

APR 28 1998

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE
BY CB

In the Matter of:)	Docket No. 97A-221-INS
)	
JAMES E. ALLRED,)	ORDER
)	
Petitioner.)	

On March 30, 1998, the Office of Administrative Hearings, through Administrative Law Judge Robert I. Worth issued a "Decision and Recommended Order" ("Recommended Order"), a copy of which is attached and incorporated by this reference. The Director of the Arizona Department of Insurance has reviewed the Recommended Order and enters the following order:

1. Except as noted below, the recommended findings of fact and conclusions of law and proposed order are accepted. For the reasons stated below, the Director substitutes the following findings of fact, conclusions of law and order in lieu of the Recommended Decision of Administrative Law Judge.

2. *The director modifies finding of fact ¶ 7 as follows:*

Mr. Allred is married and is participating in the raising of children. He has cooperated with law enforcement officials not only between the time of the offense and his conviction, leading to a probationary sentence, but also continuing to the present time.

Explanation for change: The record, which includes a felony conviction, does not support a finding that Petitioner has a record which is "unblemished and exemplary" or that Petitioner is a "productive member of the community". Added basis for this modification is found in finding of fact ¶ 2

1 relating to Mr. Allred's failure to disclose his felony conviction in his previous application to the
2 Department.

3 **3.** *The director rejects proposed finding of fact ¶ 9 and in its place substitutes the following*
4 *finding of fact:*

5 A bail bond agent frequently, if not always, deals with either persons charged with felonies, or
6 their representatives. The language of A.R.S. §20-321(A)(9) and (B) requires, in effect, a finding that a
7 relationship always exists between any felony offense and the exercise of authority by a bail bond agent
8 under a bail bond agent license in the course of performing the daily business functions of a bail bond
9 agent.

10 **Explanation for change:** Before 1990, only A.R.S. §20-290 and not A.R.S. §20-321
11 addressed the circumstances under which a felony conviction could be considered by the Director when
12 evaluating an application filed for a bail bond agent license. The effect of the 1990 amendment to the law
13 is to require the Director to consider all felony convictions to be related to the exercise of authority under
14 a bail bond agent license

15 **4.** *The director rejects proposed finding of fact ¶ 10 and in its place substitutes the*
16 *following finding of fact:*

17 The applicant in this case was convicted of a felony based on conduct that facilitated the sale of
18 prohibited drugs, which constitutes a crime of moral turpitude in Arizona. The Legislature established
19 the policy followed by the Department of Insurance that all criminal felonies directly relate to functioning
20 as a bail bond agent. Thus, the Legislature has made the determination that the Petitioner's prior criminal
21 conduct prevents the Director from exercising discretion to grant a bail bond agent license to the
22 Petitioner.

1 **Explanation for change:** See Finding of Fact ¶ 9 and the accompanying Explanation for
2 Change.

3 5. *The director rejects proposed finding of fact ¶ 11 and in its place substitutes the*
4 *following finding of fact:*

5 The criminal offense of which Petitioner was convicted is related to the functions of the business
6 or profession for which licensure is sought. Because of this felony conviction, the petitioner is prohibited
7 under A.R.S. § 20-321 from receiving a bail bond agent license from the state.

8 **Explanation for change:** See Finding of Fact ¶ 9 and the accompanying Explanation for
9 Change.

10 6. **The director amends conclusion of law ¶ 3 as follows:**

11 A.R.S. § 20-290(B)(6) expressly sets forth that the Director may refuse to issue a license based
12 upon the applicant's record of conviction by final judgment of a felony involving moral turpitude. This
13 language grants the Director discretion to deny agent licenses to applicants who have a record of
14 conviction by final judgment of a felony involving moral turpitude. This law applies generally to all
15 applicants for an agent license. A.R.S. § 20-321, however, applies specifically and only to applicants for
16 bail bond licenses. A.R.S. § 20-321 states that no bail bond agent may "employ or assist in the
17 employment of any person who has been convicted of theft or of any felony". "Employment" is defined
18 as "working for a salary or commission or owning, operating or controlling any business or agency which
19 solicits, services or assists in any way in dealing in bail bonds". Thus, A.R.S. §§ 20-321(A)(9) and
20 20-321(B) prohibit the Director from issuing a bail bond agent license to anyone convicted of a felony.

