VCAP PROCEDURAL CHANGES FOR SENATE BILL 508 LICENSEE PROHIBITION

For VCAP Users with Inquiry-Only Access



A Training Aid Provided by the North Carolina Judicial Branch | Version April 2017

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*VCAP is an acronym for the N. C. Civil Case Processing System.



■ Background





The statute preserves the existing surety prohibition: When final judgment is entered on a bond forfeiture, any surety named in that judgment is prohibited from serving as a surety on any new bail bond in the county of judgment until the judgment has been satisfied in full.

In addition ...

Under the SB 508 licensee prohibition, when any individual bail bond licensee (professional bondsmen, bail agent, or runner) is a party to an appearance bond executed on or after December 1, 2016, and that bond is forfeited and reduced to final judgment, that licensee will be prohibited from executing any new bonds anywhere in the State and in any licensed capacity until the judgment is satisfied.

■ Statute

G.S. 15A-544.7(d)

The italicized text is the new licensee prohibition added by Senate Bill 508 in 2016.

(d) Sureties, Professional Bail Bondsmen, Bail Agents, and Runners May Not Execute Bonds in County.—After a final judgment is docketed as provided in this section, no surety named in the judgment shall become a surety on any bail bond in the county in which the judgment is docketed until the judgment is satisfied in full. In addition, no professional bail bondsman, bail agent, or runner whose name appears on a bond posted in that person's licensed capacity for which a final judgment of forfeiture has been entered shall sign any bond in any licensed capacity statewide until the judgment is satisfied in full.







Indexing Runners

Prior to SB 508 enactment, clerks were required to index bail agents on a forfeiture when the surety was an insurance company. Indexing a runner for a bond executed by a professional bondsman was not required, but some clerks did so in order to provide the runner with a "courtesy copy" of the forfeiture notice.

As of December 1, 2016, the following rules are in force:

- Runners must be indexed on bond forfeitures they sign. This is required so the new licensee prohibition can be enforced.
- Runners must NOT be indexed on bonds they do NOT sign.

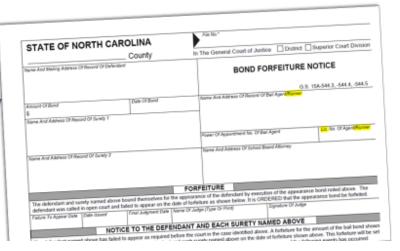
Bond Forfeiture Notice

Before the enactment of SB 508, when forfeiture was entered, a Bond Forfeiture Notice (AOC-CR-213) was mailed to the defendant and any sureties and bail agents named on the bond.

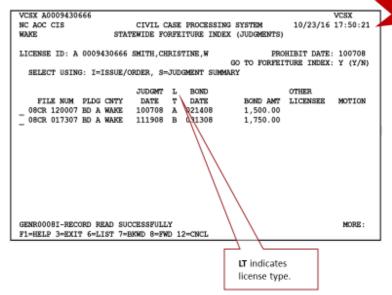
Under the revised statute, runners will also be provided notices of pending forfeitures on bonds they wrote.

Sending notice to a runner is necessary because a judgment that imposes a licensee prohibition on which a runner is indexed will prohibit the runner from signing bonds statewide across all of the runner's licensed roles.

Form AOC-CR-213



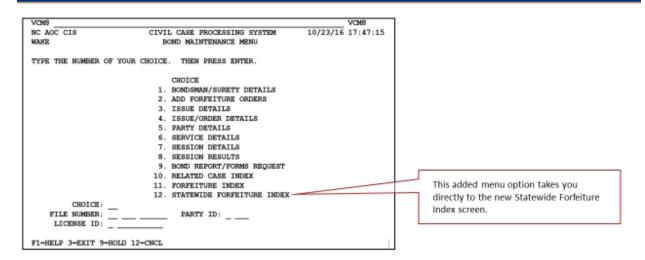
■ Statewide Forfeiture Index (Judgments)



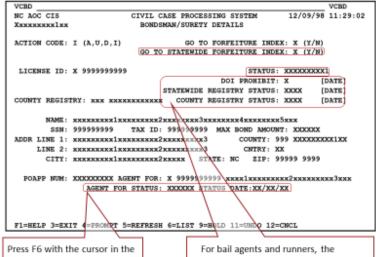
Unlike the Forfeiture Index screen, which displays pending forfeitures as well as forfeiture judgments, this new screen displays only judgments. Users who need to research pending forfeitures in a given county will continue to use the Forfeiture Index screen.

