

**Code of Ethics – for Licensed Surety Bail Bond Agents
As Adopted & Taught
by the Ohio State Bail Bond Association, Inc.**

Relations with the Client:

Article 1.

In justice to those who place their faith, confidence, interests in the Licensed Surety Bail Bond Agent, he or she should endeavor constantly to be informed of current laws, proposed legislation, Governmental orders or regulations, and other significant information and public policies which may affect the interests of the client.

Article 2.

The Licensed Surety Bail Bond Agent should make a constant practice of full and complete disclosure to all parties, be they principal or Indemnitor, of any and all possible liabilities, penalties, or detriments which may arise from their involvement in that particular undertaking which secures the release from custody of a person who is charged with a criminal offense.

Article 3.

The Licensed Surety Bail Bond Agent should not, prior to forfeiture or breach, arrest or surrender any principal and thereby terminate his release from Governmental custody unless the Agent can materially show good cause for such action. Such good cause should reasonably take the form of judicial action, information concealed, or misrepresented or the renunciation of an Indemnitor or the principal any of which may be considered material to the risk assumed by the Licensed Surety Bail Bond Agent.

Article 4.

The Licensed Surety Bail Bond Agent, upon receipt of notice of forfeiture or breach where notice is required or personal knowledge of forfeiture or breach, should promptly and formally notify any and all Indemnitors and real parties of interest of the forfeiture or breach by the principal. The Licensed Surety Bail Bond Agent should concisely state the liability thereby incurred or pending at that time.

Article 5.

The Licensed Surety Bail Bond Agent should supply all Indemnitors to an undertaking with a true copy of any document representing a binding legal contract to which he or she is to be or is being committed.

Article 6.

When an examination of the material factors of a potential undertaking reasonably convinces a Licensed Surety Bail Bond Agent that he or she will be unable to undertake that particular bail relationship, the Licensed Surety Bail Bond Agent should immediately inform all involved parties that he or she will not be able to secure the release of the defendant so that the defendant or his or her affiliates may promptly seek his or her release by another means.

Article 7.

Every Licensed Surety Bail Bond Agent should comply in full with the laws and regulations of the Ohio Department of Insurance governing the transaction of bail in the State of Ohio. Such compliance must necessarily include those matters dealing with the trust and fiduciary relationship as it relates to monies and properties which may secure an undertaking. The highest moral and ethical practice should be maintained when entering into a trust or fiduciary relationship.

Relations with the General Public:

Article 8.

The Licensed Surety Bail Bond Agent should keep themselves informed as to movements affecting the criminal justice system in his or her community, state, and the nation so that he or she may be able to constructively contribute to public thinking in matters of legislation, expenditures, public safety, and other questions dealing with the welfare of the general public. The Licensed Surety Bail Bond Agent shall strive to find more effective means of fighting crime.

Article 9.

It is the paramount duty of the Licensed Surety Bail Bond Agent to protect the general public against misrepresentations or unethical business practices in the bail industry. He or she should endeavor to eliminate in their community any practices which could be damaging to the public or to the dignity and integrity of the bail industry. The Licensed Surety Bail Bond Agent should assist any regulatory agency (the Ohio Department of Insurance) or business practices review board charged with regulating the practices of the members of the bail industry.

Article 10.

The Licensed Surety Bail Bond Agent should not, except as provided by law, engage in activities that constitute the practice of law and should refrain from making comments and representations which may lead the public to believe that the Licensed Surety Bail Bond Agent is practicing law.

Relations with the Courts and Legal System:

Article 11.

As per the Ohio Revised Code, the Licensed Surety Bail Bond Agent is an “Officer of the Court.” Furthermore, the Licensed Surety Bail Bond Agent, with due regard for the special position of responsibility and trust that this profession places an Agent in, should assist and cooperate with the judiciary, law enforcement agencies, and public prosecutors in the orderly administration of justice, so long as such assistance or cooperation does not compromise the honesty and integrity of the Licensed Surety Bail Bond Agent or of the public officer.

Article 12.

Unless compelled to do so by law or by court order, the Licensed Surety Bail Bond Agent should not divulge or disclose to any person or agency personal information regarding the principal or Indemnitor of any undertaking which has not been forfeited or breached. The inherent right to privacy of the individual and the position of trust of the Licensed Surety Bail Bond Agent demand

compliance with this concept.

Article 13.

The Licensed Surety Bail Bond Agent should make great efforts to verify and confirm any information which he or she may give to a court, law enforcement agency or any other public agency. Failure to do so, or an intentional misrepresentation of a fact to any one of the entities, must be construed as a breach of the fundamental relationship of trust between the Licensed Surety Bail Bond Agent and the Governmental system.

Relations with Fellow Surety Bail Bond Agents:

Article 14.

The Licensed Surety Bail Bond Agent shall not conspire with other Agents to regulate rates or restrict trade within the Bonding Profession. It must be understood that our profession is regulated by the Ohio Department of Insurance that mandates that the prescribed and mandatory 10% premium be charged and collected for every Surety Bail Bond that is posted.

Article 15.

The Licensed Surety Bail Bond Agent should so conduct his or her business as to avoid controversies and conflicts with his or her fellow Agents and should not voluntarily disparage the business practice of a competitor or volunteer an opinion of a competitor's transaction. If his or her opinion is sought, it should be rendered with strict professional integrity and courtesy.

Article 16.

The Licensed Surety Bail Bond Agent should seek no unfair advantage over his or her fellow Agents, and should willingly share with them the lessons of his or her experience and study. The Licensed Surety Bail Bond Agent should also inform his or her fellow Agents of established hazards involving a prospective client if such hazards exist. (NOTE: Among Agents within his/her own agency.)

Article 17.

If a Licensed Surety Bail Bond Agent is charged with unethical business practices by a Government regulatory agency (the Ohio Department of Insurance) or by a grievance committee comprised of his or her peers, the Agent should place all pertinent facts and rebuttal before the accusatory body promptly and voluntarily for investigation and judgment.

Article 18.

The Licensed Surety Bail Bond Agent should constantly strive for the highest degree of attainable professionalism. This should be expected and demanded from all Agents and by all those persons involved in the bonding industry, regardless of position.

Article 19.

The Licensed Surety Bail Bond Agent should make extensive effort to support, contribute to, and participate in local, statewide, and national Licensed Surety Bail Bond Agent associations whose goals are to preserve and enhance the integrity, quality, and honor of the bonding industry.

Concluding Sanction:

The Articles of the Code of Ethics are combined to guarantee high integrity and dignified professionalism from those who adhere to the principles of business and moral conduct outlined within. No inducement of profit and no instructions from clients or outside parties can ever justify departure from these principles or from the injunction of this Code of Ethics.

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