



**TRIAL
APPEARANCE
BONDS**

TRIAL APPEARANCE BONDS

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Editor's Note: Effective September 1, 2017, a judge may not, either instead of or in addition to a personal bond, require a defendant to give a bail bond unless: (1) the defendant fails to appear in accordance with this code with respect to the applicable offense; and (2) the justice or judge determines that: (A) the defendant has sufficient resources or income to give a bail bond; and (B) a bail bond is necessary to secure the defendant's appearance in accordance with the Code of Criminal Procedure. Additionally, if a defendant required to give a bail bond under Article 45.016(b) remains in custody, without giving the bond, for more than 48 hours after the issuance of the applicable order, the judge shall reconsider the requirement for the defendant to give the bond. Art. 45.016, C.C.P. (H.B. 351/S.B. 1913, 85th Legislature (2017)).

CASH BOND: POSTED BY THE DEFENDANT (Arts. 17.02, 17.08, and 45.044, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

Know All Men By These Presents:

That I, _____, charged with a misdemeanor offense of _____, am held and firmly bound unto the State of Texas by and through the City of _____ in the penal sum of _____ (\$ _____) dollars in cash in lieu of sureties deposited as security to insure my personal appearance before the Municipal Court of the City of _____ on the _____ day of _____, 20____, at _____ o'clock ____m. to answer the accusation against me. I further bind myself to appear before any court or magistrate before whom the cause may thereafter be pending at any time and place where my presence may be required until discharged by due course of law. In the event that any of the conditions of this bond are violated, I will pay all necessary and reasonable expenses and fees that may be incurred by any peace officer in re-arresting me. However, if I fulfill all the terms of this bond, this obligation shall become void and the amount deposited herein shall be refunded to me; otherwise to remain in full force and effect.

Signed and Dated: _____, 20____

Defendant's Signature

Address: _____

Telephone: _____

Place of Employment: _____

Telephone: _____

Driver's License Number: _____

Date of Birth: _____

Height: _____ Weight: _____

Color Hair: _____ Eyes: _____

Name, Address, & Telephone of Nearest Relative:

Received this _____ day of _____, 20____ by _____.

Filed by _____ on this _____ day of _____, 20____.
Clerk

NOT A CONDITION OF RELEASE

PLEA OF NOLO CONTENDERE (For Cash Bond Forfeiture)

☐ If I, the undersigned, **fail to appear** at the date and time stated in the cash bond that I posted with the Municipal Court of _____, or at any time the Court requires my personal appearance, **I waive my right to a jury trial or any trial and plead nolo contendere** (meaning "no contest") to the said offense charged. I understand that the **bond will be forfeited to satisfy the fine and costs** that the judge assesses and that my plea may result in a conviction appearing on either a criminal record or a driver's license record. I understand that this plea of nolo contendere does not constitute a condition of my release from jail.

Signed and dated this _____ day of _____, 20____.

☐ I understand that I must appear in Court to enter a plea of not guilty.

Signed and dated this _____ day of _____, 20____.

Defendant's Signature

Editor's Note: See editor's note below the table of contents for this chapter concerning restrictions for requiring bail bonds. Effective September 1, 2015, a bail bond may be filed electronically in any manner permitted by the county in which the bond is written. Art. 17.026, C.C.P.

CASH BOND: POSTED BY A THIRD PARTY (Arts. 17.02 and 17.08, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

Know All Men By These Presents:

That _____, Defendant, charged with a misdemeanor offense of _____, is held and firmly bound unto the State of Texas by and through the City of _____ in the penal sum of _____ (\$ _____) dollars in cash posted by _____ (*person posting the bond*) in lieu of sureties deposited as security to insure his/her personal appearance before the Municipal Court of the City of _____ on the _____ day of _____, 20____, at _____ o'clock ____m. The defendant further binds him/herself to appear before any court or magistrate before whom the cause may thereafter be pending at any time and place where his/her presence may be required until discharged by due course of law. In the event that any of the conditions of this bond are violated, I will pay all necessary and reasonable expenses and fees that may be incurred by any peace officer in re-arresting Defendant. However, if Defendant fulfills all the terms of this bond, this obligation shall become void and the amount deposited herein shall be refunded to me; otherwise to remain in full force and effect.

Signed and Dated: _____, 20____

Signature of Person Posting Bond

Address: _____

Telephone: _____

Place of Employment: _____

Telephone: _____

Driver's License Number: _____

Date of Birth: _____

Height: _____ Weight: _____

Color Hair: _____ Eyes: _____

Signature of Defendant

Name, Address, & Telephone of Nearest Relative:

Received for this _____ day of _____, 20____ by _____.

