NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Bail As Surety; Criminal Defendant’s Bonds

1. If Samantha Stewart is arrested in Duval County on a Clay County warrant in the amount of $5,000, how much can Down In Dump Bail Bonds located in Duval County charge Ms. Stewart?

1. $500.00
2. $600.00 including the out of county fee
3. Both “a” and “b” at the discretion of the agent
4. None of the above

2. A \_\_\_\_\_\_\_\_ is when a bail sufficiency requirement is added to a bond?

1. Remanded
2. Nebbia
3. Bail
4. None of the above

3. If the principal fails to fulfill their obligation, the surety is reimbursed by whom?

1. The plaintiff
2. The obligee
3. The indemnitor
4. All of the above

4. Which is NOT a characteristic of a surety bond?

1. 3 party agreement
2. 2 party agreement
3. Guarantee of performance
4. None of the above

5. Which of the following statements are correct in a crime against the state?

1. The governor is the surety
2. The governor is the Obligee
3. The sheriff is the Obligor
4. None of the above is correct

6. The premium percentage for state and federal bonds are \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

1. 10% State & 15% Federal
2. 15% State & 10% Federal
3. 12% State & 15% Federal
4. 10% State & 12% Federal

7. This party guarantees the obligation owed in a surety bond.

* 1. Surety
  2. Obligor
  3. Obligee
  4. None of the above

8. A bail bond agent guarantees which of the following:

* 1. The Indemnitor is the party to the bail bond that makes the guarantee
  2. The bail bond agent will maintain at least the minimum required build-up fund
  3. The defendant will appear each and every time he is ordered to do so by the court
  4. All of the above

9. In a criminal proceeding it guarantees that the defendant will appear in court each and every time he or she is ordered to do so until the case is disposed of by the court?

A. Appeal Bond

B. Appearance Bond

C. Ne Exeat Bond

D. Civil Contempt Bond

10. Under the current Florida Law how much can a bail bond agent charge for a $153,006 bond?

1. $15,036.00
2. $15,003.60
3. $15,300.60
4. $15,306.00

11. A \_\_\_\_\_\_\_\_\_\_ in a criminal proceeding allows a defendant his/her freedom during the period where a higher court has commanded a delay.

* 1. Supersedeas Bond
  2. Habeas Corpus Bond
  3. Extradition Bond
  4. Ne Exeat Bond

12. Which of these two parties may sometimes be the same person?

1. Obligor & Obligee
2. Surety & Indemnitor
3. Obligee & Indemnitor
4. Obligor & Indemnitor
5. Licensing & Appointment of Bail Bond Agents

13. A Temporary Limited Surety Agent must be licensed for a maximum of \_\_\_\_\_\_\_\_\_\_ before they are eligible to take the state exam.

1. 12 Months
2. 14 Months
3. 18 Months
4. 24 Months

14. After the educational requirements are met, what is the minimum time required for internship?

1. One year
2. Two years
3. Six months
4. Eighteen months

15. Which statement regarding licenses and appointments is correct?

1. The Department issues licenses and makes agent appointments
2. The Department makes agent appointments
3. The surety issues licenses and is authorized to make agent appointments
4. The surety is authorized to make agent appointments

16. The certification for completion of the pre-licensing educational requirements is valid for how many years?

* 1. 1 year
  2. 2 years
  3. 3 years
  4. 4 years

17. Which of the following are qualifications to become a bail bond agent?

1. Holds a high school diploma or its equivalent.
2. Legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services
3. The applicant is a person of high character, approved integrity, and has not been convicted of or pled guilty or no contest to a felony
4. All the above

18. A Professional Bail Bond Agent justifies the sufficiency of suretyship by \_\_\_\_\_\_\_\_\_.

1. Attaching a power of attorney pledging the corporation's assets as security for the bond
2. Attaching cash
3. Attaching a cashier’s check or money order
4. Both "B" and "C" are correct
5. Fundamentals Of Contracts

19. A \_\_\_\_\_\_\_\_\_ contract is NOT a type of enforceable contract.

1. Valid
2. Voidable
3. Void
4. All of the above

20. Every contract (whether written or oral) must meet all of the requirements to be enforceable by a court except which of the following:

1. Offer and Acceptance
2. Consideration
3. Legal Purpose
4. Valid Reasoning

21. A \_\_\_\_\_\_\_\_\_ implies giving up a known right.

1. Waiver
2. Guilty Plea
3. Breach of Contract
4. Acceptance

22. Civil wrongs recognized by law as grounds for a lawsuit. These wrongs result in an injury or harm constituting the basis for a claim by the injured party.

