



NOTICE TO CASH BAIL PROVIDERS

Cash bail you provided for yourself as a defendant in a case, OR for another person, is subject to setoff. This means the court may take the funds and apply them to outstanding fines or debts as explained below. Any remaining balance after setoff will be returned to the owner of the funds, unless the bail has been forfeited for a violation of bail condition.

If you put up bail for someone else and you did *not* sign the back of the bail bond declaring that the funds belonged to you, the funds are deemed to be owned by the defendant, and would then pay off any of the defendant's below debts and/or be returned to them.

Before any funds are returned to the defendant, amounts owed for the following may be deducted by the court:

1. **Restitution** owed by the defendant.
2. **Attorney's fees** paid by the State to the Maine Commission on Public Defense Services (PDS) on behalf of the defendant.
3. **Fees, fines, surcharges, forfeitures, penalties, or fees** imposed by a court in any case involving the defendant.

It will take up to 70 days from the date the bail is released for any remaining cash bail to be returned. A check will be mailed to the cash bail provider.

If you put up bail for yourself or for someone else **and** you signed the back of the bail bond stating the money belonged to you and not the other person, setoff may still apply. The court will check court files statewide to see if YOU owe any restitution, attorney's fees paid to the Maine Commission on Indigent Legal Services, or other fees, fines, forfeitures or penalties. If so, the court may order that the funds you provided be applied to amounts you owe before any balance is returned to you.

Questions? Contact the clerk of the court where the case was heard.

Authority: Title 15 of the Maine Revised Statutes Section 1074.