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STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

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Testimony of Stephen N. Ment
Insurance and Real Estate Committee
Public Hearing
February 19, 2015

House Bill 6734, An Act Concerning Surety Bail Bond Agents

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch regarding *House Bill 6734, An Act Concerning Surety Bail Bond Agents*. The Judicial Branch is opposed to the provisions that would allow a bail bond agent to petition the Superior Court to be released from a bond if the defendant does not comply with the obligation to pay the balance as agreed upon.

The decision of whether to extend a payment plan or financing agreement to a defendant is a choice made by the bail bond agent. Once extended, it forms the basis of a contractual relationship between the agent and the defendant. This is a relationship that the agent freely enters into; it is his or her choice to allow one to pay over time.

In the event of non-payment, current law provides the agent with the right to seek relief from the court. Notably, however, this relief does not include the right to be released from the bond. That is because, at its heart, non-payment is a contract collection dispute and not something that should invalidate a bond that was posted.

Allowing an agent who has chosen to allow someone to pay over time should not impact the status of the bond posted. To do so would be to shift the business risk associated with posting bonds on credit from the agent to the court.

Thank you for the opportunity to submit written testimony in opposition to these provisions.