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BOND FORFEITURE SCHEDULE

Settlement

A surety may agree to settle a bail bond forfeiture matter by agreeing to enter into an agreed final judgement pursuant to the following schedule. However, in doing so, a surety **waives** the following rights:

- a. Right to file a Motion for a New Trial pursuant to Tex. R. Civ. P. 320 and 321;
- b. Right to file a Remittitur pursuant to Tex. Code Crim. Proc. Art. 22.16;
- c. Right to file a Special Bill of Review pursuant to Tex. Code Crim. Proc. Art. 22.17

In calculating the dates for the settlement schedule, the first day (calculated) is the day a defendant fails to appear in court (hereinafter Bond Forfeiture date).

SETTLEMENT SCHEDULE

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|-------------------------------------|---|
| A. Bond Forfeiture date to 30 days: | Court Costs Due |
| B. 31 to 91 days: | 33% of the bond amount plus court costs. |
| C. 91 to 180 days: | 60% of the bond amount plus court costs. |
| D. 181 and on: | 100% of the bond amount plus court costs. |

Note: The settlement schedule does not affect a court's authority to control its own docket. If a bond forfeiture matter is placed on a court's docket before the 180th day, then the state will seek 100% forfeiture of the bond at the time of trial. A surety can still settle, pursuant to the schedule, before the day of trial.

Policy Statement

The settlement schedules are to be strictly construed. However, each judge may in his/her discretion vary the above guidelines as the facts and circumstances may require.

If a judge chooses to deviate from the schedule, then the County Attorney's Office should receive notification of the judge's intent. This way, the County Attorney's Office can decide if the forfeiture should proceed in accordance with the Texas Code of Criminal Procedure, the Texas Rules of Procedure, and all applicable case law.