

Your Exam Content Outline

The following outline describes the content of one of the Arizona insurance examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weight assigned to each section of the examination. For example, 10 percent means that 6 questions will be drawn from the section on a 60-question exam, 10 will be drawn on a 100-question exam and 15 will be drawn on a 150-question exam.

Arizona Examination for Bail Bond Agent Series 13-35

60 questions – One-hour time limit

1.0 Insurance Regulation 25%

1.1 Licensing (Rule R20-6-601(C))

- License application requirements (20-285)
- Persons to be licensed (20-340, 340.01)
- Surety bond required (20-340.02)
- Maintenance and duration of license
 - Expiration, surrender and renewal (20-289)
 - Change of address (20-286(C))
 - Report of actions (20-301)
- Disciplinary actions
 - Denial, suspension, revocation or refusal to renew (20-295, 296)
 - Cease and desist order (20-292)
 - Civil penalties (20-295(F, G))

1.2 Agent regulation

- Director's general duties and powers (20-142, 340.05)
- Bail recovery agent (20-340, 340.04, RL 13-3885(C-G))
- Place of business (20-340.01(C))
- Employees (Rule R20-6-601(D)(2, 3); RL 13-3885(D); 20-340.03(A)(9), (B))
- Records maintenance (20-340.01(D-G); Rule R20-6-601(D)(8))
- Prohibited conduct (20-340.03; Rule R20-6-601(D))
 - Solicitation where prisoners are confined
 - Failure to act as fiduciary
 - Nondisclosure of fees or charges
 - Practice of law
 - Referral of attorney
 - Signing bond in blank
 - Entry into an occupied residential structure (RL 13-3885(B)(1))
 - Apprehension or arrest of bailee (RL 13-3885(B)(2))
 - Uniform/badge identification (RL 13-3885(B)(3))
 - Permitting others to apprehend or arrest (RL 13-3885(B)(4))
- Charges, refunds and rebates (Rule R20-6-601(E))

2.0 The Legal Framework 30%

2.1 Authority

- Express
- Implied
- Apparent

2.2 Contracts

- Elements of a legal contract
 - Offer and acceptance
 - Consideration
 - Competent parties
 - Legal purpose
- Classifications of contracts
 - Formal and informal
 - Unilateral and bilateral
 - Executory and executed contracts
 - Express and implied
- Concealment
- Fraud

2.3 Court jurisdictions

- Original jurisdiction
 - Territorial
 - Subject-matter
 - Personal
- Appellate jurisdiction

2.4 Terminology

- Acquit
- Adjudicate
- Capital offense
- Collateral
- Conviction
- Custody
- Defendant
- Disposition
- Exoneration
- Extradition
- Felony
- Forfeiture
- Fugitive
- Hearing
- Incarceration
- Indictment
- Misdemeanor
- Recognizance
- Revoke
- Supervening indictment
- Suspend
- Warrant
- Writ

3.0 Bail Bond Principles and Practices 45%

3.1 Parties to a surety bond

- Principal
- Indemnitor for principal
- Indemnity agreement
- Obligee
- Surety

3.2 Duties of bail bond agent

- Approval
- Premium receipt (20-340.01(E);
Rule R20-6-601(E)(3))
- Power of attorney
- Collateral and trust obligations
(Rule R20-6-601(E)(4))

3.3 Types of bonds

- Personal surety bond
- Corporate surety bond
- Criminal defendant bonds
 - Bail
 - Appeal
 - Supersedeas
 - Habeas corpus
 - Extradition
 - Property bond
 - Nonsurety/cash
 - Ten percent surety

3.4 Bonding procedure

- Application for bond (Surety/defendant contract)
- Collateral security
- Surety contract
- Posting the bond
- Informational notice

3.5 Court procedures

- Court appearances
 - Initial appearance
 - Trial
 - Appeal
- Conditions of release
 - Prior to trial
 - Pending appeal
- Failure to appear
- Revocation of bail

3.6 Release of surety

- Exoneration of bond
- Return of collateral (20-340.03(A)(6);
Rule R20-6-601(E)(4))

3.7 Surrender of principal (defendant)

- Return of premium (Rule R20-6-601(E)(5))

3.8 Bond forfeiture

- Motion
- Notice to defendant and sureties
- Judgment
- Dispersal of funds
- Time limit for appeals
- Arrest after forfeiture