21 **Explanation for change:** A cornerstone of statutory construction prefers an interpretation
22 that gives meaning to all parts of a statute over one that renders part of a statute meaningless. *See* 909
23

1 P.2d 460, 184 Ariz. 393 (App. 1995). In construing a statute or rule, the assumption must be made that
2 the Legislature did not intend to do a futile act by including a provision that is not operative or that is
3 inert or trivial. Each word, phrase, clause and sentence should be given meaning so that no part of the
4 rule is rendered "superfluous, void, contradictory or insignificant". *State v. Cid*, 181 Ariz. 496, 892 P.2d
5 216 (App. 1995)

6 A.R.S. § 20-290 provides the Director with the discretion to refuse to issue a license upon a
7 finding of a record of conviction involving a felony involving a crime of moral turpitude. The inference
8 that the discretion to deny in A.R.S. § 20-290 gives the Director discretion to grant a bail bond license to
9 an applicant with a prior felony conviction, would render the prohibition contained in A.R.S. §§
10 20-321(A)(9) and 20-321(B) superfluous, void, contradictory or insignificant. The Legislature would not
11 have enacted a meaningless prohibition. A.R.S. § 20-290 would not be rendered meaningless by giving
12 meaning to A.R.S. § 20-321 because A.R.S. § 20-290 applies generally to all agent licenses, of which bail
13 bonds are only one type. Thus, the ALJ's rejection of the absolute prohibition in § 20-321 in favor of an
14 inference of authority to grant licenses from § 20-290 does not accurately reflect the meaning of the laws.

15 Further, when two or more statutes address similar subjects, it is a clear indication that the
16 Legislature, by not amending or repealing one of the statutes, meant to retain each statute as it exists.
17 *See Achen-Gardner, Inc. v. Superior Court*, 173 Ariz. 48, 54, 839 P.2d 1093, 1099 (1992).

18 In addition, the provisions of statutes should be construed in the context of related statutory
19 provisions and with consideration of their place in the statutory scheme. *Grant v. Board of Regents of*
20 *Universities and State Colleges of Arizona*, 133 Ariz. 527, 652 P.2d 1374 (1982); *Sandblom v. Corbin*,
21 125 Ariz. 178, 182, 608 P.2d 317, 321 (App. 1980). Thus, the Legislature must be presumed to know
22 existing laws when it enacts or modifies a statute. Ariz. Op. Atty. Gen. No. I96-002.

23

1 The Legislature added A.R.S. § 20-321 in 1984 and amended this law in 1990 to add the absolute
2 prohibition against the licensing of any person who has been convicted of a felony. When the Legislature
3 amended A.R.S. §20-321 in 1990, A.R.S. § 20-290, was already in existence. If the Legislature had
4 intended the Director to have the discretion permitted by A.R.S. §20-290(B)(6) when called upon to
5 consider a bail bond agent application presented by a person who had a record of conviction of a felony
6 involving a crime of moral turpitude, no need would have existed for the 1990 change to A.R.S. § 20-
7 321. Instead, no other conclusion can be reached than that the Legislature intended to create distinct
8 rules specifically applicable to bail bond agent licenses.

9 Moreover, the laws of statutory construction require that where a general law includes all objects
10 of a certain class (such as all agent licenses) and a special law covers the same subject but applies only to
11 a sub-class (such as bail bond agents) that would otherwise fall within the general law, the special law will
12 create an exception to the general law and the general law will not apply to the special law. *See* Ariz. Op.
13 Atty. Gen. No. 197-005 (*quoting Kay v. Hillside Mines, Inc.*, 54 Ariz. 36, 41, 91 P.2d 867, 869 (1939)).
14 In other words, "where a special provision of a statute deals with the same subject as the general statute,
15 the special provision prevails". *See* Ariz. Op. Atty. Gen. No. 197-005 (*quoting State v. Marcus*, 104
16 Ariz. 231, 234, 450 P.2d 689, 692 (1969)).

17 A.R.S. §20-290 is a general statute that applies to all agent licenses, not just bail bond licenses.
18 Section 20-321, however, is a specific statute, applying solely to bail bond agents. Thus, under the rules
19 of construction that require specific statutes to take precedence over general statutes, A.R.S. § 20-321 is
20 the controlling statute, and any inferences drawn from the permissive language in § 20-290 cannot be
21 relied upon to infer that the Director has authority to grant a bail bond agent license to a person convicted
22 of a felony, with disregard of the clear prohibition in § 20-321.

