

EMERGENCY BAIL BOND BOARD MEETING

January 22, 2013

4 THOSE PRESENT: Judge Branick
5 Judge Lively
6 Lt. Kelly
7 Lt. Dorsey
8 Becky Garcia
9 Tim Funchess
10 Sonny Cribbs
11 Liz Parks
12 Rhonda Brode
13 Barbra Hartt

15 JUDGE BRANICK: Okay. We'll call this
16 meeting of the Jefferson County Bail Bond Board to order
17 on January 22nd, 2013, at whatever time it is --

18 | BECKY GARCIA: 12:37.

19 JUDGE BRANICK: 12:37. Originally we had an
20 issue come up at the last bail bond meeting about the
21 potential suspension of the license of Barbra Hartt for
22 failure to maintain the amount of security required by
23 Section 17.04160 of the Occupation Code.

24 Ms. Hartt, you're here?

25 MS. HARTT: Yes.

1 JUDGE BRANICK: Feel free to come up here.
2 Have a seat over here. My understanding from talking to
3 the treasurer earlier on Friday Ms. Hartt came in and
4 deposited a sum of money necessary to bring her into
5 compliance with that section.

6 TIM FUNCHESS: Yes, sir. She's back to the
7 50,000 level.

13 MS. HARTT: I do have one now; but I did not
14 for the past three months, no.

15 JUDGE BRANICK: Okay.

16 MS. HARTT: I had adopted a baby and had
17 decided I was going kind of step back and take some time
18 to think of what to do. I worked somewhere else. It
19 didn't work out. And so I've decided to start up again.
20 I called Becky to get the fees that I owed and came down
21 within two hours of her telling me to pay them and bring
22 it back.

23 JUDGE BRANICK: Okay.

24 MS. HARTT: And I do have an office location
25 now.

1 JUDGE BRANICK: And where is that?

2 MS. HARTT: 190 South Fourth Street.

3 JUDGE BRANICK: In Beaumont?

4 MS. HARTT: Yes, sir.

5 JUDGE BRANICK: 7770 --

6 MS. HARTT: -- 1.

7 JUDGE BRANICK: -- 1?

8 MS. HARTT: And I will have the same phone
9 number and everything as before.

10 JUDGE BRANICK: Okay. You could provide us
11 with that information. The original hearing was only to
12 deal with this issue of the license suspension for
13 failure to maintain the amount of security; and I think
14 it was a feeling among most of the members of the board
15 that they wanted you to have the opportunity last week
16 to be contacted.

17 MS. HARTT: Yes, thank you.

18 JUDGE BRANICK: And correct that situation
19 before we had an emergency hearing; although there was a
20 question of whether or not it would be necessary for it
21 to be on the agenda last week to suspend it.

22 MS. HARTT: I can provide you with the lease
23 if necessary to show where my office location is, phone
24 bill that goes to there, whatever you need.

25 JUDGE BRANICK: That would be great. And I

1 think any other -- are there any other failures to
2 comply with the dictates of the Occupations Code or any
3 of the regulations of bail bondsmen that anyone is aware
4 of that we need to take into consideration today?

5 BECKY GARCIA: Not that I'm aware of.

6 JUDGE BRANICK: Okay. Well if not, then
7 we'll get you to provide that information to the
8 appropriate personnel up here and get all the records
9 straightened out; and if there's any other failure, then
10 most -- aside from that failure to maintain the
11 security, most of the other provisions require notice
12 prior to a hearing on the issue. So -- I'll discuss it
13 with the other judges who routinely take bonds --
14 because I don't, at least not these kind of bonds -- and
15 see if they have any problems; but otherwise I think if
16 there's nothing further, then we're finished with this
17 meeting.

18 BECKY GARCIA: Okay.

19 JUDGE BRANICK: Anything else?

20 KEITH DAY: You want to give her an
21 opportunity -- a length of time to get the information
22 back to us?

23 JUDGE BRANICK: Yeah --

24 MS. HARTT: I can have it today --

25 JUDGE BRANICK: -- I would think within a

1 week.

