

13-02 SURETY BOND REQUIREMENTS

A. Bonds Required for Court Personnel

COURT	POSITION TITLE	BLANKET OR INDIVIDUAL	AMOUNT	FOR BENEFIT OF OR GIVEN TO	APPROVED BY	FILED WITH	CITATION
District	Magistrate	Individual	\$50,000 Amount set by State Court Administrator	District Court and State of Michigan	Chief Judge	County Treasurer and Chief Judge	MCL 600.8507, MCR 8.204
District	Clerk or Deputy Clerk	Blanket or Individual	\$50,000 Amount set by State Court Administrator	District Court and State of Michigan	Chief Judge	Chief Judge	MCR 8.204
District	Process Server acting under MCR 2.103(A) (Appointed by court)	Blanket or Individual	\$10,000 Amount set by State Court Administrator	District Court and State of Michigan	Chief Judge	Chief Judge	MCR 8.204
District	Process Server acting under MCR 3.106(B)(1)(a) (Appointed by court)	Individual	\$50,000 Amount set by State Court Administrator	District Court and State of Michigan	Chief Judge	Chief Judge	MCR 8.204
Probate	Probate Register	Individual	\$1,000	Chief Judge	Chief Judge	County Clerk	MCL 600.833
Circuit	Circuit Court Clerk (County Clerk)	Blanket or Individual determined by Board of Commissioner	\$2,000	People of State of Michigan	Chief Judge	County Treasurer	MCL 50.61
Circuit	Friend of the Court	*	*	*	*	*	*

*See Notes, item 9.

B. Notes

- Where the court rules and statutes cited are silent or vague, specifications indicated above represent the position of the State Court Administrator.

2. The amounts stated are the minimum amounts. A higher amount may be appropriate depending upon individual court circumstances.
3. All positions require faithful performance and honesty bond coverage which should be effective before assuming and/or performing the duties of office.
4. "Boiler Plate" language in some blanket bonds appears to exclude performance and/or honesty bond coverage for the very people for whom it is required; therefore, it is strongly recommended that each court obtain a copy of all documents, including riders relating to its bond coverage and review them carefully to insure satisfactory compliance.
5. If the magistrate is covered by a blanket bond, the bond should explicitly indicate that the district court magistrate is covered and that the bond amount is at least \$50,000. Language in the blanket bond which excludes employees required to give statutory bonds should be modified to allow coverage for the district court magistrate (see Section 4-09, page 4-09-01 and Section 6-05, page 6-05-02).
6. MCL 600.8507 requires that the bond for magistrates shall apply to temporary service in another county as described in this statute (see Section 4-09, page 4-09-01).
7. MCL 700.585 requires the county treasurer to post bonds with the judge of probate under certain circumstances; it is recommended that probate judges review this statute.
8. MCL 600.572b requires the court clerk to file a bond with the county treasurer conditioned that the clerk shall, in all respects comply with the requirements of law and the court rules in the handling and management of such funds, and to faithfully account for same (see Section 4-02, page 4-02-01).
9. The friend of the court surety bond requirements are covered in the Code of Federal Regulations. Child and Family Services, in the Michigan Department of Social Services, must have and use written procedures for compliance with 45 CFR 302.19. Within these procedures are regulations requiring that every person who has access to child support collections is covered by a bond against loss resulting from employee dishonesty. This provision applies to state and local IV-D agency employees. Individual counties can have self-bonding/insuring provisions. (see also Section 4-04, Item E8, page 4-04-06) [45 CFR 302.19]