Although insurance companies are not subject to the statewide licensee prohibition, when you view this screen for an insurance company, it shows all unsatisfied judgments statewide against the surety.

■ Bond Maintenance Menu



■ Bondsman / Surety Details



For bail agents, this screen will offer information that is specific to a single bail agent/insurance company relationship. To see an agent or runner's status with a different principal, the user will go to the Bondsman/Surety List screen and select that agent or runner separately.

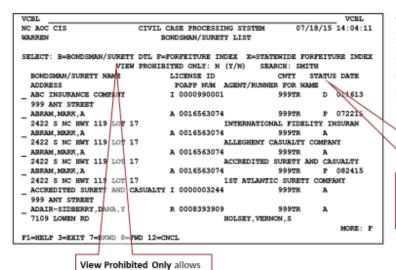
For runners, this screen will be specific to a single runner/professional bondsman relationship.

While a statewide prohibition is in place, the licensee will be omitted from the daily Surety Report in every county across all license types.

AGENT FOR STATUS field to view more information. For bail agents and runners, the screen will display the principal's county and statewide registry status.

■ Bondsman/Surety List

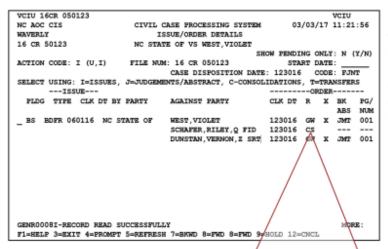
users to display only license types with a P or D status.



This modified screen will display one selectable row per bail agent per associated insurance company or one row per runner per associated professional bondsman.

The **Status** column indicates whether the individual is allowed to sign bonds in the specified role and county.

■ Issue / Order Details



If a professional bondsman, bail agent, or runner was the surety or fiduciary on bond with a BOND issue date on or after 12/1/2016, that surety will be subject to a statewide licensee prohibition upon entry of judgment for forfeiture of that bond."

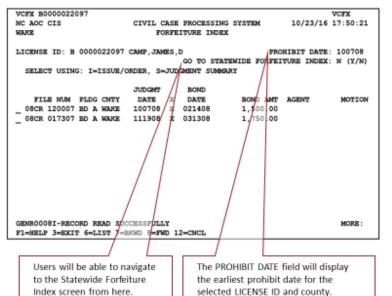
The prohibited status will not change until the last judgment in the State that imposed a licensee prohibition is satisfied, or until the CS (close) order result has been removed for the fiduciary party attached to the runner or bail agent on the last associated prohibiting judgment.

■ Issue Details

VCID 16CR 050123;BD A;BDFR;060116	VCID
NC AGC CIS CIVIL CASE PROCESSING SYSTEM	03/03/17 11:24:14
WAVERLY ISSUE DETAILS	
16 CR 50123 NC STATE OF VS WEST, VIOLET	
ACTION CODE: I (A,U,D,I) FILE NUM: 16 CR 050123	
CASE DISPOSITION DATE:	123016 CODE: P.THE
PLHADING TYPE: BD A BOND A	123010 CODE. FORT
ISSUE TYPE: BDFR BOND FORFEITURE	
CLOCK DT: 060116 VIEW/SELECT P	
PRTY ISSUE BY: AGAI	
ID ROLE PARTY NAME	STATUS
P1 B NC STATE OF	
D1 A WEST, VIOLET	
F1 A SCHAFER, RILEY, Q	
S1 A DUNSTAN, VERNON, Z	
CAL DARRY STATE TO CO.	BOND TYPE:
CAL DATE: TIME: LOC:	
JUDGE: AMOUNT:	
GENROUGHI-RECORD READ SUCCESSFULLY	MORE:
F1=HELP 3=EXIT 4=PROMPT 5=REFRESH 6=LIST 7=BKWD 8=FWD 8=	FWD 11=UNDO
·	

As a result of SB 508, the clerk will need to be sure that the selected fiduciary is attached to the surety party. This action ensures that the runner (fiduciary party) is indexed as an attached party if their information appears on the appearance bond form (AOC-CR-201).

■ Forfeiture Index



This screen will list bond forfeitures for licensed sureties indexed on the Bondsman/Surety Details screen.

The information shown here includes both pending forfeitures and those that have reached final judgment.

The name and content of the AGENT/SURETY column will change according to the licensee. For example, if the LICENSE ID field contains the License ID of an insurance company, the AGENT/SURETY column will be titled AGENT and display "A" for bail agent.

End of Job Aid