

Web Study Exam

The following questions have been compiled by our office and from the memory of students who have successfully passed the Department of Insurance Bail Examination.

Caution: Wording of the questions and answers on the state exam will differ from this study exam. The questions and answers below reflect the topics and codes prescribed by CCR 2105.2 Bail Pre-licensing Education curriculum.

1. What may a bail agent charge for in the transaction of bail in addition to the premium rate?
 - a) Recording Fees
 - b) Travel Expenses
 - c) Any Charges Incurred Backed By Receipts
 - d) None of the above

2. The reason for the bail system is:
 - a) To insure the appearance of the arrestee to appear on the court appointed date.
 - b) To insure the arrestee accepts the judgments of the court.
 - c) To insure the arrestee takes responsibility for the dates and judgments of the court.
 - d) None of the above.

3. How long must a licensed bail agent keep their records?
 - a) 3 years.
 - b) 5 years from the last transaction.
 - c) Until the Department of Insurance comes to inspect.
 - d) None of the above.

4. A bail solicitor may transact under:
 - a) His employers own or approved fictitious name.
 - b) His employers and his own approved fictitious business name.
 - c) His own or approved fictitious name.
 - d) None of above.

5. What documents do you give the Indemnitor?
 - a) Copies of any document they sign.
 - b) Receipt for money you receive.
 - c) A and B
 - d) None of the above.

6. What does "transact" include when applied to bail?
 - a) Solicitation
 - b) Negotiations preliminary to execution
 - c) Transaction of matters subsequent to execution of the contract and arising out of it
 - d) All of the above

7. If you are a retired police officer from Los Angeles County and you want to become a bail agent, you may;
 - a) Obtain an unrestricted license
 - b) Obtain a restricted license if evidence satisfactorily is given to the commissioner that bail business will be conducted in a county other than where you were employed.
 - c) Obtain permission from the Department of Insurance
 - d) None of the above

8. In lieu of exonerating the bond, the court may order the bail reinstated and the defendant released on the same bond when what conditions are met;
 - a) The bail is given prior notice of the reinstatement and the bail has not surrendered the defendant
 - b) A ten day notice has been provided to the court and all parties agree
 - c) The defendant has is a fugitive and notice has been given to the court
 - d) None of the above

9. Where would you obtain a certified copy of an undertaking?
 - a) Your Surety company
 - b) The Court
 - c) A Notary Public

- d) The local bank
10. When any bond is forfeited and the period of time specified in Penal Code section 1305 has elapsed without the forfeiture having been set aside, the court which has declared the forfeiture, regardless of the amount of the bail shall;
- Enter a summary judgment against each bondsman named in the bond
 - Demand immediate payment of the judgment within 30 days after the summary judgment becomes final.
 - Issue a bench warrant for the bail bondsman
 - A and B
11. In the bail industry, an undertaking of bail is considered a written instrument in which a contract of insurance is set forth. The contract of insurance is:
- An agreement
 - A policy
 - A power of attorney
 - None of the above
12. When a bond is forfeited, a period of time has elapsed and summary judgment has become final, how quickly must a the bail agent make payment:
- 5 days
 - 10 days
 - 20 days
 - 30 days
13. What is the incorrect answer: The Insurance Commissioner may decline to issue a bail license until he is satisfied that:
- The applicant is of good business reputation
 - The applicant is of good general reputation
 - The applicant is of good moral reputation
 - The applicant is a fit and proper person to hold the license applied for
14. Which of the following agent(s) are permitted to issue Immigration Bonds:
- Bail Bond Agents
 - Federal Agents
 - Fire and Casualty Agents
 - Property and Casualty Agents
15. Federal law (Title 18 United States Code Section 1033) prohibits anyone who has been convicted of a felony involving dishonesty or a breach of trust from conducting the business of insurance unless they have obtained:
- A written consent of the Insurance Commissioner
 - A written statement from the Court stating the conviction was expunged or discharged
 - A written consent from the Attorney General
 - None of the Above
16. A Bail licensee may aid an attorney under what circumstances:
- Bail licensee may furnish forms for or aid an attorney in negotiating an assignment
 - Bail licensee may upon release of collateral, honor an assignment to an attorney if the licensee took no part in the negotiation of such assignment
 - Bail licensee may accept, collect or transmit to an attorney any money or other item of value for attorney's fees
 - All of the above
17. Select the most complete answer; When the court has declared a forfeiture of a bond, it went through a summary judgment against the bondsman...
- In the amount of which the bondsman is bound.
 - For twice the amount of which the bondsman is bound.
 - In the amount for which the bondsman is bound for plus cost, and notwithstanding any other law, no penalty assessment shall be levied or added to the judgment.
 - In the amount for which the bondsman is bound plus penalty assessment which will be determined by the court.

