



State of Utah

GARY R. HERBERT
Governor
GREG BELL
Lieutenant Governor
NEAL T. GOOCH
Insurance Commissioner

Insurance Department

Bail Bond Oversight Board Meeting

(http://www.insurance.utah.gov/producers/bailbond_board.html)

Date: April 11, 2012 **Time:** Noon **Place:** Spruce Room, East Bldg.

Board Members

xBrad Jenkins (Chair)	xRyan Cooper
xGordon Wright (Co-Chair)	xCraig Crawford
xMegan I. Corrent	xLohra Miller
xPeter Stevens	xBrad Tibbitts (Non-voting)

Staff

xPerri Babalis	Brett Barratt	Randy Overstreet
xPaul Throckmorton	xJilene Whitby	

Public

Thomas Pappas	Steve Brown	Shayne Hoyt	Clay Carlos
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MINUTES

- **General Session (Open to the Public)**
 - **Welcome** by Brad Jenkins at 12 Noon.
 - **Adoption of Previous Meeting Minutes / Chair**
Motion by Lohra to approve the minutes without change, seconded by Megan, vote was unanimous.
 - Lohra proposed they move into Executive Session to discuss character, Gordon seconded it and the vote was unanimous.
- **Executive Session - (Closed to the Public)**
 - Lohra made a **motion** to return to General Session, Gordon seconded it and the vote was unanimous. The time was 12:24pm.
- **General Session (Open to the Public)**
 - **Summary of Enforcement Reports / Paul**
 - Department received no complaints last month.
 - There are two scheduled audits.
 - No new investigations.
 - No new e-cases.
 - Pete asked what type of fiduciary violations Paul had been dealing with. Paul said commingling of funds and trust account violations.
 - Brad J. asked what the situation was with the case that had been open 392 days. Paul said the case had been through a hearing and was now on appeal. It is the same with the case that has been open 257 days. However this one is wrapping up and should be closed within a month. The issue of time limits and the appeal process was then discussed. Perri noted that the Department's administrative hearing process was described in Rule R590-160, Administrative Proceedings.
 - Gordon asked why the monthly report no longer included names and fines. Some members of the Board felt they could not give recommendations to the department regarding administrative actions without this information. Others said that not

knowing would eliminate bias. Paul said that once administrative action has been taken the name and penalty will be listed on the Department's website. Perri noted that with this information eliminated the Board does not need to go into Executive Session to discuss the report.

- **Application – All Out Bail Bonds**

Craig said the name was too similar to other existing bond companies. It will cause a disruption in the flow of cases from the court and is confusing to the defendants and cosigners. He made the motion to recommend to the department that they accept the application but not the name of the agency, Craig seconded it and the vote was unanimous.

- **Approve Recommended Actions from Executive Session (if needed)**

None

- **Old Business**

- **Number of Violations Relating to Failure to Deposit Money into a Trust Account in a Timely Manner / Paul**

Regarding question asked at the last meeting about the number of violations resulting from the failure to deposit money into a trust account in a timely manner, Paul said they found no violations.

- **New Business**

- **Retrospective period between audits / Paul**

The length of time between audits depends on whether there have been a lot of changes in the law or the department has received complaints against the agency. Under normal conditions it could be 4-5 years between audits. The Department just finished comprehensive scheduled audits. Only two are still pending.

- **All out Bail Bonds / Steve Brown**

Mr. Brown asked if the Board could suggest any other name for his agency.

- The Board agreed to cancel the May 9th meeting.

- **Other Business**

- *Adjourned Gordon adjourned 12:45pm.*

- **Next Meeting:** May 9, 2012, Spruce Room, East Building

2012 Meetings

Jan 11	Feb 8	Mar 14	Apr 11	May 9	June 13
July 11	Aug 8	Sept 12	Oct 10	Nov 14	Dec 12