INFOGRAPHIC 02 · BAIL BONDS MAGAZINE

Premium vs. Cash Bail vs. Court Deposit

Three ways to post the same $10,000 bail, and what happens to the money.

BAIL BOND (PREMIUM)

$1,000

paid to a licensed bail agent

Not refundable

CASH BAIL

$10,000

paid in full to the court or jail

Usually refundable at case end

COURT DEPOSIT

$1,000

a percentage paid to the court, where offered

Mostly refundable, less fees

	BAIL BOND	CASH BAIL	COURT DEPOSIT
Who you pay	Bail agent, backed by a surety	The court or jail	The court clerk
Upfront cost	A premium set under state rules	The full bail amount	A court-set percentage of bail
Refundable?	No, even if charges are dropped	Generally yes, after the case ends	Generally yes, minus any court fee
Can the court keep part?	Not applicable	Some courts can apply it to fines, fees or restitution	Some courts keep an administrative fee or apply it to fines
Collateral	May be required by the agent	Not usually	Not usually
If court is missed	Agent and surety work to return the defendant; cosigner may owe the full bond	Cash can be forfeited to the court	Deposit forfeited; the defendant may owe the full bail
Availability	Most states (see infographic 03)	Everywhere bail is set	Only some states and courts

Illustrative example only: a $10,000 bail, a 10% premium and a 10% court deposit. Legal premium rates, deposit percentages, court fees and refund rules vary by state and court, and some states do not offer court deposits or commercial bonds. Ask the court clerk or a licensed agent for the exact terms, and keep every receipt.

Sources: Cal. Penal Code §§ 1295, 1297; Pa. R. Crim. P. 528, 535; California Department of Insurance.