

Questions & Answers

First Choice Bail Bonds

Bail Agents, Bail Bondmen,

Bail Bondsman, Bonding Company

888.851.BAIL(2245)Frequently Asked Questions / Answers1. What Is Bail?

2. What Are The Release Options?
3. How Is The Bail Amount Set & Who Decides?
4. How Much Do Bail Bonds Cost?
5. Do You Offer Financing?
6. What Is The Bail Process & How Does It Work?
7. What Is Collateral?
8. If I Use Collateral, When Will It Be Returned?
9. What Are My Responsibilities If I Bail Someone Out Of Jail?
10. How Long Does It Take To Get Released?
11. What Should I Consider When Choosing A Bail Bondsman?
12. Can I Bail Someone Out Of Jail From / In Another State?
13. What happens if the defendant gets rearrested while out on bond?
14. Are some bondsmen less expensive then others?

Answers:1. What Is Bail?The purpose of the bail system is to guarantee the appearance of a defendant in court. Bail is basic to the system of individual protection set up by the U. S. Constitution (Eighth Amendment). Without bail, a person could be held indefinitely, until it is convenient to release him. Bail bolsters what the U. S. Supreme Court has called a traditional right to freedom before conviction. It also permits the unhampered preparation of a defense and serves to prevent the infliction of punishment prior to conviction. Unless this right to bail before trial is preserved, the presumption of innocence -- which every defendant retains until proven guilty -- would lose its meaning.It must also be noted that the Eighth Amendment provisions deal only with the time before a defendant is tried for his crime. Court cases are uniform in holding that the constitutional guarantee of bail does not apply after conviction. Thus, though bail after conviction and pending appeal is normally available to a defendant, he has no constitutional right to such bail.CALL US TOLL FREE 888.851.BAIL(2245) Return To Top2. What Are The Release Options?There are five basic release options available. The

five options are:

Cash Bail

Surety Bond Property Bond Release on Own Recognizance (O.R.) Release on Citation (Cite Out) Cash Bail - To be released on cash bail, the individual must post with the court the cash amount of the full bail to secure his or her return to court on the set times and dates until the case is concluded. If the defendant fails to appear, the cash bond is forfeited, or given up, to the court. In theory, if the defendant shows up for the scheduled court appearances, the cash is returned to them.

Unfortunately, in almost all cases, the full return of cash does not occur. This is because courts see the money posted as their entitlement. They will deduct all expenses, fees, judgments, and restitution from the cash bail prior to returning it. Since they feel the money belongs to the court by entitlement, there will be no mercy when it comes to how much in fees etc are charged against the account because quite frankly, judges feel the defendant can afford it. It's certainly not fair, but it is reality. This is why the posting of a surety bond is a much better option, even if you can afford to post the full amount of cash bail.

Surety Bond - An alternative to cash bail is a surety bond. A surety bond involves a contract with a bail bondsman (also know as a bond agent or bail agent) for the bail amount. The bondsman, usually being underwritten by an insurance company licensed by the state, interviews the arrested individual, family members and the final bond guarantor prior to forming an agreement to assure that the accused will appear in court.

After this procedure is completed, the bail agent will post a bond for the full bail amount, financially guaranteeing the defendant's return to court as scheduled.

You may contact one of our professional bail agents 24 hours / 7 days a week to begin the bail process by calling us toll free at 888.851.BAIL (2245).

Property Bond - In rare cases an individual may be released by posting a property bond with the court. With a property bond, the court records a lien on the property to secure the bail amount. If the defendant fails to appear in court as scheduled, the court may foreclose on the property to obtain the forfeited bail amount.

You may ask yourself, "If I have to use my property as collateral with a bail agent, why not just post the property with the court and save myself the cost of the bail bond." There are a number of reasons why this is not a good idea and should be done only in rare circumstances. The primary reason being the same as for cash bonds; At the end of the case, courts will impose significant fees, expenses, judgments and restitution. Since the court already has a lien against the property, if the defendant can not immediately pay the charges, chances are high the court will force the sale of the property to cover the debt.

Additionally, when you post a property with the court, you are not able to sell the property until the case is resolved. Once the case is resolved, it can take 3-6 months to get the lien removed. When using a bail agent, this process is significantly quicker, almost always less than 30 days.

Release on Own Recognizance (O.R.) - Another method of release, pending trial, is through a county or law enforcement administered pre-trial release program. Usually, the employees of these programs interview defendants in custody and make recommendations to the court regarding the release of these individuals on their own recognizance (i.e., without any financial security to insure the defendant's return).