23

1 7. *The director rejects proposed conclusion of law ¶ 5 and in its place substitutes the*
2 *following conclusion of law:*

3 Other statutory provisions necessarily impacting upon the facts and circumstances of this case are
4 set forth in A.R.S. §§ 20-321(A)(9) and 20-321(B) which preclude the employment (including the
5 owning or operating of a bail bond business) by a bail bond agent of any individual having any felony
6 conviction. This statute clearly does not repeal A.R.S. § 13-904(E) which has broad application, but
7 does have the effect of finding that all felony convictions are reasonably related to the bail bond business.
8 Even if the prior conviction judgment has been vacated or set aside by subsequent Court Order, the fact
9 of conviction remains and an applicant is absolutely prohibited from obtaining a bail bond license.

10 **Explanation for change:** The rules of statutory construction require words to be read with
11 their ordinary meaning unless the context of the statute requires otherwise. *Mail Boxes Etc. v. Industrial*
12 *Commission*, 181 Ariz. 119, 888 P.2d 777 (1995); *Carrow Co. v. Lusby*, 167 Ariz. 18, 20, 804 P.2d 747,
13 749 (1991). Furthermore, where language is unambiguous, it is normally conclusive, absent a clearly
14 expressed legislative intent to the contrary. *See Wells Fargo Credit Corp. v. Tolliver*, 183 Ariz. 343, 903
15 P.2d 1101 (App. 1995); *Corbin v. Pickrell*, 136 Ariz. 589, 592, 667 P.2d 1304, 1307 (1983). Thus, the
16 best and most reliable indication of a statute's meaning is its language. Ariz. Op. Atty. Gen. No. 196-010
17 (*quoting Janson v. Christensen*, 167 Ariz. 470, 471, 808 P.2d 1222, 1223 (1991)).

18 The language in § 20-321(A)(9) and (B) clearly and unambiguously prohibits a bail bond agent
19 from "working for a salary or commission or owning, operating or controlling any business or agency
20 which solicits, services or assists in any way in dealing in bail bonds." Thus, this provision prevents the
21 Director of Insurance from issuing a bail bond agent license to a person convicted of a felony.

1 The language in A.R.S. § 13-904(E) covers all occupations regarding all state agencies or political
2 subdivisions, not just bail bond licensees. The explanation for change to conclusion of law ¶ 3 applies
3 fully to conclusion of law ¶ 5, as well. The Legislature made the finding, essentially, that in the case of
4 the bail bond business, all felony convictions meet the reasonable relationship test as a result of the
5 enactment of the 1990 amendment to A.R.S. §20-321. Because the Legislature made this finding, the
6 Director cannot reach any other conclusion than that any felony conviction bears a substantial relationship
7 to the bail bond business.

8 The procedures permitted by A.R.S. §§13-904 through 13-908, have never meant the actual
9 physical destruction of the criminal record, and do not remove the historical fact of conviction, allowing
10 an agency or department to consider expunged convictions in determining whether or not to issue a
11 license. *See* Ariz. Atty. Gen. Op. No. I83-042 (1983). In fact, the clearest indication that some civil
12 disabilities remain following expungement is found in A.R.S. § 13-904(E). *See* Ariz. Atty. Gen. Op. No.
13 I83-042 ("[S]ince expungement and restoration of civil rights usually go hand in hand, this appears to be
14 a clear directive from the Legislature to have the fact of an applicant's prior conviction disclosed and
15 considered by a licensing authority within the guidelines given."); *see also* Ariz. Atty. Gen. Op. 78-181
16 (Real Estate Commissioner may consider expunged conviction in deciding whether to grant a license).

17 Moreover, expungement in Arizona does not bar consideration of the fact of the prior conviction
18 in matters pertaining to the protection of the public. *See* Ariz. Atty. Gen. Ops. I89-082, I86-057, I86-
19 003, and I83-042; *In re Courser*, 122 Ariz. 500, 596 P.2d 26 (1979). Thus, the Director must examine
20 the qualifications of applicants for the protection of the public, and not for the punishment of any
21 particular licensee. *In the Matter of Beren*, 178 Ariz. 400, 874 P.2d 320 (1994), *In re Hiser*, 168 Ariz.
22 359, 362-3, 813 P.2d 724, 727-28 (1991); *In re Pappas*, 159 Ariz. 516, 526, 768 P.2d 1161, 1171

23

1 (1988); Ariz. Atty. Gen. Op. No. I78-181. In fact, both California and Arizona courts have held that an
2 agency may consider a conviction set aside in deciding whether to grant a license. Ariz. Atty. Gen. Op.
3 No. I78-181 (1978).

