



D. KENT MICHIE  
Insurance Commissioner  
Utah Insurance Department

JON M. HUNTSMAN, JR.  
Governor

JOHN 'MICKEY' BRAUN, JR., CIE  
Assistant Commissioner  
Office of the Commissioner

## Bail Bond Oversight Board Meeting

### Meeting Information

**Date: September 17, 2008**

**Time: Noon**

**Place: Capitol Board Room  
(2<sup>nd</sup> Floor, East end)**

### Board Members

(Attendees = x)

xDominic Sanone, Chairman  
Clayton A. Simms, LLC  
xCamille L. Neider  
xMickey Braun

xWayne Carlos, Vice-Chairman  
xMichael Weddington  
xBert Christenson  
xMegan I. Corrent

### Insurance Department Staff

xPerri Babalis  
xJilene Whitby

xBrad Tibbitts  
xRobert Herrera

Tara Buehner

xTracy Klausmeier

## MINUTES

### Welcome

Dominic began the meeting at 12:10pm. No members of the public were present.

### *Executive Session (Closed to the Public)*

### *General Session (Open to the Public)*

- **Adoption of Minutes of Previous Meeting**  
Mike made a **motion** to accept the minutes without change, Bert seconded it and the vote was unanimous.
- **Approval of Recommended Actions from Executive Session**  
No recommendations made in Executive Session.
- **Application / Mickey Braun**
  - None
- **Power of Attorney Forms / Tracy Klausmeier**  
Tracy noted that her questions were answered in last month's meeting. No further discussion was needed.
- **Old Business**  
**Decision Re: Rule Changes to R590-186 & 196 / Mickey**  
The Commissioner accepted the recommendations of the Board regarding the changes to these rules. The proposed changes will not be put into effect. The rules remain as though no changes had been proposed. The 5% Bail Bond application will be reopened and decided in a formal hearing by the department's administrative law judge. His decision can be appealed.
- **New Business**
  - **Election of Chair and Vice-Chair**  
Mike made a motion to continue with Dominic as the chair and Wayne as the vice chair. They accepted the nomination and Camille seconded it. The vote was unanimous.
  - **Travel Fee / Wayne**  
Wayne asked if anyone knew of a bondsman charging a travel fee? Dominic said they

- charged \$15-20 sometimes. Camille said that some charge a fuel charge. Tracy said that under "other Fees" there is a travel fee.
- **Email Addresses** / Robert  
A letter will go out soon asking bail bond agencies to provide the department with their email address. This will allow agencies to receive bail forfeiture notices. The computer will show if an email is delivered. Dominic said that some courts send them certified and some don't. Robert calls those that don't have fax machines and email addresses.
  - **Exonerating a bond** / Mike  
Mike said that 77-20-7(2) needs to be strengthened. It may be done by simply replacing the "may" with "shall." The courts have said that the law was unclear regarding the requirement to exonerate a bond when an indictment has not been filed within 120-days of the bail undertaking. David Walsh may be approached to strengthen this law.
  - **Adjourned:** Wayne made a **motion** to adjourn at 1pm, Mike seconded it and the vote was unanimous.

### **2008 Meetings**

Oct 15, Rm 1112

Nov 19, Capitol Board Rm

Dec 17, Capitol Board Rm