Release on Citation (Cite Out) - This procedure involves the issuance of a citation by the arresting officer to the defendant, informing the defendant that he or she must appear at an appointed court date. The citation is usually issued immediately after an individual is arrested. This method is often used for minor offenses. Like the Own Recognizance (O.R.) release, the defendant's appearance in court depends exclusively on the integrity of the defendant voluntarily returning to court as ordered by the court. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top3. How Is The Bail Amount Set?](#) When a person is arrested and indicted for a criminal offense, he or she will stand before a judge and will be given a set bail amount. That amount depends on a variety of factors, not the least of which being the severity of the crime of which the suspect is accused.

In many states, there is a bail schedule established which is used as a guideline to decide what bail amount is appropriate for the specific crime, but the judge has the final say in the matter. Even if both the defense attorney and the prosecutor recommend minimum bail, the judge can overrule their requests and set a higher amount. Additional Factors In Bail Consideration: Previous Convictions/Arrests

If the suspect has never been in trouble with the law before, the judge may take this into consideration. For example, a suspect who has been arrested for burglary, but has no priors, may be released with the minimum bail.

Ties to the Community

Ties to the community can represent a variety of factors, such as employment, a family, or volunteer work. If the suspect has proven himself to hold several responsibilities which cannot be performed from inside a jail cell, the judge can make it as easy as possible for he or she to make bail. For example, a man accused of petty larceny who has two children, a wife, and a full-time job may meet requirements for ties to the community.

Severity of the Crime

In many states, including California, a suspect accused of 1st Degree Murder will not be eligible for bail at all, which means that the judge will remand him or her to prison until his or her trial date. A suspect accused of a non-violent crime, such as tax evasion, may receive a lesser bail amount. In all cases a suspect will be eligible for a bail hearing.

Flight Risk

If a suspect has sufficient funds to flee the country, or if he or she is known to have property abroad, the bail amount might be set in the millions, or remand might be requested by the prosecutor. A high flight risk means that the suspect is likely to flee justice in the sanctity of another country, which can significantly increase the bail amount. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top](#)

4. How Much Do Bail Bonds Cost? In most states, including California, premium rates are regulated by the Department Of Insurance which sets and monitors the rates charged by bail bond companies. In California, premium rates are set at 10% of the bail bond. For example, if the bail bond is \$15,000 then the rate charged by the bail bond company is \$1,500. However, First Choice Bail Bonds is licensed by the state to write 8% bonds in certain circumstances. This rate allows us to be one of the most competitive bail bond companies in the state. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top5. Do You Offer Financing?](#) First Choice Bail Bonds recognizes that for most of our clients, this experience is not only emotionally stressful, but also difficult financially. We offer a variety of payment options designed to ease your burden.

We Gladly Accept The Following Options For Payment Of The Bail Bond Premium:

- Visa, MasterCard, Discover, American Express
- Personal Checks
- Cash
- Paypal
- Wire Transfer

Sometimes paying the full amount of the premium upfront just isn't possible. We have designed a number of payment options to assist you. Please call us toll free at 888-851-BAIL (2245) to see if you qualify for any of the following:

0% Down For Home Owners:

With approved credit and sufficient equity in your home, we can bail your loved one out of jail immediately. The approval process is very quick and the loan can be paid back in one lump sum or with easy monthly payments.

5% Down On Approved Credit

With a five minute phone call, we can quickly qualify you for just 5% down. The balance can be paid in one lump sum or with comfortable monthly payments. Some collateral may still be required.

We are available for you 24 hours a day / 7 Days a week. If one of these options doesn't fit your situation, please call us to discuss how we can find a solution together. Call us today for a confidential, no cost consultation. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top](#)

6. What Is The Bail Process & How Does It Work?

When someone is arrested, the defendant, a friend, or relative will contact a bail bond company. During the free phone consultation, most bail companies will collect basic information about your situation in order to determine the risk involved in the bond and begin the approval process. The types of questions asked are typically what is the nature of the charges, when were they arrested, how long have you known the defendant, do you and the defendant work, are you home owners, how long have you been with your current employer, etc.

If you chooses to purchase a bail bond, basic documents will be processed and need to be signed. These including a bond application, Indemnity Agreement, and receipt. This paperwork can be processed by e-mail and fax in a few minutes or a licensed agent can meet the client at their location or at the jail. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top](#)

7. What Is Collateral? Sometimes bail companies use collateral to ensure their clients show up for all necessary court appearances and fulfill the terms of their bail contracts. Collateral is usually in the form of cash or real estate. If the client fails to appear in court, the court will order a "forfeiture" of the bond and the bail company will use the collateral to pay back the debt.