4 8. *The director rejects proposed conclusion of law ¶ 6 and in its place substitutes the*
5 *following conclusion of law:*

6 The Legislature has made the judgment that if a person has been convicted of any felony the
7 conviction serves as an absolute bar from licensure as a bail bond agent.

8 **Explanation for change:** See Conclusions of Law ¶¶ 3 and 5 and the accompanying
9 Explanations for Change.

10 9. *The director rejects proposed conclusion of law ¶ 7 and in its place substitutes the*
11 *following conclusion of law:*

12 Mr. Allred's conviction is reasonably related to the business of bail bonds. His felony conviction
13 involves an offense that bears on his character for honesty and integrity. Thus, even in the absence of the
14 legislative mandate contained in A.R.S. § 20-321 that an absolute prohibition exists, the Director has
15 discretion to deny Petitioner's application on the basis of that conviction under § 20-290(B)(6).

16 **Explanation for change:** See Conclusions of Law ¶¶ 3, 5 and 6 and the accompanying Explanations
17 for Change.

18 10. *The director rejects proposed conclusion of law ¶ 8 as follows:*

19 The facts of this case, together with the findings outlined above in Finding of Fact ¶ 2 relating to
20 the Petitioner's failure to disclose the felony conviction when he applied for a bail bond agent license
21 application in 1996 support the conclusion that Mr. Allred has not met his burden to establish his
22 eligibility for the issuance of the requested bail bond agent license.

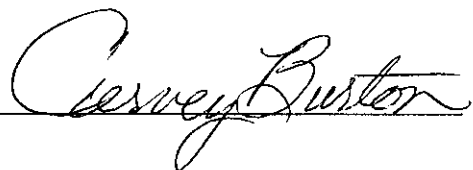
23

1 Department of Insurance
2910 N. 44th Street, Suite 210
2 Phoenix, AZ 85018

3 Office of Administrative Hearings
1700 W. Washington, Suite 602
4 Phoenix, AZ 85007

5 Michael J. De La Cruz
Assistant Attorney General
6 1275 W. Washington, Room 259
Phoenix, AZ 85007

7 David B. Cassidy, Esq.
8 4356 N. Civic Center Plaza Drive
Scottsdale, AZ 85251

9
10 
11

12
13
14
15
16
17
18
19
20
21
22
23

1
2 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

3
4 **IN THE MATTER OF:**

Docket No. 97A-221-INS

5 **JAMES E. ALLRED,**
6
7 **PETITIONER.**

DECISION AND RECOMMENDED ORDER

8
9
10
11 On February 24, 1998, the above-entitled matter came on for hearing before
12 Administrative Law Judge, Robert I. Worth. The Petitioner, James E. Allred (herein
13 called "Mr. Allred") was represented by his attorney, David B. Cassidy, Esq. and the
14 Arizona Department of Insurance (herein called the "Department") was represented by
15 Assistant Attorney General, Michael J. De La Cruz, Esq. Evidence and testimony were
16 presented, and based upon the entire case record, including all filed pleadings and
17 post hearing memoranda filed by counsel, the following Findings of Fact, Conclusions
18 of Law and Recommended Order have been prepared and are hereby submitted by the
19 Administrative Law Judge for review, consideration, approval and adoption by the
20 Director of the Department (herein called the "Director").

21 **FINDINGS OF FACT**

22
23 1. After the passage of a substantial time period following a previously filed
24 application by Petitioner, James E. Allred, for a bail bond agent license which was
25 denied by the Department, such action being upheld after an administrative hearing on
26 the merits, Petitioner filed another application seeking the same type licensure.

27 2. The Department once again denied Petitioner's license application, and the
28 instant hearing was requested and scheduled. Unlike the original application, the
29 present application fully disclosed that Petitioner had previously been convicted of a
30 felony. Apart from the non-disclosure issue, which was admittedly not the basis for the

Office of Administrative Hearings
1700 West Washington, Suite 602
Phoenix, Arizona 85007
(602) 542-9826

1 Department's denial action hereunder, the same other underlying legal and factual
2 issues, as well as the same historical events, are involved in this appeal by Petitioner
3 from the agency's most recent denial action. Administrative notice is taken of the prior
4 proceedings involving this same Petitioner under Case Number 96A-126-INS.
5

6 3. It was uncontroverted that Mr. Allred, now over 40 years of age, had been
7 convicted of a felony in the State of Arizona, a judgment of guilt having been entered
8 on April 17, 1986, on charges of conspiracy to sell a narcotic drug. The offense was
9 committed over 14 years ago between late 1983 and early 1984 when Mr. Allred was
10 approximately 27 years of age. It appeared that this prior criminal behavior and the
11 ensuing felony conviction constituted the sole basis for the Department's denial action
12 on Petitioner's present application.

