

**MINUTES OF THE QUARTERLY MEETING OF THE HOPKINS COUNTY BAIL
BOND BOARD**

On this the 24th day of January, 2020 the following officials of Hopkins County, Texas met in the Commissioners Courtroom of the Hopkins County Courthouse in Sulphur Springs, Texas to wit:

County Judge, Robert Newsom
County Clerk, Tracy Smith
Sheriff's Office, Whitney Waller
Justice of the Peace, B.J. Teer
County Court-at-Law Judge, Clay Harrison
Coordinator, Lindsay Smith
Bondsmen Representative, CJ Duffey
Above & Beyond Bail Bonds, Cindy Horton
Miguel Cadena Bail Bonds, Eddie Harris
Miguel Cadena Bail Bonds, Miguel Cadena
Attorney, Randy Adler
Brison & Brison Bail Bonds, John Baumgartner

And the meeting being called to order at 2:03 pm., Judge Newsom, Chairman of the Hopkins County Bail Bond Board, presided over this organizational meeting, whereupon the following resolutions were duly adopted upon motion made, seconded and unanimously carried, to wit:

- I. Announcement by the Chairman whether a quorum is present, that the meeting has been duly called and that the notice of the meeting has been posted for the time and manner required by law.**
 - (1) Chairman Judge Newsom called the meeting to order.

- II. Approval of the Minutes from Previous Quarterly Meeting on October 25, 2019.**
 - (1) After reviewing the minutes from the previous meeting, a motion to approve the minutes was made by Judge Harrison and seconded by Judge Teer. Motion was called to a vote and carried unanimously. Motion passed and minutes were approved.

- III. The Hopkins County Bail Bond Board to Discuss and/or Take Appropriate Action on the Renewal Application for Miguel Cadena Bail Bonds.**
 - (1) Mr. Adler, as representative of Banker's Insurance Company, came before the HCBBB to request a renewal for Mr. Eddie Harris. Mr. Adler addressed the Board informing the Board that the application was in order. Ms. Tracy Smith informed the board that everything was in the application and there were no outstanding judgments. Ms. Waller stated there was nothing to add from the Sherriff's department. With no further discussion, motion to approve the renewal application for Miguel Cadena Bail Bonds was made by Judge Teer and seconded by Judge Harrison. Motion was called to a vote and carried unanimously. Motion passed and the request for renewal application for Miguel Cadena Bail Bonds was approved.

- IV. The Hopkins County Bail Bond Board to Discuss and/or Take Appropriate Action on the addition of Criminal Defense Attorney Representative to Board.**
 - (1) Judge Newsom read Tex. Occ. Cod 1704.053 subsection 13 regarding the position of criminal defense attorney on the board. Mr. C.J. Duffey clarified this meant a defense attorney should be on the board. Judge Newsom affirmed and explained Chad Cable used to hold this position, which was confirmed by Mr. Duffey. Judge Harrison said an email was sent by his coordinator to Hopkins County defense attorneys regarding this but no positive response was received. Mr. Duffey asked if the board was still in compliance without this member. Judge Newsom invited Attorney Adler to speak to this topic. Mr. Adler stated that he has seen this circumstance before, and board will reach out to the bar association to ask for nominations, but if no one will allow themselves to be nominate, you cannot force participation. Judge Newsom said a copy of the email sent to all attorneys would be added to the record. Board was unable to act on this item.

- V. The Hopkins County Bail Bond Board to Discuss and/or Take Appropriate Action on Default Judgment against Texas Bail Bonds #1**
 - (1) Tracy said there is a new default judgment with no response after the allotted time period. Tracy said this is a misdemeanor case, in which notice was sent by certified mail and signed for. Judge Newsom inquired what the statute says as an appropriate action regarding this. Tracy said her understanding is the company would be stopped from making bonds until payment.. Tracy stated an agreed judgement has been in the file since December 4th for \$500 plus court costs with the DA's office. No money has been paid at time of meeting. Judge Newsom stated the board would need to take action. Judge Newsom asked the record to

reflect that Heath Hyde was not present at the meeting, but was given notice. Judge Newsom proposed that Texas Bail Bonds #1 be taken off from making bonds until the default judgment is paid, and then can be reinstated without the need for another meeting. Tracy confirmed this was her reading of the code. Mr. Duffey asked if this was a suspension. Judge Newsom and Tracy answered it was a suspension until he has cleared the default. A motion for the scope of this action was made by Judge Harrison. Before motion was seconded, Attorney Adler articulated the wording of the code that if a default judgment is unpaid past 31 days, the board sends notice to the Sherriff, who will immediately suspend the writing of bonds. Once the judgment is paid, that person is immediately reinstated. This is not a suspension of their license, but of their authority to write bonds. If this goes on for several months without resolution, the Board could decide to send out a certified 254 notice to have a hearing to suspend license with due process. Whitney Waller seconded the motion. Motion was called to a vote and carried unanimously. Motion passed.

VI. The Hopkins County Bail Bond Board to Take Comments from the Public and Discuss Future Agenda Items.

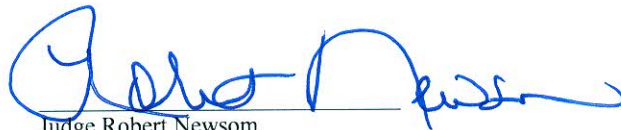
- (1) C.J. Duffey said there was an email sent out by Judge Harrison's office regarding procedures when court is missed. Mr. Duffey said the email was sent November 18, 2019 and it states specifically what bondsman need to do when a defendant doesn't show up to court. Judge Harrison asked for clarification. John Baumgartner said he appreciated the new policies by the Court. Mr. Baumgartner explained a situation where a client had missed court after requesting a reset, but not completing process. He does not think his name was called. Cathy in his office received the judgement nisi and confirmed that client had missed court. Mr. Baumgartner asked if the bond company could be notified if someone requests a reset so the bondsman can help ensure completion of the process and help the county with the process. Judge Harrison explained no resets will be given until a person signs a reset form. There is a 1-week grace period after a missed court setting for a show-cause docket; after this, the warrant issues. Tracy added that if there is ever a question, bondsmen can always call the County Clerk's office to confirm if a reset was granted.

X. Bail Bond Board to Adjourn.

- (1) There being no further business to discuss, motion to adjourn made by CJ Duffey and seconded by Judge Harrison. Motion was called to a vote and carried unanimously. Meeting was adjourned at 2:19 p.m..

MINUTES APPROVED:

To certify which, witness my hand this _____ 24th _____ day of _____ April _____, 2020.



Judge Robert Newsom

Chairman of Hopkins County Bail Bond Board