Filed by _____ on this _____ day of _____, 20____.
Clerk

RECEIPT FOR CASH BOND

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

On this day, the _____ day of _____, 20____, I received _____ (\$ _____) dollars in cash posted by _____ (*person posting the bond*) as security to insure the personal appearance of _____, Defendant in the above referenced cause in the above named Municipal Court.

If Defendant complies with the conditions of this bond, upon order of the Court, this amount shall be refunded to _____ (*person posting the bond*).

Signature of Court Official Accepting the Bond

Editor's Note: See editor's note below this chapter's table of contents concerning restrictions for bail bonds. Effective September 1, 2015, a bail bond may be filed electronically in any manner permitted by the county in which the bond is written. Art. 17.026, C.C.P.

CAUSE NUMBER: _____

STATE OF TEXAS
VS.

§
§
§

IN THE MUNICIPAL COURT
CITY OF _____
_____ COUNTY, TEXAS

Know All Men by These Presents:

That I, _____, charged with a misdemeanor offense of _____, am held and firmly bound unto the State of Texas by and through the City of _____ in the penal sum of _____ (\$_____) dollars for the payment which sum well and truly to be made, and all necessary and reasonable fees and expenses that may be incurred by peace officers in re-arresting me, in the event the conditions of this bond are violated, I do bind myself, my heirs, executors, and administrators, jointly and severally.

I swear that I will appear before the _____ Municipal Court at _____ (address, city, county), Texas, on the _____ day of _____, 20____, at the hour of _____ (a.m.)(p.m.) or upon notice by the Court, or pay to the Court the principal sum of \$_____, plus all necessary and reasonable expenses incurred in any arrest for failure to appear.

Now if I shall well and truly make said appearance before the said Court, and there remain from day to day and term to term of said Court, until discharged by due course of law, then and there to answer said accusation against me, and further shall well and truly make my personal appearance in any and all subsequent proceedings that may be had relative to said charge in the course of the criminal action based on said charge, this obligation shall become void; otherwise to remain in full force and effect.

Address: _____
Telephone: _____
Place of Employment: _____
Telephone: _____
Driver's License Number: _____ State: _____
Date of Birth: _____
Place of Birth: _____
Height: _____ Weight: _____
Color Hair: _____ Eyes: _____

Defendant's Signature

Name, Address, & Telephone of Nearest Relative:

Sworn to and subscribed before me, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

Approved and filed this _____ day of _____, 20____.

Judge, Municipal Court

City of _____

County, Texas

Filed by: _____ on _____ day of _____, 20____
Clerk

Editor's Note: Effective September 1, 2021, a personal bond is not required to contain the oath described by 17.04(a)(3) if the magistrate makes a determination under Article 16.22 that the defendant has a mental illness or is a person with an intellectual disability, including by using the results of a previous determination under that article; the defendant is released on personal bond under Article 17.032; or the defendant is found incompetent to stand trial in accordance with Chapter 46B. (S.B. 49, 87th Legislature (2021)).

SURETY BOND (Arts. 17.02 and 17.08, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

Know All Men by These Presents:

That we, _____, as Principal and the undersigned, _____, as Surety, are held and firmly bound unto the State of Texas by and through the City of _____, in the penal sum of _____ (\$_____) dollars and, in addition thereto, we are bound for the payment of all necessary and reasonable fees and expenses that may be incurred by any peace officer in re-arresting the said Principal in the event any of the hereinafter stated conditions of this bond are violated, for the payment of which sum or sums well and truly to be made, we do bind ourselves, and each of us, our heirs, executors, and administrators, jointly and severally.

The condition of this bond is that the Principal has been charged with a misdemeanor offense, to wit: _____; and to secure Principal's release from custody, we are entering into this obligation binding Principal to appear before the Municipal Court of the City of _____, _____ County, Texas.

Now therefore, if the said Principal shall well and truly make Principal's personal appearance before said Municipal Court located at _____ on the _____ day of _____, 20__ at _____.m., as well as before any court to which the same may be pending, and for any and all subsequent proceedings that may be had relative to said charge in the course of criminal actions based on said charge, and there remain from day to day and term to term of said courts, until discharged by due course of law, then and there to answer said accusation against Principal, this obligation shall become void; otherwise to remain in full force and effect.

Signed and dated: _____, 20__

_____ Principal

_____ Surety

_____ Mailing Address

_____ Mailing Address

Race _____ Gender _____ DOB _____

HT _____ WT _____ Hair _____

Eyes _____ DL number _____

State _____ SS number _____

If Surety is attorney:

I am licensed to practice law in Texas

and I actually represent the Principal

in the criminal case for which I have
executed this bond.