13 4. It is found that the drug-related offense for which Mr. Allred had been
14 convicted was not merely possessory but rather involved the sale or trafficking in
15 prohibited substances, thereby constituting a crime of moral turpitude.

16 5. The sentence imposed upon Mr. Allred was for five (5) years of probation
17 plus payment of certain probation-related fees. The entire period of probation was fully
18 and successfully served by Mr. Allred.
19

20 6. Petitioner retained counsel in November, 1994 for the purpose of initiating
21 proceedings to set aside, expunge or vacate his prior felony conviction, effectively
22 restoring his civil rights. This relief was granted by Court Order dated January 6, 1995.
23

24 7. In addition to the previously established unblemished and exemplary record
25 on the part of Petitioner as an excellent employee, a productive member of the
26 community and a devoted family man, it was shown that such fine record continued
27 after the last hearing up to and including the present time. It is further noted that these
28 mitigating factors encompassed Mr. Allred's marriage and raising of young children as
29 well as his prior cooperation with other law enforcement officials not only between the
30 time of the offense and his conviction, leading to a probationary sentence, but also

1 continuing to the present time. Moreover, as indicated at the prior hearing, there were
2 expressions of a genuine belief by the Department's Investigator that Mr. Allred should
3 and would become a valued licensee.

4 8. The testimony of record at the hearing tended to demonstrate that the usual
5 and anticipated occupational functions of a bail bond agent primarily involve the
6 evaluation of a prospective client seeking to obtain a bail bond in order to stay out of
7 jail pending the completion of criminal action. In turn, these customary functions also
8 encompass the approving and arranging for collateral to secure any posted bail bond,
9 as well as the ongoing monitoring of the individual's whereabouts to verify the local
10 home or work addresses, and also to take all prudent and necessary steps to insure the
11 person's promised appearance on future dates as fixed by the Court.

12 9. The mere fact that any bail bond agent is frequently, if not always, dealing
13 with either persons charged with felonies, or their representatives, does not
14 automatically serve to generate a reasonable relationship between any or all prior
15 offenses that may have been committed in the past by a prospective agent and his or
16 her handling of bail bond matters in the course of performing daily business functions.

17 10. The applicant in this case was convicted of a felony based on conduct that
18 facilitated the sale of prohibited drugs. No element of fraud or other business and
19 financial misbehavior was involved that can be construed to adversely impact upon the
20 occupational functions expected of a bail bondsman. While some criminal offenses of
21 a type involving a lack of business integrity or fraudulent conduct in dealing with
22 pecuniary matters may well be deemed to directly relate to functioning as a bail bond
23 agent, Petitioner's prior criminal conduct would have a far more remote impact, if any at
24 all, upon the business functions of an individual performing normal duties as a bail
25 bond agent.

26 11. It is determined under all the facts and circumstances as shown by the
27 evidence presented at the hearing and also after consideration and evaluation of the
28 comments of counsel in post-hearing memoranda, that the criminal offense for which
29 Petitioner was convicted, including the nature and extent of his actual involvement, is at
30

1 best only marginally related to the functions of the business or profession for which
2 licensure is sought, and primarily does not, of itself, have such direct or even
3 substantial relationship so as to mandate or even to justify a denial of the license to Mr.
4 Allred.

5
6 **CONCLUSIONS OF LAW**

7
8 1. The Director has jurisdiction over this matter pursuant to the provisions of
9 A.R.S. §§ 20-161 and 20-290.

10 2. A.R.S. §20-282.01 defines a "bail bond agent" as "an individual appointed by
11 an insurer by a power of attorney to execute or countersign bail bonds in connection
12 with judicial proceedings and who receives or is promised monies or other things of
13 value for such a service."