18. Every county clerk in California needs to know the names of the holders of the bail agent, bail permittee licenses and bail solicitors together with their license numbers, they obtain this information how;
- From each individual licensee by requesting the information from the Commissioner
 - Automatically from the Insurance Commissioner
 - From the licensee when they first post bail
 - A, B, and C are false
19. As used in the California Insurance Code, the term bail bond includes: (select the correct answer)
- Any contract not executed by a surety insurer for release of a person arrested on account of any alleged violation
 - Any contract not executed by a surety insurer for release of a person arrested on account of any alleged violation including and release by means of cash or other property deposited in lieu of bail
 - Any contract executed by a surety insurer for release of a person arrested on account of any alleged violation
 - A, B, and C are all bail bonds as defined by the California Insurance Code
20. In a bail corporation, what percent of the stock/shares shall be held by licensed agents: (select the correct answer)
- 50%
 - 75%
 - 100%
 - None of the above
21. Any person who has been arrested may be released on his or her own recognizance by a court or magistrate unless the following conditions exist: (select the correct answer)
- The defendant is charged with a capital offense.
 - Release will compromise public safety.
 - Defendant will not reasonably assure appearance as required
 - All of the above.
22. No bail licensee shall surrender an arrestee to custody prior to the time specified in the undertaking of bail or the bail bond for the appearance of the arrestee, or prior to any other occasion when the presence of the arrestee in court is lawfully required, without returning all premium paid for such undertaking or bond; except; (select the correct answer)
- Information was concealed or misrepresented by the arrestee.
 - As a result of judicial action.
 - Arrestee was surrendered at the request of the guarantor
 - All of the above are correct.
23. Any collateral received shall be returned to the person who deposited it with the bail licensee or to any assignee of such person, other than the bail licensee or his representative; (select the most correct answer)
- As soon as the bail licensee is advised that the bond has been exonerated and all premiums are paid.
 - Within thirty days from the bond exoneration.
 - As soon as the bail licensee is advised that the bond has been exonerated.
 - Immediately upon written notice from the defendant.
24. The purpose of the insurance codes requiring professional standards of conduct on the part of all persons licensed is: (select the correct answer)
- To protect the licensed agent.
 - To protect the public.
 - To protect the department of insurance.
 - To protect defendants and indemnitors.
25. Any person who transacts insurance without a valid license is guilty of: (select the most correct answer)
- A felony punishable by a fine not exceeding \$50,000 or by imprisonment in a county jail for a period not exceeding one year, or by both that fine and imprisonment.
 - A misdemeanor punishable by a fine not exceeding \$10,000 or by imprisonment in a county jail for a period not exceeding one year, or by both that fine and imprisonment.
 - A misdemeanor punishable by a fine not exceeding \$50,000 or by imprisonment in a county jail for a period not exceeding one year, or by both that fine and imprisonment.
 - A felony punishable by a fine not exceeding \$10,000 or by imprisonment in a county jail for a period not exceeding two years, or by both that fine and imprisonment.

