

INSTRUCTIONS

MOTION TO BE RELIEVED AS BONDSPERSON

(For cases in Superior Court)

1. The attached form is provided to assist a bondsperson in filing a Motion to be Relieved as Bondsperson. The motion must be legibly handwritten or typewritten and signed by the movant/bondsperson under penalty of law. The attached form may be used as the motion if it is filled in as completely as possible.
2. Complete the top portion of the motion. Case numbers (ID Number and Criminal Action Numbers) are available from a copy of the bond which was signed by the bondsperson when bail was posted. If a copy of the bail bond is not available, Court staff may assist. The defendant's full name, any aliases, and date of birth, if unknown, may be obtained from Court staff.
3. Complete the bondsperson's name, address and telephone number.
4. Enter the amount of bail posted and the bail type -- cash, property, or a combination.
5. Provide the defendant's address, if known. If the defendant is incarcerated, please provide the name and address of the institution.
6. State the reason(s) the bondsperson wishes to be relieved as bondsperson clearly in ordinary language.
7. Sign and date the Motion and Certificate of Service. Make at least two copies of the Motion and Certification of Service. Serve one copy on the Attorney General's Office (see step 8), and keep one copy for your records.
8. Serve one copy of the Motion on the Attorney General's Office by taking the original and copies of the Motion to the Office of the Attorney General, Department of Justice, in the county for which you are filing. The staff at the Department of Justice will sign and stamp the original Motion to show that it has been served on the Attorney General. They will keep a copy of the Motion. This provides the State of Delaware the opportunity to respond to the motion.
9. File the original Motion and Certificate of Service with the Prothonotary's office in person Monday through Friday between 8:15 a.m. and 4:30 p.m. in Kent county, 8:30 a.m. and 4:30 p.m. in New Castle and Sussex Counties.
10. Court staff will provide the date and time of the hearing on the Motion at the time the Motion is filed. Appear for the hearing on that date and time. Bring the defendant if possible to the hearing.

Deputy Attorney General
Department of Justice
820 North French St.
Carvel State Office Bldg.
Wilmington, DE 19801

Deputy Attorney General
Department of Justice
102 W Water St.
Dover, DE 19901

Deputy Attorney General
Department of Justice
114 East Market St.
Georgetown, DE 19947

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

State of Delaware

v

Defendant's Full Name

DOB: _____

SBI: _____

:
:
:
:
:
:
:
:
:
:
:

Defendant ID # _____

Criminal Action # _____

NOTICE OF MOTION

PLEASE TAKE NOTICE that the attached Motion shall be heard on _____,
day of week
_____, 20____ at _____ a.m./p.m.
Month and day

Department of Justice
Deputy Attorney General
Carvel State Office Bldg.
820 N. French Street
Wilmington, DE 19801

Department of Justice
Deputy Attorney General
102 W. Water Street
Dover, DE 19904

Department of Justice
Deputy Attorney General
114 East Market Street
Georgetown, DE 19947

Dated: _____

Signature

Address

City/State/Zip Code

Phone number

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE v.	Case ID Number:
Defendant's Full Name	Criminal Action Numbers:
Aliases, if any	
Date of Birth:	

MOTION TO BE RELIEVED AS BONDSPERSON

1. Bondsperson's Name: _____
2. Bondsperson's Address: _____
Telephone (daytime): _____
3. Amount of Bond Posted: \$ _____ Bail Type: Cash - Property -Combined
4. Defendant's Address: _____

Is defendant incarcerated? Yes - No If so, where: _____

5. State the reason or reasons the bondsperson wishes to be relieved as bondsperson:

6. I declare the truth of the above under penalty of perjury.

Date Signed

Signature of Bondsperson

Print Name of Bondsperson

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE v.	Case ID Number:
Defendant's Full Name	

ORDER

This _____ day of _____, _____, the Court having heard the Motion to Be Relieved as Bondsperson, **IT IS ORDERED** that:

Judge/Commissioner

CERTIFICATE OF SERVICE

I, _____, bondsperson for the defendant, hereby certify that I have served a true and correct copy of the attached Motion to be Relieved as Bondsperson upon the Deputy Attorney General on the _____ day of _____, _____, as follows:

(name of Deputy Attorney General)

Department of Justice
Deputy Attorney General
Carvel State Office Bldg.
820 N. French Street
Wilmington, DE 19801

Department of Justice
Deputy Attorney General
102 W. Water Street
Dover, DE 19904

Department of Justice
Deputy Attorney General
114 East Market Street
Georgetown, DE 19947

Date Signed

Signature of Bondsperson

Print Name of Bondsperson