

**FREQUENTLY ASKED QUESTIONS REGARDING  
DEPOSITS OF CASH BAIL**

**Q: What exactly is a cash bail and what is its purpose?**

**A:** A cash bail is a monetary deposit required by the Court to secure the temporary release of someone who is arrested and charged with a criminal offense (i.e., the "defendant"). It is meant to guarantee the appearance of the defendant at all future court proceedings.

**Q: Will I get my money back?**

**A:** Any person who deposits a cash bail can request that the funds be returned to him/her by submitting to the Court a written document entitled, *Application For Return of Cash Bail*. The Court will then decide if all or part of the funds should be returned to the depositor. A form application is available upon request at the Clerk's Office or on the "Forms" section of this Court's website below.

**Q: Why would only a portion or none of my deposit be returned?**

**A:** If the terms and conditions of the bond have not been fully met, the Court may determine that the bond should be forfeited and the deposit applied to the forfeiture. Additionally, the U.S. Attorney's Office may request the Court to have part or all of the money deposited as cash bail applied to any debt that may be imposed upon the defendant (e.g., assessment, fine, restitution).

**Q: Why do I need to keep my receipt?**

**A:** The *ORIGINAL* receipt *MUST* be submitted with the *Application For Return of Cash Bail* as it establishes proof of ownership of the funds deposited.

**Q: When can I fill out an *Application for Return of Cash Bail*?**

**A:** An *Application for Return of Cash Bail* can be filled out and submitted to the Clerk's Office at any time. However, the *Application* should not be submitted to the Court for consideration until after the Court has entered a judgment against the defendant or the case against the defendant has been dismissed. Moreover, the Court will not consider an *Application for Return of Cash Bail* until the judgment becomes final and the defendant has (1) either begun his/her term of Probation, or (2) has been delivered (or has voluntarily reported) to the Bureau of Prisons.

**Q: Can the deposit money be returned to the defendant's attorney?**

**A:** Yes. A depositor may request that the money deposited as cash bail be assigned to the defendant's attorney or to any other party (e.g., a relative, friend, etc.) by completing an *Application for Assignment of Bond Funds*. An assignment application form is available upon request at the Clerk's Office or on the "Forms" section of this Court's website below. If the assignment is approved by the Court, the assignee can fill out an *Application For Return of Cash Bail* once the judgment against the defendant is final, or the case against the defendant has been dismissed.

**Q: When can I submit an *Application for Assignment of Bond Funds*?**

**A:** The *Application for Assignment of Bond Funds* can be submitted at any time.

For more specific instructions or to request an *Application for Assignment and/or Return of Cash Bail* form, please contact the **Financial Department** of the U.S. District Clerk's Office located in the division where the bond was posted.

**Contact Numbers by Division:**

Austin	(512) 916-5896
Del Rio	(830) 703-210 I
El Paso	(915) 534-6725
Pecos	(432) 445-4228
San Antonio	(210) 472-6550
Waco	(254) 750-1501
Midland	(432) 686-4003

*Please retain this information and your original receipt in the envelope provided.*

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