

**SUMMARY OF AUDITOR RECOMMENDATIONS
FOR CONSIDERATION BY BAIL BOND TASK FORCE
JANUARY 21, 2004**

1. Statewide rules, policies and procedures; eliminate differences between District Court and circuit court and among the circuit courts
2. Unified system with access to comprehensive bail bond information by all Judiciary personnel involved in the bail bond process; training for consistent and correct entry of information into the system and timely updates (require procedures for accomplishing same with existing resources until system enhancements/modifications can be implemented)
3. Judiciary HQ bail bond commissioner (HQ BBC) to implement and facilitate (1) and (2) and to track and monitor bail bonds Judiciary-wide
4. Registration/licensing of professional property bondsmen; maintain information re. net equity available on registered properties; rules regarding accommodation sureties on property bonds to ensure collateral is worth the required amount:
 - check Land Records and SDAT online to verify ownership, encumbrances on the property and assessed value
 - HQ BBC to confirm net equity available post-acceptance; notify administrative judge if collateral is not sufficient
 - Maintain information on accommodation sureties' outstanding property bonds in system
5. Effective notice of the State's interest in property that has been used as collateral for bail bonds; recording of Declarations of Trust (accommodation sureties); recording Deeds of Trust for registered properties of professional property bondsmen
6. Procedures for timely release of bonds that have been satisfied and forfeitures that have been stricken; update bail bond system, Land Records and civil judgment index
7. Requirements for filing of judgments:
 - Filed against whom/what? And where? (Must work so as to prevent transfer of property that is collateral for a forfeited bond and for which a judgment has been filed)
 - Who will enforce?
 - Consistent enforcement: consider current "public policy" of not enforcing judgments against property –also, in Baltimore City, if there are to be no "for fee" property bonds, how to enforce this? (but if we have Statewide consistent rules, would this still be an issue?)
8. (not addressed in report) Discuss "10 year" provision at Rule 4-217(j) and how this will apply to property bonds that have been forfeited and judgment enforced (i.e. property sold); provide guidance for Judiciary personnel in rules or procedures.