26. At anytime before the forfeiture of an undertaking, the bail agent may surrender the defendant to custody. In making the surrender, the bail agent;
- May provide to the officer of the court, an affidavit given to the agent by the surety company listing all the specific information that would be indicated on a certified copy of the undertaking of bail.
 - May make a reasonable effort to give notice to the defendant's last attorney on record.
 - May be ordered to return the premium paid by the defendant or Indemnitor.
 - All of the above are true.
27. How are fiduciary funds kept?
- In an account separate from a bail agents' personal assets.
 - In a savings account.
 - In a non-interest bearing account.
 - All of the above are correct.
28. Upon the filing of an application for a license, an investigation, supplementary documents, affidavits and statements may be necessary to determine whether the prerequisites for the license have been met. The request for additional information may be made by: (select the correct answer)
- The State Governor
 - The Department of Justice
 - The Insurance Commissioner
 - The Secretary of State
29. License applicants who willfully cheat or subvert a license examination will be in violation of the law as per section 1681.5 of the California Insurance Code and are punishable by a fine not to exceed: (select the correct answer)
- \$10,000.00 or imprisonment not to exceed one year
 - \$ 1,000.00 or imprisonment not to exceed six months
 - \$ 5,000.00 or imprisonment not to exceed one year
 - \$10,000.00 or imprisonment not to exceed six months
30. The violation of any rule of the commissioner is a public offense punishable by: (select the correct answer)
- A fine not exceeding \$10,000, or by imprisonment in the state prison, or in the county jail not exceeding one year, or by both such fine and imprisonment.
 - A fine of five thousand dollars or by imprisonment in the county jail not to exceed one year, or both that of imprisonment and fine.
 - A fine of \$1,000 and given a citation
 - A fine not exceeding \$5,000, or by imprisonment in the state prison, or by both such fine and imprisonment.
31. If a general or special verdict is rendered against a defendant, he or she may be committed to the proper officer of the county to await the judgment of the court upon the verdict. When the defendant is committed, bail is; (select the correct answer)
- Discharged.
 - Exonerated.
 - Continued.
 - Forfeited.
32. A uniform countywide schedule of bail for allailable felony offenses is prepared, adopted, and annually revised by: (select the correct answer)
- County superior and municipal court judges, by majority vote.
 - County supervisors, by majority vote.
 - County municipal court judges, by majority vote.
 - Clerk of the County
33. No person who is arrested for a new offense may be released on his or her own recognizance until a hearing is held in open court before the magistrate or judge if: (select the correct answer)
- The person is currently on felony probation or felony parole.
 - The person has failed to appear in court as ordered, resulting in a warrant being issued, three or more times over the three years preceding the current arrest and who is arrested for any offense in which the person is alleged to have been armed.

- c) The person has failed to appear in court as ordered, resulting in a warrant being issued, three or more times over the three years preceding the current arrest and who is arrest for any violation of the California Street Terrorism Enforcement and Prevention Act.
- d) All of the above

34. The commissioner shall certify the names of holders of bail agents' and bail permittees' licenses and their solicitors to every county clerk of the state, together with their license numbers and any other information in respect to the persons as he or she considers advisable. The county clerk shall retain these records for a period of: (select the correct answer)

- a) 2 years
- b) 5 years
- c) 7 years
- d) 10 years

35. No bail licensee shall pay or allow in any manner, directly or indirectly, to any person who is not also a bail licensee any commission or other valuable consideration on or in connection with a bail transaction. Payments may be made by a bail licensee to an unlicensed person to reimburse for actual, necessary and reasonable expenses incurred in connection with the individual bail transaction

for: (select the correct answer)

- a) Guard fees after the first 12 hours following release of an arrestee on bail.
- b) Reimbursement for actual reasonable and necessary expenses incurred and caused by a breach by the arrestee of any of the terms of the written agreement under which and pursuant to which the undertaking of bail or the bail bond was written.
- c) Notary fees, recording fees, travel expenses and verification of collateral outside of the county where the bail was arranged.
- d) all of the above

36. All funds received by any person acting as a bail agent as premium on an undertaking of bail, are received and held by such person in his/her fiduciary capacity. Any bail agent who diverts or appropriates such fiduciary funds to his/her own use is guilty of _____ (fill-in the blank).

- a) poor bookkeeping
- b) theft
- c) a felony
- d) a misdemeanor

37. How should a bail permittee inform the insurance commissioner of a change in the schedule of charges? (select the correct answer)

- a) A bail permittee is not required to inform the insurance commissioner of a change in the schedule of charges.
- b) The bail permittee must file with the insurance commissioner any change in the schedule of charges at least five days prior to the effective date.
- c) The bail permittee must file with the insurance commissioner any change in the schedule of charges at least fifteen days prior to effective date.
- d) None of the above.

38. Personal or privileged information about an individual collected or received in connection with an insurance transaction shall not be disclosed, unless the disclosure is: (select the correct answer)

- a) The disclosure is with the written authorization of the individual and if the authorization is submitted by another insurance institution.
- b) The disclosure is to an agent to detect or prevent criminal activity, fraud, material misrepresentation or material nondisclosure in connection with insurance transactions.
- c) The disclosure is to a law enforcement or other governmental authority pursuant to law.
- d) All of the above.