Signature of Attorney

State Bar of Texas Number

Taken and approved this _____ **day of** _____, 20__

(Judge, Municipal Court)(Chief of Police)(Sheriff)

City of _____

_____ County, Texas

Filed by: _____ on _____ day of _____, 20__.
Clerk

Editor's Note: See editor's note below the table of contents for this chapter concerning restrictions for requiring bail bonds. Effective September 1, 2015, a bail bond may be filed electronically in any manner permitted by the county in which the bond is written. Art. 17.026, C.C.P.

OATH OF SURETY (Art. 17.13, C.C.P.)

THE STATE OF TEXAS

COUNTY OF _____

I, _____, the undersigned Affiant-Surety, do swear that I am worth, in my own right, at least the sum of _____ (\$ _____) dollars, after deducting from my property all that which is exempt by the Constitution and laws of the State of Texas from forced sale, and after the payment of all my debts of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me; that I reside in _____ County, and have property in this State liable to execution worth said amount or more.

Subscribed and sworn to before me this _____ day of _____, 20__.

Surety's Signature

(Judge)(Clerk)(Magistrate)(Sheriff)

I, the undersigned Affiant-Surety, do swear that I am the sole owner of the following described properties; that each piece of the same is presently of the market value set opposite each piece of the same; that the same is encumbered only to the extent and in the amount set opposite each piece of said property; and that each piece of the same, after deducting the amount of the encumbrance shown from the present market value thereof, has the net value set opposite each piece thereof, to wit:

Location & Description	Present Market Value	Encumbrance	Net Value
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

AS LISTED WITH THE SHERIFF'S OFFICE

I, the undersigned Affiant-Surety, do swear that:

None of the property above described is Affiant's homestead, and that the Affiant is not using, and does not intend to use the same, or any part thereof, for any homestead or business purposes; that no part of said property is exempt from forced sale under the laws of the State of Texas; that no part of said property is involved in litigation of any kind of character; that the title to the above described property is good of record and in fact the Affiant; that Affiant has never heard his/her title to any part of said property questioned by any person or corporation whomsoever; and that no part of the same is occupied by any person or corporation claiming adversely to the Affiant;

The above-described property, all or part of the same, will not be transferred to any person or corporation during the period this bond is in force and effect; this bond constituting a lien on said property;

The following is a full and complete list and statement of all bonds of every kind and character on which the Affiant is a surety or principal, and the amounts of such bonds, to wit: _____

_____;

There are no abstracts of judgment recorded in _____ County, Texas or elsewhere, against the Affiant; and

The Affiant makes this statement for purposes of inducing the approval and acceptance of said bond with himself/herself as a surety thereon, well knowing and believing that the making of this statement will induce the official charged with the duty of accepting and approving said bond to accept and approve the same, and that all statements herein contained are true.

Affiant-Surety

Subscribed and sworn to before me this _____ day of _____, 20__ by _____, Affiant

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for said State and county, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.

Granted under my hand and seal of office on this the _____ day of _____, 20__.

Notary Public, State of Texas

MOTION AND ORDER TO REVOKE PERSONAL BOND

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

MOTION TO REVOKE PERSONAL BOND

To the Honorable Judge of Said Court:

Comes now _____, Applicant, and files this Motion to Revoke Personal Bond in the amount of \$_____ in order that the Defendant, _____, be remanded to the _____ (City)(County) Jail.

This motion is made for the following reason(s): *(state reasons for revocation)*

Wherefore, Applicant prays the Court to issue a writ directing any proper officer of the State of Texas to re-arrest said Defendant.

Respectfully submitted,

Name

Position

I hereby certify that a true and correct copy of this Motion to Revoke Bond was delivered to (the Defendant) (Counsel for the Defendant), on this the _____ day of _____, 20__.

Name

Position

ORDER

On this the _____ day of _____, 20__, came on to be considered this Motion to Revoke Personal Bond. The Court having considered said motion is of the opinion that the Motion to Revoke Personal Bond should be (granted) (denied).

Signed this the _____ day of _____, 20__.

(municipal court seal)

Judge, Municipal Court
City of _____

_____, County, Texas

Editor's Note: Upon granting the Motion to Revoke Personal Bond, the Judge should issue a **capias** (pursuant to Chapter 23, C.C.P.) or an **arrest warrant** (pursuant to Article 45.014, C.C.P.) to procure custody of the Defendant.