2 MS. HARTT: Oh, okay, a week is fine; but --
3 who will I be giving it to?

4 BECKY GARCIA: Tina.

5 JUDGE BRANICK: Tina Gillespie who is Judge
6 Flores' Court Coordinator.

7 MS. HARTT: Okay. So am I able to write
8 bonds now?

9 JUDGE BRANICK: Well, I think -- once you
10 get the information in that's necessary, I'm --

11 KEITH DAY: I think -- it has to be brought
12 to a vote; doesn't it, among the board to decide at that
13 point I believe. Once that information is given to us,
14 I think it has -- has to be heard and voted on by the
15 board of whether the --

16 BECKY GARCIA: To bring the license current.

17 KEITH DAY: -- to bring the license current
18 or revoked.

19 MS. HARTT: I can get it today. I need to
20 be able to write bonds to make a living. I've already
21 been put off for the weekend. I would like do this
22 quickly so that I can get back and do the work that I
23 need do to.

24 JUDGE BRANICK: One second. Well, I mean we
25 didn't suspend it, the license, at our last meeting. In

1 the intervening period, she brought her security up to
2 the level necessary to prevent us from suspending it;
3 and the provision on an office location says that "not
4 later than the 7th day after the date a license holder
5 opens a new office, removes an office to a location.
6 The license holder shall notify the board of the
7 location of the office."

8 So, apparently having been out of it for a
9 little while, you didn't notify us within seven days;
10 but we didn't -- we didn't under 17.04254 send out any
11 notices giving you the required notice of potential
12 suspicion and the hearing for failure to provide us with
13 that information. So --

14 KEITH DAY: I don't think -- and I don't
15 think you have to according to that. I don't think you
16 have to notify her of any sort of suspension; but if her
17 license wasn't suspended, it wouldn't matter at that
18 point. I think the fact that she brought her liability
19 back up to the 50,000, clear -- clears that situation
20 up. I think the only issue you have at that point is
21 the office location, which I'm not sure if it states in
22 that -- in that code whether she has to be notified if
23 her license is suspended because of not notifying of her
24 office closing or relocating; and the -- any unpaid --
25 if she were to have had any unpaid judgments or anything

1 like that.

2 JUDGE BRANICK: Well, she don't have any
3 unpaid judgments. Do you know whether you do?

4 MS. HARTT: No, ma'am -- no, sir, I do not.
5 I paid everything upcoming and due.

6 JUDGE BRANICK: Okay. Well, then .254
7 requires that we give you notice of a hearing to suspend
8 or revoke. So as far as I can tell based on this, so
9 long as you're good with them, you're good to go.

10 MS. HARTT: Thank you very much.

11 JUDGE BRANICK: But make sure you get that
12 in within seven days.

13 MRS. HARTT: So all you need is a copy of
14 the lease?

15 JUDGE BRANICK: Yes.

16 MS. HARTT: Okay. I will have that.

17 JUDGE BRANICK: Anything further?

18 BECKY GARCIA: So are we not going to
19 require another type of emergency hearing for the status
20 of seven days, because I hate to put Barbara out any
21 further from writing bonds; but the issue of not
22 notifying us of the seven days is still an unresolved
23 issue.

24 JUDGE BRANICK: Yeah, it's a technical
25 violation. The problem is it would have been cured by

1 the time we have an opportunity to have another hearing.
2 We can -- we can go ahead and schedule another hearing
3 for -- well, then we'd have to send out notice 11 days
4 in advance.

5 MS. HARTT: Okay, then I'm not going to
6 write bonds until I know for sure that I can; and that's
7 going to cost me more money.

8 JUDGE BRANICK: Let me visit with Judge
9 Flores since he's been -- he's in the criminal area and
10 I'm in the civil area. Let me see if he has any --
11 problems with it, he and Judge Walker.

12 MS. HARTT: Thank you.

13 JUDGE BRANICK: I'll visit with the criminal
14 judges -- the judges who handle criminal cases, excuse
15 me, not the criminal judges. And if there's a problem
16 we'll notify you of it.

17 BECKY GARCIA: I just want to rectify any
18 situation so that she can write bonds --

19 MS. HARTT: I've got bonds waiting to be
20 printed with the new address and everything.

21 BECKY GARCIA: -- right --

22 MS. HARTT: I'm just waiting for -- I wanted
23 to do the right thing by the Bail Bond Board. So I
24 waited until today, which is what I was told.

25 JUDGE BRANICK: My reading of it is that

1 you're good to go; but -- I want to check with them.
2 Just like they check with me on a probate issue, I'll
3 check with them on this issue.

4 MS. HARTT: So how long will I need to wait?

5 JUDGE BRANICK: Oh, a few hours.

6 MS. HARTT: Okay.

7 JUDGE BRANICK: Anything further?

8 BECKY GARCIA: No.

9 JUDGE BRANICK: All right. Then we are
10 adjourned.

11 MS. HARTT: Thank you very much.

12 (END OF HEARING)

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