In most cases, First Choice Bail Bonds is able to write our bonds without collateral. We take many factors into consideration such as length of time in the community, job history, ability to pay, type of crime, etc. These considerations are made for both the defendant as well as the cosigner. Essentially, collateral is a way of insuring the defendant will go back to court and complete his/her obligation to the court. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top](#)8. If I Use Collateral, When Will It Be Returned? When the defendant's case has been completed and all financial obligations are satisfied, collateral is quickly returned to the individual who pledged it. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top](#)9. What Are My Responsibilities If I Bail Someone Out Of Jail? You take full responsibility for the defendant to show up in court when you bail someone out of jail. Most bail bond problems and issues are easily resolved and rarely escalate beyond a simple phone call. That said, if you are considering bailing someone out and you have reason to believe they may not show up for court or may leave the area, please, do not bail them out. You are not criminally liable, but you may be civilly liable. If the defendant can't be located or refuses to go to court, then the bail bond company will need to locate and bring the defendant into custody. Generally, this is done with the help of the family or the bail indemnitor (co-signer). At times, a fugitive recovery person will need to be utilized. These circumstances may result in additional charges. You are no longer liable for the defendant's bond when he/she has completes all of their court appearances, and when all premiums have been paid. It is best to contact the agent when the bond is exonerated by the court, for the fast return of any collateral pledged and to confirm that the bond is exonerated. In the event of forfeiture, the indemnitor is liable until the full amount of the bail has been paid, plus any expenses incurred or until the court exonerates the bond. The bond then becomes void. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top](#)10. How Long Does It Take To Get Released? For most transactions, the paperwork usually takes about 15-30 minutes. Release time from local jails is usually under an hour. The release time from county jails varies, but is typically 6-8 hours. In some situations, such as Los Angeles, it can take longer. CALL US TOLL FREE 888.851.BAIL(2245) [Return To Top](#)11. What Should I Consider When Choosing A Bail Bondsman? The fact is that most bail companies can provide the basic services of filling out paperwork and posting a bail bond. What sets us apart from others is our people and the caring personal and professional attention we provide our clients.

Here is how we are different:

- Compassionate agents, we treat you as family.
- Knowledgeable agents for all your questions.
- Best service in the industry.
- We come to you 24 hours / 7 days week.
- Flexible Financing (easy to qualify for credit).
- Nationwide network of agents.
- Large bail amounts are no problem. We can handle up to and in excess of a million dollars.
- PC 1275 Holds are no problem.
- We can provide service in all jails and all courts.
- We accept credit cards, personal checks and cash payments.

- We actually care about you. Compassionate and confidential service. CALL US TOLL FREE 888.851.BAIL(2245)
Return To Top12. Can I Bail Someone Out Of Jail From / In Another State?

We have a nationwide network of bail agents. We can help you post a bond for your friend or family member in almost every state in the country. Additionally, if you are out of state, and need to post a bond for a family member in California, we can process your bond immediately. Call us toll free for a free and confidential consultation to assess your needs. 888.851.BAIL (2245).CALL US TOLL FREE 888.851.BAIL(2245) Return To Top13. What happens if the defendant gets rearrested while out on bond?Once the defendant is back into custody the bond can be surrendered and your liability will be terminated. There are a few problems here if you decided to surrender the bond you will lose the premium that was paid, and if you decided to get the defendant out on bond again, you will now have to post two new bonds and pay the premium on both bonds again. If you do not surrender the bond, most likely only the premium for the new arrest will be required.CALL US TOLL FREE 888.851.BAIL(2245) Return To Top14. Are some bondsmen less expensive than others?The rate that you pay a bail agent is set by the department of insurance. We are one of the few companies in California that can legally charge 8% (in some cases), but for the most part Bail is 10% of the bond amount plus \$10 to \$15 depending on the company you choose. A company that agrees to discount their fee may have their license pulled by the department of insurance. Some companies try and lead you into believing that you will receive a discount but in the end actually charge you the whole amount. Always ask to see a rate chart if you feel that you are being wrongly charged. Discounting bail below DOI approved rates is illegal. There are a lot of consequences for both the company, the defendant, and the co-signers if they enter into bail contracts at below legal levels.CALL US TOLL FREE 888.851.BAIL(2245) Return To Top