

By Michael K. Jeanes, Clerk of the Superior Court

Appeal and Cost Bond Info Online

Is your client or law firm owed money? The Clerk's office spends a great deal of time handling bonds posted in court matters. On final adjudication of a case, if the court has not previously addressed the disposition of a bond deposited with the Clerk, a motion for disposition/exoneration should be filed with the court. Litigants and attorneys can now search the Clerk's website for unresolved bonds.

Court rules, statutes, court orders or other authorities may require posting appeal or cost bonds with the Clerk's office. Depending on the type of issue, the parties, the complexity of the case and other factors, years could pass between when the bond was posted and when the issues are resolved. During that time, parties may join or be dismissed from the action, counsel of record could change, and the attorneys and courts may overlook issuing a court order releasing the money.

The Clerk's office holds funds until a court order directs the Clerk specifically what to do with those funds. The Clerk's office has now posted lists online of bonds posted with the office where the need for the bond may have ended and no court order was filed allowing the Clerk to return the money. If you or your clients posted an appeal or cost bond in any case, it is worth checking if funds are still on hold.

Customers can search the online lists by party name or case number. A party or their attorney must file a petition with the court requesting an order be issued directing the Clerk to release the funds. The Clerk's office will only release money by court order and only as specifically directed in the order. For more information about the deposit or release of these funds, including specific information the Clerk's office needs before releasing money, see the Clerk's website at http://www.clerkofcourt.maricopa.gov/release_bonds.asp. The Clerk's office will only assist parties to a case or their attorneys. Third-party vendors, personal representatives, and other non-parties must be named in a court order to obtain detailed information, or to receive a payment check.