39. The CDI requires insurance producer applicants and licensees to notify the Insurance Commissioner in writing of changes in background information after an application has been submitted or a license has been issued. Notification must be made to the Insurance Commissioner with in how many days?: (select the correct answer)

- a) 60 days
- b) 30 days
- c) 90 days

d) 180 days

40. Failure to report background changes as required under Section 1729.2 of the California Insurance Code could subject a licensee or applicant to formal disciplinary action, including a fine, suspension, denial, restriction, or revocation of the license. Background information is defined as:

- a) A misdemeanor or felony conviction, and/or filing of felony criminal charges in state or federal court
- b) An administrative action regarding a professional or occupational license
- c) Discharge or attempt to discharge, in a personal or organizational bankruptcy proceeding, an obligation regarding any insurance premiums or fiduciary funds owed to any company, including a premium finance company, or managing general agent, and/or any admission, or judicial finding or determination, of fraud, misappropriation or conversion of funds, misrepresentation, or breach of fiduciary duty.
- d) All of the above

41. Every person who is charged with or convicted of a felony, who is released from custody on bail, and who in order to evade the process of court willfully fails to appear as required, is guilty of a felony. Upon a conviction, the person shall be punished by a fine not exceeding \$_____? What is the maximum dollar amount of the fine for skipping bail?

- a) \$1,000.00
- b) \$5,000.00
- c) \$10,000.00
- d) \$20,000.00

42. A managing General Agent has the power to:

- a) Appoint, supervise, and terminate the appointment of local agents in that territory.
- b) Maintain fiduciary funds in a personal account.
- c) Keep premium moneys collected from agents.
- d) Authorize an Indemnitor premium payment plan.

43. The Commissioner may in writing disapprove the use of any true or fictitious name (other than the bona fide natural name of an individual) by any licensee or on any of the following grounds:

- a) The licensee has already filed and not discontinued the use of more than two names including the true name.
- b) The use of the name may mislead the public in any respect.
- c) The name is an interference with or is too similar to a name already filed in use by another licensee.
- d) All of the above.

44. Every licensee and applicant shall promptly reply in writing to inquiry from the Commissioner relative to an application for, or retention or renewal of, a license, or an investigation relating to a consumer complaint or a matter relating to a producer licensing background change reporting requirement under Insurance Section 1729.2. "Promptly Reply" is defined as:

- a) Received by the Commissioner not later than 21 days after the date the inquiry was mailed or otherwise communicated to the applicant or licensee.
- b) Received by the Commissioner not later than 30 days after the date the inquiry was mailed or otherwise communicated to the applicant or licensee.
- c) Received by the Commissioner not later than 180 days after the date the inquiry was mailed or otherwise communicated to the applicant or licensee.
- d) Received by the Commissioner not later than 10 days after the date the inquiry was mailed or otherwise communicated to the applicant or licensee.

45. A private person may arrest another;

- a) For a public offense committed or attempted in his/her presence.
- b) When the person arrested has committed a felony, although not in his/her presence.
- c) When a felony has been in fact committed, and he/she has reasonable cause for believing the person arrested to have committed it.
- d) All of the above.

46. A uniform Countywide schedule of bail for all bailable felony offenses is prepared and annually revised by a majority vote of the:

- a) County Supervisors
- b) Governor's Task Force
- c) Superior and Municipal Court Judges
- d) Supreme Court Judges

47. Any bail agent who arrests a defendant in California must deliver the defendant to the court or magistrate before whom the defendant is required to appear or to the custody of the sheriff or police for confinement in the appropriate jail in the county or city in which the defendant is required to appear within:

- a) One day
- b) Five days
- c) Two days
- d) Seven days

48. The California Attorney General may bring a civil action against an individual engaged in the business of insurance whose activities affect interstate commerce or is involved in a transaction relating to the conduct of such a business, willfully embezzles, abstracts, purloins, or misappropriates any of the moneys, funds, or premiums. Punishment for the offense may be:

- a) Fine not more than \$50,000.00
- b) Imprisonment for not more than 15 years
- c) Fine not more than \$50,000.00 and imprisonment for not more than 10 years
- d) Fine established under US Title 18 or imprisonment for not more than 15 years or both

49. Solicitation of an arrestee shall be only after a bona fide request for bail services has been received from the arrestee, the arrestee's attorney, an adult member of arrestee's immediate family, or a person the arrestee designates in writing. Unless the bail licensee is directly and specifically authorized in writing by the arrestee to make a solicitation at a specific time, solicitation shall be only between the hours of:

- a) 7:00am and 11:00pm
- b) 7:00am and midnight
- c) 8:00am and 11:00pm
- d) 9:00am and midnight

50. The Trial Court Clerk may destroy bond records:

- a) 3 years after exoneration and release
- b) 5 years after exoneration and release
- c) 10 years after exoneration and release
- d) 75 years after exoneration and release