

**FORTHCOMING BOND**

**Using This Revisable PDF Form**

1. Copies (Contact the court to determine if you should bring copies to the clerk's office or whether copies will be made upon filing.)
  - a. Original -- to court.
  - b. First copy -- to surety. If more than one surety, provide one copy for each surety.
  - c. Second copy -- to judgment debtor (principal on bond).
2. Prepared by judgment debtor; acknowledged by clerk or notary public.
3. Attachments – none.
4. Preparation details

There are no statutory provisions requiring the acceptance of real estate to secure bonds given in civil cases. The court should be consulted concerning the acceptance of realty as security on a civil bond and, if so, under what conditions.

**FORTHCOMING BOND**

**Data Elements**

1. Court name.
2. Check the type of process served on judgment debtor.
3. Amount of bond posted.
4. Check the type of security posted to secure this bond; use reverse side if necessary.
5. Date of scheduled judicial sale.
6. Description of property sought to be levied by the process described in Data Element No. 2 and of which the judgment debtor will retain possession upon the posting of the bond.
7. Signature of surety. If a corporate surety, have the authorized agent sign the corporate name and also sign as the authorized agent of the corporation.
8. Signature of judgment debtor seeking to retain possession by posting the bond.

To be completed by person taking acknowledgement:

9. Date of acknowledgement.
10. Signature of person taking acknowledgment.

11. Sale date – same as Data Element No. 5.
12. Court file number, if known.

To be completed by the clerk:

13. Amount of bond – same as Data Element No. 3.
14. Court receipt number if cash deposit posted with the court to secure the bond.

15. Name(s) of plaintiff(s).
16. Name(s) of defendant(s).
17. Check the appropriate boxes to show the post-judgment status of the parties in this suit.
18. If real estate is posted as security, include address of property.
19. Names and addresses of surety and its authorized agent.

For court use only:

20. Date of receipt of completed bond.
21. Date that bond is released and security (including cash) is returned to its owner or the date that the bond is forfeited.

# FORTHCOMING BOND

VA. CODE ANN. § 8.01 – 526

**1** ..... General District Court  
CITY OR COUNTY

The undersigned Judgment Debtor hereby acknowledges service on him of a  
[ ] Writ of Fieri Facias [OR] [ ] Distress Warrant issued in this case. **2**

The undersigned each hereby acknowledges himself, his heirs, and assigns indebted jointly and severally to the Judgment Creditor for the amount due, officer's fee, and other lawful charges in the sum of

**3** \$ ..... that is secured by [ ] **CASH DEPOSIT** [OR] [ ] **SURETY BOND** [OR] [ ] **REAL PROPERTY** [OR] [ ] **OTHER** - EXPLAIN ON REVERSE **4**

(and if secured by real property, the undersigned, having demonstrated the nature of their interest in the property to the officer taking this bond, also make oath that the equity of the undersigned in the property equals or exceeds the amount of this bond.) The undersigned each waives all benefit of homestead exemptions as to this debt.

The condition of this debt shall be that the **JUDGMENT DEBTOR** have forthcoming on

**5** ..... before the officer taking this bond the following property:  
DATE AND TIME OF JUDICIAL SALE

**6** ..... [ ] CONTINUED ON BACK

which was levied upon by that officer to satisfy the Writ of Fieri Facias or the Distress Warrant served on the **JUDGMENT DEBTOR**. The property is to be forthcoming in substantially the same condition as existed at the time of the levy, and the undersigned assume all risk of damage or loss. If this condition be faithfully fulfilled, this debt is to be void; otherwise this debt shall remain in full force and effect until declared void or released by a court of competent jurisdiction.

**7** ..... (SEAL) **8** ..... (SEAL)  
SURETY JUDGMENT DEBTOR  
..... (SEAL)  
PLAINTIFF

Subscribed and sworn to before me this day.

**9** ..... DATE **10** [ ] NOTARY PUBLIC: (MY COMMISSION EXPIRES: .....) [ ]

|   |  |                               |           |
|---|--|-------------------------------|-----------|
| SALE DATE                                   |  | FILE NO.                      |           |
| <b>11</b>                                   |  |                               | <b>12</b> |
| <b>FORTHCOMING BOND</b>                     |  |                               |           |
| BOND AMOUNT                                 |  | RECEIPT NO. (IF CASH DEPOSIT) |           |
| <b>13</b>                                   |  |                               | <b>14</b> |
| <b>15</b> ..... PLAINTIFF(S)                |  |                               |           |
| .....                                       |  |                               |           |
| .....                                       |  |                               |           |
| v.  |  |                               |           |
| <b>16</b> ..... DEFENDANT(S)                |  |                               |           |
| .....                                       |  |                               |           |
| .....                                       |  |                               |           |
| The <b>JUDGMENT DEBTOR</b> is:              |  |                               |           |
| [ ] DEFENDANT(S) [ ] PLAINTIFF(S) <b>17</b> |  |                               |           |
| The <b>JUDGMENT CREDITOR</b> is:            |  |                               |           |
| [ ] DEFENDANT(S) [ ] PLAINTIFF(S)           |  |                               |           |
| ADDRESS of property offered as security:    |  |                               |           |
| <b>18</b> .....                             |  |                               |           |
| .....                                       |  |                               |           |
| SURETY: Name(s), address(es):               |  |                               |           |
| <b>19</b> .....                             |  |                               |           |
| .....                                       |  |                               |           |
| .....                                       |  |                               |           |
| <b>20</b>                                   |  | <b>21</b>                     |           |
| DATE RECEIVED                               |  | COURT USE ONLY                |           |
| ↓   |  | DATE DISBURSED/DISCHARGED     |           |
| ↓   |  | ↓                             |           |