

# Your Exam Content Outline

The following outline describes the content of one of the Arizona insurance examinations. The outlines are the basis of the examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weights assigned to each part of the examination. For example, 10 percent means that 6 questions will be drawn from the section on a 60-question exam, 10 will be drawn on a 100-question exam and 15 will be drawn on a 150-question exam.

## Arizona Examination for Bail Bond Agent

### Series 13-35

**60 questions – 1 hour time limit**

**Effective January 22, 2020**

## 1.0 Insurance Regulation 25%

### 1.1 Licensing (Rule R20-6-601(C))

- License application requirements (20-285)
- Persons to be licensed (20-340, 340.01)
- Surety bond required (20-340.02)
- Maintenance and duration of license
  - Expiration, surrender and renewal (20-289)
  - Change of personal/business information (20-286(C))
  - Report of actions (20-301)
- Disciplinary actions
  - Denial, suspension, revocation or refusal to renew; civil penalties (20-295, 296)
  - Cease and desist order (20-292)

### 1.2 Agent regulation

- Director's general duties and powers (20-142, 340.05)
- Bail recovery agent (20-340, 340.04, RL 13-3885(C-G))
- Place of business (20-340.01(E))
- Business hours (20-340.01(H), R20-6-601(D)(8))
- Employees (Rule R20-6-601(D)(2, 3); RL 13-3885(D); 20-340.03(A)(9), (B))
- Records maintenance (20-340.01(D-H); Rule R20-6-601(D)(8))
- Prohibited conduct (20-340.03; Rule R20-6-601(D))
  - Solicitation where prisoners are confined
  - Failure to act as fiduciary
  - Nondisclosure of fees or charges
  - Practice of law
  - Referral of attorney
  - Signing bond in blank
  - Entry into an occupied residential structure (RL 13-3885(B)(1))

Apprehension or arrest of Bailee (RL 13-3885(B)(2))

Uniform/badge identification (RL 13-3885(B)(3))

Permitting others to apprehend or arrest (RL 13-3885(B)(4))

Charges, refunds and rebates (20-340.03(D); Rule R20-6-601(E))

## 2.0 The Legal Framework 30%

### 2.1 Authority

- Express
- Implied
- Apparent

### 2.2 Contracts

- Elements of a legal contract
  - Offer and acceptance
  - Consideration
  - Competent parties
  - Legal purpose
- Classifications of contracts
  - Formal and informal
  - Unilateral and bilateral
  - Executory and executed contracts
  - Express and implied
- Concealment
- Fraud

### 2.3 Court jurisdictions

- Original jurisdiction
  - Territorial
  - Subject-matter
  - Personal
- Appellate jurisdiction

### 2.4 Terminology

- Acquit
- Adjudicate
- Capital offense
- Collateral
- Conviction

Custody  
Defendant  
Disposition  
Exoneration  
Extradition  
Felony  
Forfeiture  
Fugitive  
Hearing  
Incarceration  
Indictment  
Misdemeanor  
Recognizance  
Revoke  
Supervening indictment  
Suspend  
Warrant  
Writ

### **3.0 Bail Bond Principles and Practices 45%**

#### **3.1 Parties to a surety bond**

Principal  
Indemnitor for principal  
Indemnity agreement  
Obligee  
Surety

#### **3.2 Duties of bail bond agent**

Approval  
Premium receipt (20-340.01(G))  
Power of attorney  
Collateral and trust obligations (Rule R20-6-601(E)(4))

#### **3.3 Types of bonds**

Personal surety bond  
Corporate surety bond  
Criminal defendant bonds  
    Bail  
    Appeal  
    Supersedeas  
    Habeas corpus  
    Extradition  
    Property bond  
    Nonsurety/cash  
    Ten percent surety

#### **3.4 Bonding procedure**

Application for bond (Surety/defendant contract)  
Collateral security  
Surety contract  
Posting the bond  
Informational notice

#### **3.5 Court procedures**

Court appearances  
    Initial appearance  
    Trial  
    Appeal  
Conditions of release  
    Prior to trial  
    Pending appeal  
Failure to appear  
Revocation of bail

#### **3.6 Release of surety**

Exoneration of bond  
Return of collateral (20-340.03(A)(6); Rule R20-6-601(E)(4))

#### **3.7 Surrender of principal (defendant)**

Return of premium (Rule R20-6-601(E)(5))

#### **3.8 Bond forfeiture**

Motion  
Notice to defendant and sureties  
Judgment  
Dispersal of funds  
Time limit for appeals  
Arrest after forfeiture