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## Clallam County Superior Court

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### RULE 1. JUSTIFICATION OF SURETIES

- (1) Any person or corporation desiring to post bail bonds in Clallam County Superior Court shall first obtain an Order of Justification.
- (2) All Petitions for an Order of justification shall be in writing to the Court and shall provide the following information:

#### (A) All Sureties

1. Types of bonds - an outline of the types of bonds posted by the surety.
2. Current suretyship obligations - a current list of all suretyship obligations to all courts within the geographical limits of Washington State, including the following:
  - a. The name of the court.
  - b. The name of the defendant.
  - c. The amount of the bond.
  - d. The date issued.
3. Current bond foreclosures - a list of the current obligations to the courts in the way of bond forfeitures or other obligations incurred by the surety which have not been paid, or a statement that there are none.
4. Presentation - identity of the names and addresses of all persons who will be delivering or presenting bonds on behalf of the bonding surety.
5. Jurisdictions where surety has previously been authorized to post bail bonds and jurisdictions denying such authorization.

#### (B) Corporations.

1. Power of Attorney.
  - a. Names of the agents authorized to execute bonds on behalf of the surety.
  - b. The maximum dollar amount of any single bond which each agent is authorized to execute.
2. A copy of the current Certificate of Authority issued by the Insurance Commissioner for the state of Washington.
3. Resident corporate agent.
  - a. The name of the resident agent(s) for the corporate surety in the state of Washington authorized to appear and accept service on behalf of the corporate surety.
  - b. A copy of the power of attorney appointing said person(s) as resident agent(s).

#### (C) Individuals.

1. The individual name(s) of applicant(s).
2. All fictitious names used by the applicant(s).
3. Resident address of individual applicant(s).
4. Business address of all individual applicant(s).
5. Marital status of applicant(s) and, if applicable, names(s) of spouse(s).
6. Verified financial statement:

##### A. Assets

- i. Real property:
  - a. Legal description of property
  - b. Current appraisal of property by a qualified real estate appraiser who is a member of the American Institute of Appraisers, or a statement of the appraiser that there has been no change in the value of the property since the last appraisal of the property.
  - c. If the real estate is being purchased on contract or subject to mortgage, deed of trust, or

other encumbrance, disclose:

1. How the property is being obtained.
2. Amount of purchase price.
3. Amount of unpaid balance.
4. Notarized confirmation, etc.

- d. Property tax statements and verification that real property taxes have been paid in full.
- e. Verification that real property and structures thereon are insured against loss or damage.

ii. Personal Property.

- a. Statement that the personal property is properly insured against loss, including a statement indicating the insurance coverage limits.

iii. Savings (bank deposits)

iv. Stocks and bonds

- a. Lists of individual stocks and bonds.
- b. Statement of current value of stocks and bonds

v. Cash (including checking accounts)

vi. Other investments.

- B. Liabilities, including unsatisfied judgments. If unsatisfied judgment(s) is included, list court, title of cause, cause number, judgment creditor, and amount of unsatisfied judgment.

C. Net worth.

7. Current Property Bond Obligations in the State of Washington.

- a. Name of Court
- b. Name of defendant.
- c. Amount of the bond.
- d. Date of issuance of bond.

8. Driver's License.

- a. Driver's license number.
- b. State of Issuance.

9. Criminal History - provide any criminal history conviction information for all persons identified in paragraph (C)1 and (C)5.

- a. Name of criminal offense convicted of committing.
- b. Type of criminal offense, (misdemeanor, gross misdemeanor, felony; exclude traffic infractions);
- c. Name of Sentencing Court
- d. Date of offense.
- e. Date of sentencing.

(3) All petitions for an Order of Justification shall be verified under oath or certified under penalty of perjury as authorized by RCW 9A.72.085.

(4) All initial Orders of Justification shall be effective until the 30th day of April, next following the entry of the Order of Justification.

(5) All Orders of Justification, other than the initial Order for that surety, shall be effective from May 1 of one year until April 30 of the following year.

(6) All Petitions for an Order of Justification shall be accompanied by a proposed Order of Justification in substantially the form set out in Exhibit D of these rules.

[Adopted effective June 30, 1993.]

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