



The Bondsman
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Oklahoma City, OK 73105

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April

THE BONDSMAN

2009

TWENTY YEARS

This is the twentieth year for the Oklahoma Bondsman Association, officially. We had in fact been around for several years but in a sporadic fashion. We formed to fight a problem and then went home like a posse of old. Our first proactive victory was getting the ten dollar per bond filing fee assessed to the defendant instead of the bondsman. That occurred in 1988 and the next year we were able to get our education bill passed over Governor Bellmon's veto. That particular victory thrust Oklahoma into the forefront of the progressive states in bail.

This year our efforts are directed to the OBA request bill SB 406 authored by Senator Crain of the Senate and Representative Terrill of the House. The bill would allow the Insurance Commissioner to enact procedures to give back deposits in excess of what a professional would need to meet their statutory obligations. The bill has encountered no obstacles so far and is in good shape for passage.

I recently read "The Last Lecture" by Randy Pausch, Professor at Carnegie Mellon University. This was truly his last lecture as he recently died of pancreatic cancer. I recommend this book and certainly the video posted on u tube. One of the more memorable chapters is titled, "Don't Complain, Just Work Harder" has this opening paragraph: "Too many people go through life complaining about their problems. I've always believed that if you took one-tenth the energy you put into complaining and applied it to solving the problem, you'd be surprised by how well things can work out."

The closing sentences are: "Complaining does not work as a strategy. We all have finite time and energy. Any time we spend whining is unlikely to help us achieve our goals. And it won't make us happier." This coming from a man diagnosed with terminal cancer and has since died, carries a lot of weight.

Dudley Goolsby, OBA President 2009

TULSA NEWS

Annual election of officers were held at the March Associated Bail Agents of Tulsa meeting. Congratulations to the re-election of Rusty Roberts as President, Karen Ringgold as Secretary and Holly Rosser as Treasurer and new officer Salomon Dionicio as Vice President.

In other Tulsa news, over 400 friends of the Tulsa County Courthouse were fed at the Annual ABAT Christmas Dinner. Many cards of thanks from courthouse employees were again received by this group again this year. Thanks ABAT Members!

OBA GENERAL MEMBERSHIP MEETING

The OBA General Membership Meeting will be held on June 8, 2009 at the OBA offices in Oklahoma City starting at 3:00pm. Election of Officers for next year will begin at 4:00pm. Officers being elected or re-elected are President - Dudley Goolsby, Jr., Vice President - Jerry Dowell, Secretary - Gina LeBoeuf, Treasurer - Dennis Wharton, District #1 - Vernie "Zig" Ziegler and District #3 - Dicky Kidd.

As there have been no changes in voting procedures over the last year, our election procedures will be the same as previous years. You must be present and have an active membership (license active and OBA dues paid) to be eligible to vote. All OBA members are invited to participate in this years' elections.

NEW BONDSMAN LICENSES

Kimberly BartlettOklahoma County
Mary Lynn BraswellTulsa County
Georgia CrosslinSequoyah County
Rebecca Culbert.....Logan County
Raymond Fort.....Rogers County
Harry Gray.....Seminole County
Jed KroutTulsa County
Randall MartinOklahoma County
Mark MontgomeryTulsa County
Kathleen Northcutt.....Kay County
James PearceTulsa County
Clint PletcherPott. County
Kacie RobertsTulsa County
David SeaboltTulsa County
Julie SeaboltTulsa County
David WigingtonBlaine County

NO-COST INSURANCE

Your OBA "No Cost" Accidental Death and Dismemberment Policy issued by American Income Life Insurance Company has been increased in January 2009 to \$2,500. Return your signed beneficiary card TODAY!

This insurance is a no cost benefit of your OBA membership.

PRIZES FOR EDUCATIONAL CONFERENCES

Did you ever wonder where the prizes come from that we give out during the OBA Educational Conferences each year?