1. Fraud
2. Waiver
3. Tort
4. Misrepresentation

23. The following is established when one of the parties signs a contract but believes she or he is signing another. In such case, the contract would be void.

1. Fraud
2. Fraud In The Execution
3. Fraud In The Inducement
4. Concealment
5. Operating A Bail Bond Business

24. A supervising bail bond agent or an agent from the same agency must accompany which type of agent?

1. Limited Surety Agent
2. Primary Bail Bond Agent
3. Temporary Bail Bond Agent
4. Professional Bail Bond Agent

25. A \_\_\_\_\_\_\_\_\_\_\_\_ authorizes a limited surety agent to pledge the assets of a surety company.

1. Appointment Form
2. Affidavit
3. Power of Attorney
4. Appearance Form

26. The \_\_\_\_\_\_\_\_\_ is responsible for the supervision of a limited surety agent.

1. Surety company
2. Managing General Agent
3. Sheriff
4. Department of Financial Services

27. To maintain records on bond executed, what time period is necessary?

* 1. 3 years from date of adjudication
  2. 3 after each election
  3. 3 years from date of discharge of bond
  4. 5 years from date of execution

28. Which statement regarding the build up fund is correct?

1. Every bail bond agent is required to have a build up fund before she or he may begin to write bonds
2. The build up fund protects the bail bond agent from losses caused by the surety or the general agent
3. Both "A" and "B"
4. None of the above

29. A Limited Surety Agent justifies the sufficiency of suretyship by \_\_\_\_\_\_\_\_\_.

A. Attaching a power of attorney pledging the corporation's assets as security for the bond

B. Attaching cash

C. Attaching a cashier’s check or money order

D. Both "b" and "c" are correct

30. Apparent Authority” is defined as \_\_\_\_\_\_\_\_\_.

A. This is the authority the public may believe the agent has

B. The authority which the company grants, by contract, to an agent

C. The authority the sheriff thinks you have

D. None of the above

1. Arrest & Release

31. In a criminal case, who makes the decision to release or detain a defendant?

1. Committing Magistrate
2. State Attorney
3. Sherriff
4. All of the above

32. Under our present system, when the court and all other requirements of the bail bond

have been met, what percent of premium is returned to a defendant?

1. None
2. 5%
3. 10%
4. All amounts over and above the proper commission for which the bond agent and/or surety has been paid, which were not utilized for any valid and otherwise legal purposes

33. When a defendant is released on recognizance, how much money is paid?

1. $250
2. $500 minimum on misdemeanors, $1,000 minimum for felonies
3. $100 minimum on misdemeanors, $250 minimum for felonies
4. None of the above is correct

34. If a defendant has caused a forfeiture and failed to surrender voluntarily afterwards, he or she must post a bond of at least the greater of the following;

1. $100
2. $500 or twice the amount of the warrant
3. $1,000 or twice the amount of the original bond
4. $2,000 or twice the amount of the original bond
5. Underwriting & Writing Surety Bonds

35. A \_\_\_\_\_\_\_\_\_ agent is also referred to as a “non-liable agent”.

1. Temporary
2. Requesting
3. Transfer
4. Posting

36. Underwriting Authority is best described as:

1. Minimum amount an agent may execute a single bond for 1 defendant, without general agent’s approval.
2. Right of agent to delegate bond underwriting functions to properly licensed employees only
3. Right of agent to delegate bond underwriting functions to properly licensed employees & clerical staff.
4. None of the above is correct

37. \_\_\_\_\_\_\_\_ is the maximum amount in which an agent may execute any single bond.

1. Apparent Authority
2. Actual Authority
3. Bail Bond Liability
4. Underwriting Authority

38. Lisa Ray calls Jump Fast Bail Bonds in Duval County after being arrested on a bond of $10,000 in Baker County. What is the maximum Jump Fast Bail Bonds can charge Ms. Ray to bond out?

* 1. $1,000
  2. $1,100
  3. $110.00
  4. $100.00

1. The Courts

39. Which court(s) has first jurisdiction for felonies?

1. County court
2. Circuit court
3. Peoples court
4. Both A and B are correct

40. In this phase of the judicial process, a defendant may enter a plea.

1. Arraignment
2. Pre-trial intervention
3. Probable cause hearing
4. Preliminary entrance of plea hearing

41. Officials from other nations are sometimes extended “diplomatic immunity.” However, only the U.S. Supreme Court has jurisdiction in cases involving ambassadors and certain other diplomats.

1. Territorial Jurisdiction
2. Subject-Matter Jurisdiction
3. Personal Jurisdiction
4. Original Jurisdiction

42. The Florida court system is comprised of how many circuit courts?

1. 5
2. 10
3. 20
4. 67

43. Instead of a formal filing of criminal charges against the defendant, the state attorney files an: to notify all parties that the prosecutions will not file in this particular case.

