shall file with the Chief Judge a sworn affidavit, which affidavit shall include, the following:

- a) An indication of the full name (first, middle and last) of the applicant.
- b) The address of the applicant, both residence and business.
- c) The full name (first, middle and last) of the spouse of the applicant, or a statement indicating that the applicant is not married.
- d) A statement of the locations (addresses) where the applicant has resided during the five (5) years immediately preceding the making of the affidavit.
- e) The name or names of his/her employer and the amount of income currently being received by the applicant.
- f) The street address and legal description of any and all real estate owned by the applicant IN HIS/HER NAME ALONE, together with a statement of what the assessed value (for taxes) is on each of such parcels, together with a statement of what the applicant considers the market value of such property to be.
- g) A description of any mortgage, lien or encumbrance upon any of the real estate mentioned in "f" above indicating the amount of such mortgage, lien or encumbrance and the name or names of the parties thereto.
- h) A description of any and all stocks and bonds owned by the applicant IN HIS/HER NAME ALONE, and the location thereof.
- I) A description of any mortgage, lien or encumbrance upon the items mentioned in "h" above, and the name or names of the parties thereto.
- j) A statement that there is no pending civil or criminal case against applicant, or, if there be such case or cases, a summary thereof, including the name and address of court, title of caption and case number. If a civil action is pending

against applicant, the total amount or amounts of damages claimed by the opposite party shall be set forth.

- k) A statement that the applicant has not been convicted of a criminal offense or, if the applicant has been convicted of a criminal offense, a statement setting forth the place and nature of such conviction (civil infractions are not to be included).
- l) A description of all savings and checking accounts of applicant, indicating:
 - 1) The name and location of the bank or banks,
 - 2) The account number or numbers, and
 - 3) The amount on deposit.
- m) A list of all obligations of the applicant, indicating:
 - 1) The name and address of the creditor,
 - 2) The total amount due each creditor, and
 - 3) The amount and intervals of payment called for upon each such obligation.
- n) A list of all outstanding judgments against applicant.
- o) A description of any partnership of which applicant is a member (including a partnership which acts as a surety upon bonds in criminal cases).
- p) A list of such other personal property IN HIS/HER NAME ALONE which applicant desires the circuit judges to consider in relation to his economic status.
- q) Such other information as the circuit judges may require from time to time relating to his/her economic status and reliability.

Said affidavit shall include the following, **verbatim**:

- “1. I will not sell, assign away, mortgage or encumber any of the assets listed in my affidavit without first notifying the then Chief Judge of the Lenawee County Circuit Court, in writing, of such intent.
- 2. I will, at no time, become obligated upon bonds in an amount in excess of an amount to be established by the Chief Judge at the time of his/her approval to act as a bondsman. This shall include and apply to bonds written in Lenawee County as well as elsewhere.

3. I authorize any bank, stock brokerage firm, or credit exchange to freely and fully disclose to the Chief Judge or his agent any information possessed by such parties regarding the applicant and his/her assets and liabilities.
4. I shall promptly notify the Chief Judge, in writing, of any change in my residence and/or business address.
5. I understand that a current affidavit containing the above information and attachments must be filed with the Chief Judge of the Lenawee County Circuit Court on or before December 20th of each year by those persons wishing to remain on the list of approved bondsmen.
6. I understand that agents of an approved bondsman are authorized to sign recognizances under a power of attorney when said documents includes the proviso that such attorney-in-fact is authorized to bind his principal in a sum not to exceed \$ _____ until said principal delivers to the Chief Judge a written revocation of the power of attorney.”

ALTERNATIVE II - INSURANCE

The applicant shall file with the Chief Judge a sworn affidavit, which affidavit shall include:

- a) An indication of the full name (first, middle and last) of the applicant.
- b) The address of the applicant, both residence and business.
- c) The full name (first, middle and last) of the spouse of the applicant, or a statement indicating that the applicant is not married.
- d) A statement of the locations (addresses) where the applicant has resided during the five (5) years immediately preceding the making of the affidavit.
- e) The name or names of his/her employer and the amount of income ~~currently~~ being received by the applicant.
- f) A statement that the applicant has not been convicted of a criminal offense or, if the applicant has been convicted of a criminal offense, a statement setting forth the place and nature of such convictions (civil infractions are not to be included).
- g) The name and address of the insurance company backing bonds signed by the applicant.

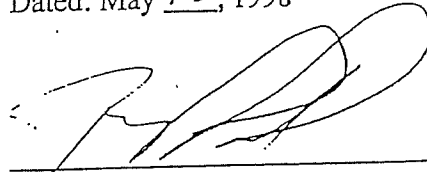
In addition, the affidavit shall include:

- 1) A power of attorney from the insurance company to the applicant which shall be attached to the affidavit.
- 2) A statement as follows: "I understand that a current affidavit containing the above information and attachments must be filed with the Chief Judge of the Lenawee County Circuit Court on or before December 20th of each year by those persons wishing to remain on the list of approved bondsmen."



Harvey A. Kosefka
Chief Circuit Judge

Dated: May 18, 1998



Timothy P. Pickard
Circuit Judge

Dated: May 18, 1998

ADMINISTRATIVE ORDER

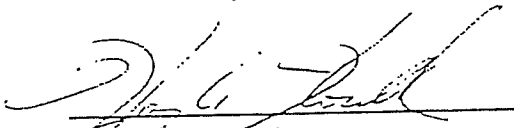
1998 - 01

APPLICATION FOR PLACEMENT ON LIST OF
APPROVED BONDSMEN FOR THE COUNTY OF LENAWEЕ

ORDER

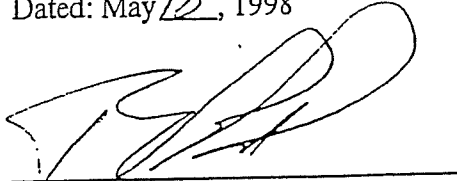
The undersigned Judges of the Circuit Court for the County of Lenawee, having reviewed MCLA 750.167(b)(4) and the current process of preparing the annual list of approved bondsmen for the said County, and having determined that there is a need to apply a uniform method of making proper application for inclusion on said list,

Now Therefore, IT IS HEREBY ORDERED, that all persons desiring to have their name placed on the annual list of approved bondsmen for the County of Lenawee shall comply with the provisions of Administrative Rule 1998-01.



Harvey A. Koselka
Chief Circuit Judge

Dated: May 18, 1998



Timothy P. Pickard
Circuit Judge

Dated: May 18, 1998