

**BAIL AGENT/RECOVERY AGENT
EXAMINATION CONTENT OUTLINE
60 QUESTIONS TOTAL**

LAST REVISED/REVIEWED 03/28/2016/12.01.2006

**Legal References: IC 27-1-1&2, IC 27-10, 760 IAC 1-6.2, and RL 35-33
& 41**

I. DEPARTMENT OF INSURANCE (2 QUESTIONS)

- A. Commissioner's Powers and Duties
- B. Admitted Insurers
- C. Insurer Deposits
- D. Department Investigator
- E. Bail Bond Enforcement & Administration Fund

**II. BAIL AGENT & RECOVERY AGENT LICENSING (18 QUESTIONS)
& REGULATIONS**

- A. Qualifications
- B. Pre-Licensing Educational requirements
- C. Examination Fees
- D. Registration of Bail Agent License with Circuit Court
- E. License Renewal and Expiration
- F. Continuing Education
- G. Change of Address
- H. Denial, Suspension, or Revocation of License & Disciplinary Actions/Penalties
- I. Appointment and Termination of Appointment
- J. Discontinuance of Business/Return of License
- K. Persons Excluded from Acting as Bail Agents/Recovery Agents

III. KEY DEFINITIONS (5 QUESTIONS)

- A. Acquit
- B. Appeal
- C. Arraignment
- D. Bail Agent
- E. Bail Bond
- F. Collateral
- G. Commissioner
- H. Custody
- I. Defendant
- J. Extradition

- K. Felony
- L. Fugitive
- M. Indemnification
- N. Insurance
- O. Indictment
- P. Insurer
- Q. Lien
- R. Misdemeanor
- S. Power of Attorney
- T. Property bond
- U. Premium
- V. Surety
- W. Real property
- X. Recognizance
- Y. Revocation
- Z. Recovery Agent
- AA. Risk
- BB. Soliciting business
- CC. Transfer fee
- DD. Undertaking
- EE. Warrant

IV. BAIL BOND BASICS (17 QUESTIONS)

- A. Purpose
- B. Surety bond types
 - a. Bail
 - b. Appearance
 - c. Appeal
 - d. Cash
 - e. Property
- C. Parties to a Surety bond
 - a. Principal
 - b. Obligee
 - c. Surety/Guarantor
- D. Indemnification Agreements/Surety Contracts
- E. Bail Agent & Insurer's Power of Attorney

F. Duties of a Bail Agent/Recovery Agent

G. Access to Jails

H. Bond Process

- a. Application for bond
- b. The Surety contract
- c. Obligations of the parties
- d. Amount of bail
- e. Collateral security
- f. Receipts
- g. Posting the bond/Recordings
- h. Informational notice requirements

I. Court Procedures

- a. Court appearance
- b. Arraignment
- c. Trial
- d. Appeal
- e. Conditions for release
- f. Failure to appear
- g. Revocation of bail

J. Release of Surety

K. Surrender of Principal

- a. Return of premium
- b. Return of collateral

L. Bond Forfeiture

- a. Disposal of funds
- b. Time limit for appeals
- c. Penalty assessments & timing

**V. BAIL AGENT/RECOVERY AGENT PRACTICES (10 QUESTIONS)
& PROCEDURES**

A. Use of Recovery Agents

Duties of a Recovery Agent
Relationship to the Bail Agent
Prohibited conduct
Compensation

B. Insurer Deposits

C. Soliciting Business-Prohibited conduct

- D. Attorney Referrals
- E. Practice of Law
- F. Failure to Collect Full Premium
- G. Signing a Bond in Blank
- H. Maintaining Records
- I. Soliciting Without a License
- J. Prohibition Against Gifts

VI. LAW ENFORCEMENT PRINCIPLES (8 QUESTIONS)

- A. Who May Make An Arrest
 - Law enforcement officers
 - Judges
 - Coroners
 - Citizen's arrest
- B. Surety Qualifications
- C. Surrender of Defendants
- D. Apprehension of Defendants
- E. Notice of Trial or Hearing
- F. Failure of Defendant to Appear
- G. Breach of Undertaking
- H. Use of Force to Protect Person or Property
- I. Reasonable belief

J. Use of Force Relating to Surrender or Escape

K. Bail bond enforcement and administration

END REVISED REVIEW —12.01.2006 03/28/2016

REVISION HISTORY

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|-------------------|------------------------------------------------------------------------------------------------|
| <u>03/28/2016</u> | <u>Updates to outline format; verified topics consistent with Indiana laws and regulations</u> |
| <u>12/01/2006</u> | |