1. Dismissal Of Charges
2. Nolle Prosequi
3. No Information
4. Adjudication
5. Forfeitures & Judgments

44. Forfeitures must be paid within \_\_\_\_\_\_ days once it is received from the Clerk of Courts.

1. 30
2. 60
3. 90
4. 180

45. If a judgment remains unpaid after \_\_\_\_\_\_\_\_\_, a Limited Surety Agent may not execute any more bonds.

1. 30 Days
2. 35 Days
3. 50 Days
4. 60 Days

46. The surety company may not execute any more bonds if a judgment remains unpaid after \_\_\_\_\_\_\_\_\_.

1. 30 Days
2. 35 Days
3. 50 Days
4. 60 Days

47. What percentage of remission is returned to the agent or surety company if the defendant is apprehended within 90 days?

1. 85%
2. 90%
3. 95%
4. 100%

48. What percentage of remission is returned to the agent or surety company if the defendant is apprehended within 181-270 days?

1. 100%
2. 95%
3. 90%
4. 80%

49. A defendant can be detained/arrested by whom?

1. The bail bond agent who wrote the bond
2. Another agent from the same surety company
3. A temporary bond agent employed by the agent who wrote the bond, under the supervision of a licensed limited surety agent
4. All of the above

50. What type of bond does not permit a provision for remission?

1. Federal Bond
2. Extradition Bond
3. Habeas Corpus Bond
4. None of the above

51. Without risking forfeiture of the bond, which of the following statements are correct regarding minimum notice of time from the Clerk of Courts to the Surety to produce a defendant?

A. At least 72 hours including weekends & holidays unless the time is within 72 hours of arrest. In this case no notice is required by law.

B. At least 72 hours exclusive of weekends & holidays unless the time is within 72 hours of the arrest. In this case no notice is required by law.

C. At least 72 hours including weekends & holidays in all cases.

D. At least 72 hours exclusive of weekends & holidays in all cases.

1. Collateral & Indemnity

52. A Limited Surety Agent can be convicted of this felony crime if he/she does not pay their insurer?

1. Perjury
2. Embezzlement
3. Resisting
4. Fleeing/Eluding

53. Bail bond agents are required by Florida Statutes to immediately forward cash collateral to the surety in which cases?

1. Must forward in all cases
2. Must forward in capital cases
3. Must forward if collateral exceeds $5,000
4. Must forward if collateral exceeds $9,999

54. Which of the following statements are correct regarding collateral and a Temporary Limited Surety Agent?

1. A temporary bail bond agent is prohibited from handling or accepting collateral until a properly executed receipt has been issued by a licensed and appointed bail bond agent
2. A temporary bail bond agent is allowed to handle collateral however, they are prohibited from handling collateral receipts
3. A temporary bail bond agent is prohibited from handling collateral, however they are allowed to handle collateral receipts
4. A temporary bail bond agent is allowed to handle collateral and collateral receipts

55. Collateral must be returned \_\_\_\_\_\_\_\_\_\_\_\_ after the court’s written discharge.

A. 14 calendar days

B. 21 calendar days

C. 15 business days

D. None of the above is correct

1. Regulations of Bail Bond Agents

56. If a bail bond agent is investigated by the department and is believed to have committed a crime, who does the department turn the evidence over to?

1. It’s handled within the department
2. Committing Magistrate
3. The agent Managing General Agent
4. State Attorney

57. Which of the following actions will cause a bail bond license to be suspended or revoked?

1. The bail bond agent has willfully failed to file a report or record required by state or federal law
2. The bail bond agent has failed to return collateral
3. The bail bond agent has demonstrated lack of good faith in carrying out contractual obligations and agreements
4. All of the above

58. Which of the following acts are prohibited by bondsmen and could bring on possible penalties?

1. Accept anything of value from a principal for providing a bail bond except the premium and transfer fee authorized by the office, except that the bail bond agent may accept collateral security or other indemnity from the principal or another person in accordance with the provisions of s. 648.442, together with documentary stamp taxes, if applicable.
2. Write more than one power of attorney per charge on a bond, except in the case of a co-surety, unless the power of attorney prohibits a co-surety.
3. Execute a bond in the state of Florida on his or her own behalf.
4. All of the above

59. What is the maximum number of years the license of a Limited Surety Agents license can be suspended?

1. 1 years
2. 2 years
3. 3 years
4. There is no limit on suspension

60. Which group regulates insurance agents and insurance companies?

1. The Department of Financial Services
2. The Insurance Advisory Board of Florida
3. The Bail Bond Regulatory Department
4. None of the above