Well, some of them come from you! If you or your agency would like to donate a drawing prize and/or promotional items for the continuing education Conferences, please let the OBA know TODAY! Call Cathy Guyer, OBA Executive Director, at (405) 524-5920 or (866) 374-6257.

NEWLY GRANDFATHERED BONDSMEN FOR 2008-2009

Lois Brown, Jean Ann Burris,
Carol Carlson, Karen Finley,
Betty Ingle and Pete Peterson

IN MEMORIAM

Hearing Examiner Leslie
L. Conner (March 2009)

Doug Baca (April 2009)

OBA CALENDAR

2009 PRE-LICENSE SCHOOLS

June 4 & 5
September 3 & 4
December 3 & 4

2009 CONTINUING EDUCATION CONFERENCES

June 9, Oklahoma City
Clarion Meridian Hotel and Convention Center
June 30, Catoosa (Tulsa)
Cherokee Casino and Resort

(405) 524-5920 or (866) 374-6257.

FROM THE BAIL BOND DIVISION

Title 59, Section 1332(D)(1) requires that a bondsman, within 90 days from receipt of the order and judgment of forfeiture from the court clerk to return the defendant to custody. If the return is not done, the bondsman shall deposit cash or other valuable securities in the amount of the bond with the court clerk. To put it simply, on the 91st day, you gotta pay! But what if you believe a legal error produced the Order and Judgment of Forfeiture? Section 1332(G) states that the forfeiture procedure is subject to the bondsman's rights of appeal as set forth in Section 951 et seq. of Title 12. Section 951(b) of Title 12 states that proceedings for review of a judgment shall be commenced by filing a petition in the district court of the county where the Court rendered the Order within 30 days of the date that a copy of the judgment is mailed to the appellant. The appeal process must start within 30 days of the forfeiture order; if a bondsman waits until the 90th or 91st day after notice, then by statute the time to appeal has expired. Section 990.4 of Title 12 has additional details about a stay of enforcement of a final order, including the possible posting of a supersedeas bond. This bond is a guarantee of payment so that the appealing party cannot dispose of assets and use the appeal to avoid payment of a money judgment. It appears that Paragraph D of the statute gives a chance for the bondsman to avoid posting the supersedeas bond, but Paragraph B(1) specifically mentions an appeal of payment of a money judgment. The question as to whether a supersedeas bond is necessary will have to be answered by the court where the forfeiture occurred. Also, the Supreme Court has its own rules about what must be filed to commence an appeal in that court, as well as various time limits that must be followed. Even though the bondsman's right of appeal a forfeiture order is present, appellate practice is full of pitfalls for the unwary. Should you wish to appeal a forfeiture order, it is a good idea to seek legal counsel and be aware of the various time limits.

(Prepared by Robert Noll, Director, Bail Bond Division, Oklahoma Insurance Department.)

BONDSMEN IN TRAINING

The OBA conducts four pre-license schools each year in the Association's headquarters building in Oklahoma City. Classes range from 10 to as many as 25 students. Twelve students completed the first school for 2009 on March 5 & 6. Three additional pre-license schools will be conducted June 4 & 5, September 3 & 4, and December 3 & 4, 2009. Information regarding the pre-license schools is available on the OBA website: www.okbondsman.com. For additional information interested persons can contact the Oklahoma Bondsman Association Executive Director, Cathy Guyer, at (405) 524-5920 or (866) 374-6257. Pre-licensing schools are usually held the first Thursday and Friday of each quarter. The course is 16 hours, as mandated by Oklahoma law in Title 59 of the Insurance Code. Registration fee is \$1200.00. Lunch is included. A \$200.00 advance deposit must be received 7 days before the class, and the balance must be paid the day of the first class. Cancellations must be received 2 days prior to class day for full reimbursement. All necessary study materials are provided.

GOOD FOR YOU, DEBORAH!

