

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Appearance Bonds

Criminal appearance bonds set by the court are either personal recognizance, unsecured or secured. The only document required in the case of a personal recognizance bond is the conditions of release form which is signed by the defendant.

An unsecured bond is a bond set in a dollar amount but without the requirement that security be posted to cover that sum. An appearance bond form and conditions of release form are executed by the defendant. When a secured bond is set the court will specify how the amount of the bond may be secured. The bond can be ordered to be secured by corporate surety, real property, cash (fully secured) or cash (10% secured), or the court may order a combination of these methods.

CORPORATE SURETY BONDS

The U.S. Treasury publishes a list of surety/insurance companies approved to write federal bonds. The companies must then register a local agent to write bonds on its behalf. The surety book containing registered agents listed by company is kept at the desk of the civil intake clerk in Room C-145. The agent will complete the company's power of attorney form which is attached to the appearance bond form.

BOND SECURED BY CASH

A bond may be fully secured by cash, certified or cashier's check, money order or credit card. If a bond is *fully* secured the whole amount must be deposited. Certified or cashier's checks or money orders are to be made payable to **Clerk, U.S. District Court**. The owner(s) of the cash bail must be in court to sign the bond as depositor. Cash depositors must complete the form "Affidavit by Owner of Cash Bail". A bond that is set at "10% secured" may be secured by the same methods as a fully secured bond but the amount to be deposited is 10% of the bond set.

Credit cards accepted by the court are Visa and MasterCard.

REAL PROPERTY BOND

The following documents are necessary for the court to determine the value of the real property to be posted as bond for the defendant:

1. Warranty Deed for evidence of ownership and to provide legal description
2. Current tax receipt from the county
3. Evidence of current value such as appraisal, statement from realtor, current county assessment or recent purchase within three years.
4. Statement from mortgage holder of balance on mortgage and whether payments are current.
5. An O&E (Ownership and Encumbrance) sent directly from the Title Company via fax to the Clerk's office at 303-844-3101.
6. May require additional information as needed.

The following procedure will be used in executing the bond:

1. All parties on the title must be present to sign in court the following documents.
 - C Justification of surety
 - C Appearance Bond
 - C Notice of Lien
2. The notice of lien must be recorded with the County Clerk and Recorder in the county where the property is located before the release of the defendant. The cost of the recording fee is to be paid by the defendant or property owners.
3. The receipt confirming the recording of the notice of lien must be provided to the court. The defendant will not be released from custody until the court has been provided with this receipt.