

BAIL TERMS GLOSSARY

BAIL

A financial arrangement that allows a defendant to be released from custody pending trial, with the understanding that they will appear for all court proceedings.



DEFENDANT

An individual who has been accused of committing a crime and is facing criminal charges in court.

BAIL BOND

A financial guarantee provided by a bail bondsman on behalf of the defendant, ensuring their appearance in court.

INDEMNITOR

Also known as a cosigner or guarantor, the indemnitor is a person who assumes responsibility for ensuring that the defendant appears in court as required when posting bail.

COLLATERAL

Property or assets provided as security to the bail bondsman to secure a bail bond. Collateral may include real estate, vehicles, bank accounts, or other valuable assets.

BAIL FORFEITURE

The loss of bail money or collateral due to the failure of the defendant to appear in court as required.

PRETRIAL RELEASE

The release of a defendant from custody pending trial, either on their own recognizance (without bail) or through the posting of bail or a bail bond.

REMAND

The return of the defendant to custody pending trial, often ordered by the court due to concerns about flight risk, public safety, or the likelihood of the defendant appearing for future court proceedings.

OTHER TERMS

BENCH WARRANT

A court-issued warrant for the arrest of an individual who has failed to appear in court as required, typically issued when a defendant violates the conditions of their release or fails to appear for a scheduled hearing.

ARRAIGNMENT

A court proceeding during which the defendant is formally informed of the charges against them and is asked to enter a plea (guilty, not guilty, or no contest).

PROBATION

A period of court-ordered supervision imposed as an alternative to incarceration, allowing the defendant to remain in the community under certain conditions, such as regular check-ins with a probation officer and adherence to specific rules.

EXONERATION

The release of the defendant from all obligations under the bail bond agreement, typically occurring when the case is resolved, and the defendant has fulfilled all court requirements, including appearing for all scheduled hearings.

SURETY

A financial arrangement that allows a defendant to be released from custody pending trial, with the understanding that they will appear for all court proceedings.

BOND FORFEITURE HEARING

A court hearing to determine whether the bail bond should be forfeited due to the defendant's failure to appear. The defendant, the bail bondsman, and any indemnitors may be required to appear in court to provide justification or evidence regarding the failure to appear.