14
15 3. The provisions of A.R.S. §20-290(B)(6) expressly set forth that *the Director*
16 **may** refuse to issue a license based upon the applicant's record of conviction of a
17 felony involving moral turpitude. This permissive language empowers the Director with
18 discretion to issue or to deny insurance licenses to applicants who have previously
19 been convicted of a felony after full review and evaluation of the entire record in the
20 matter as presented at an administrative hearing

21 4. The Director's above-described discretion to grant or deny a license exists
22 irrespective of the subsequent setting aside or vacating of the prior felony conviction by
23 a Court of competent jurisdiction. By way of a limitation or at least a consideration
24 which is applicable to the exercise of the Director's discretion, if the felony conviction is
25 subsequently set aside and all civil rights restored, the provisions of A.R.S. §13-904(E),
26 a subsequently enacted statute, expressly provide that a person is not disqualified from
27 engaging in an occupation requiring a license **solely** because of a prior criminal
28 conviction but **may** be denied a license if the prior offense bears a reasonable
29 relationship to the functions of the occupation in which the applicant seeks licensure.
30

1 5. Other statutory provisions necessarily impacting upon the facts and
2 circumstances of this case are set forth in A.R.S. §§ 20-321(A)(9) and 20-321(B) which
3 purport to preclude the employment (including the owning or operating of a bail bond
4 business) by a bail bond agent of any individual having a felony conviction. This most
5 recently enacted statute could well have excluded but did **not** exclude the operation of
6 A.R.S. §13-904(E) which provides for a reasonable relationship test. It must logically
7 and legally follow that both statutes were meant to co-exist. Even if an absolute
8 disqualification from bail bond agent licensure may be inferred with respect to those
9 individuals with felony convictions that were never subsequently set aside, a person
10 seeking such license is not faced with an automatic and irrevocable ban for life due to a
11 prior felony conviction of any type in situations, as in this case, where the prior
12 conviction judgment has been vacated or set aside by subsequent Court Order.

13 6. The elements of any test to determine whether or not a reasonable
14 relationship exists do not appear to require broad sweeping interpretations so as to
15 encompass virtually any type of criminal misconduct. Instead, the language of court
16 decisions that have addressed this issue seems to favor the disregarding of any remote
17 relationship and to suggest the applicability of tests requiring a realistic and a far more
18 direct connection between the nature of the felony and the functions of prospective
19 employment. See *Brandt v. Fox*, 30 Cal. App. 3d 737, 153 Cal. Rptr. 683 (1979).

20 7. While the nature of the offense for which Applicant was convicted was one
21 which may properly be said to have involved moral turpitude, the testimonial and
22 documentary evidence in this case generates a highly questionable relationship
23 between such offense and the occupational or employment functions of a bail bond
24 agent. Even if, through a degree of concept stretching, a reasonable relationship were
25 somehow to be found, the statutory language is once again framed in permissive terms,
26 and no denial action is mandated. Stated alternatively, the Director may issue a
27 license despite the prior commission of an offense reasonably or even directly related
28 to the occupational functions of the business for which the license is sought.

29 8. The facts of this case, as presented at an administrative hearing have
30 adequately established (a) that the underlying criminal conduct was a single instance

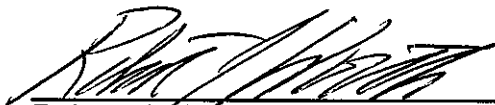
1 of misbehavior committed over 14 years ago, (b) that applicant has demonstrated
2 significantly successful accomplishments in leading an exemplary family and business
3 life ever since, (c) that he has consistently been willing to and did, in fact, assist law
4 enforcement authorities, and (d) that an individual member of the State's Insurance
5 Department has expressed a personal belief that Mr. Allred would satisfactorily perform
6 all expected functions of a bail bond agent if given the opportunity. When all these
7 factors are considered in combination, the favorable exercise of the Director's
8 discretion in granting the Petitioner's license application is warranted. In essence, the
9 totality of the evidence of record supports a determination that Petitioner has sustained
10 his burden of proving that he is presently entitled to the issuance of the bail bond agent
11 license applied for herein.

12 **RECOMMENDED ORDER**

13
14 In view of the forgoing, it is recommended that the Director reverse and vacate
15 the prior denial action by the Department, and that the Director enter his Order that the
16 Bail Bond Agent license applied for by Petitioner be issued to James E. Allred in due
17 course upon his satisfying all other requirements and payment of all applicable fees.

18 Dated: March 27, 1998.

19 OFFICE OF ADMINISTRATIVE HEARINGS

20 

21 _____
22 Robert I. Worth
23 Administrative Law Judge
24
25
26
27
28
29
30

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Original transmitted on 3/30/98

by: Chris Crawford-Thomson, to:

Mr. John A. Greene, Director
Department of Insurance
2910 North 44th Street, #210
Phoenix, AZ 85018-7256

ATTN: Curvey Burton