

Return of Bail Deposits

Within 20 days of full and final disposition of a case, the Clerk of Courts must return 70% of the cash bail posted to secure a defendant's release to the person who deposited the cash bail or is deemed to be the depositor. See Pennsylvania Rules of Criminal Procedure 528 and 535 and Philadelphia Criminal Rule 506. For example, a defendant who posts \$500 cash bail will be entitled to a refund of \$350 upon full and final disposition of the defendant's case.

After full and final disposition of a case, the cash bail depositor can request a refund at the Payment Center in the Basement of the Criminal Justice Center, 1301 Filbert Street, Philadelphia, PA. The depositor must bring a copy of the bail receipt and a valid photo I.D.

In some cases, until May 2012, certain defendants' bail refunds were used to pay down the fees, fines, costs and restitution owed by the defendants. These defendants may be entitled to request that the refund be paid to them rather than applied to their outstanding fees, fines, costs and restitution. After verifying entitlement, the Clerk of Courts will do so if they bring a copy of the bail receipt and a valid photo I.D. to the Payment Center of the Criminal Justice Center.

However, any qualified defendant who requests and receives a refund of the bail deposit which had been applied to outstanding fees, fines, costs and restitution, will have the amount of the outstanding fees, fines, costs and restitution increased by the amount of the returned deposit. As an example, if the defendant's \$350 bail refund was applied to his/her \$750 outstanding balance (which was then reduced to \$400) requests the return of the \$350 bail deposit, the defendant's outstanding balance will be increased from \$400 to the original \$750.

Any defendant with outstanding fees, fines, costs and restitution must make payment arrangements with the *Office of Court Compliance*. Failure to do so will result in the referral of the defendant's account to a collection agency or collection attorney. Upon referral, the defendant will have to pay a collection fee of 25% in addition to the amount owed.

Joseph H. Evers
Prothonotary and Clerk of Courts
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