Deborah Jallad, President of Accredited Surety & Casualty Company, responded to an editorial in a Florida newspaper that drew comparisons between the federal bailout and the private bail bond industry. In a letter to the editor she said, "In your Dec. 28 editorial, 'The ultimate bailout,' (your) argument overlooks two key facts:

"First, while the financial sector and automakers are cashing in on the taxpayer-funded bailout package, bail bondsmen are saving citizens millions of dollars each year. Because of TV shows and movies, misconceptions abound about the role of a bail agent. The truth is that bail agents are an extension of the criminal justice system, ensuring that defendants appear in court and are held accountable for their actions. Without bondsmen, county governments would have to provide this service, reducing money available for crime prevention efforts.

"Second, national studies indicate that bail bondsmen are far more effective at monitoring defendants than government-run pretrial release systems.

"Like other small-business owners across America, bail agents are forced to react to the current economic woes. But bail agents are highly qualified, licensed, experienced men and women who take their responsibilities seriously. All of us involved in the private bail industry are proud to play a key role in protecting public safety."



2009 EDUCATIONAL CONFERENCES SET

OBA's two continuing education conferences for 2009 are set for Tuesday, June 9, in Oklahoma City and Tuesday, June 30, in Catoosa (Tulsa). Special guest speakers will include Oklahoma Lieutenant Governor Jari Askins, Attorney General Drew Edmondson, and Insurance Commissioner Kim Holland, among others.

The Oklahoma City conference will be held in the Clarion Meridian Hotel's convention center located at 737 S. Meridian Avenue. The Catoosa conference is set for the Cherokee Casino & Resort east of Tulsa just off I-44 near the Will Rogers Turnpike entrance.

The Cherokee Casino & Resort is undergoing a \$150 million expansion and the OBA's educational conference will be one of the first meetings to be held in the new convention center. The 19 story tower addition will provide 250 new rooms and suites, a 19th floor fine dining restaurant, and a Toby Keith's Bar and Grill on the ground floor. The expansion will increase the number of electronic games up to 2350.

Sometime later this year the Cherokee will change its name and become the Hard Rock Hotel & Casino.

Both OBA educational conferences are identical and will start on-site registration at 7:00 am, with the opening ceremony at 7:45 am. The entire program runs from 7:45 am to 5:00 pm, with an hour for lunch. Attendance at either entire program meets the Oklahoma statute requirement for CE hours for re-licensure each year.

Conference Schedule (Tentative)

7:00 - 7:45 am	Registration
7:45 - 7:50 am	Opening Ceremony
7:50 - 8:10 am	Executive Director's Membership Report Cathy Guyer, OBA Executive Director
8:10 - 8:30 am	President's Remarks Dudley Goolsby, OBA President
8:30 - 9:00 am	From The Insurance Commissioner's Office Kim Holland, Oklahoma Insurance Commissioner
9:00 - 10:00 am	Oklahoma Lieutenant Governor Jari Askins
10:00 - 10:15 am	Break & Drawing
10:15 - 11:15 am	US Immigration and Customs Enforcement Shannon Clark, Tulsa County Sheriff's Department
11:15 - Noon	How to Deal with Angry or Upset People Ed Kelsay, OBA Education Director
Noon - 1:00 pm	Lunch (Announcements only)
1:00 - 2:00 pm	Relationship of the Bail Bondsman and Prosecutor Drew Edmondson, JD, Oklahoma Attorney General
2:00 - 2:15 pm	Break & Drawing
2:15 - 3:15 pm	Weapons: To Carry or Not To Carry Larry Tedder, OBA General Counsel
3:15 - 4:30 pm	Bondsmen and the National Crime Information Center (NCIC) Gene Thaxton, Director, Oklahoma Law Enforcement Telecommunications System
4:30 - 5:00 pm	Closing

Room reservations for the Oklahoma City meeting at the Clarion may be made by calling 405 942-8511. Room reservations for the Cherokee Resort meeting may be made by calling 918 384-7800 or 800 760-6700. Tell them you are attending the Oklahoma Bondsman Association meeting.