



DEPARTMENT OF COMMERCE AND INSURANCE

P.O. Box 690, Jefferson City, Mo. 65102-0690

IN RE:

**AMANDA MICHELLE
BURNHAM,**

Applicant.

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Case No. 2410220644C

**ORDER REFUSING TO ISSUE
A BAIL BOND AGENT LICENSE**

MICK CAMPBELL, Acting Director (“Acting Director” or “Director”) of the Missouri Department of Commerce and Insurance (“Department”), takes up the above matter for consideration and disposition. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Amanda Michelle Burnham (“Burnham”) is a Missouri resident with a residential, business, and mailing address of record of 11306 E. Fir Road, Carthage, Missouri 64836.
2. On or about September 16, 2024, the Department of Commerce and Insurance (“Department”) received Burnham’s completed Missouri Uniform Application for Bail Bond or Surety Recovery License (“Application”).
3. Part III, the Background Information section of the Application, Question H, asks:

Are you a judge, attorney, court official, law enforcement officer or a state, county or municipal employee who is either elected or appointed?

4. Burnham answered “No” to Background Information Question H.
5. Also as part of her Application, Burnham listed her employment history. Burnham indicated that from March 2021 to the present, she has been employed by the “State of Missouri – FSD” as a “Benefit Technician.”
6. Kevin Davidson (“Davidson”), a Special Investigator with the Department’s Consumer Affairs Division (“Division”), confirmed through the Missouri Accountability Portal and through the Department’s Human Resources Section that Burnham is a current state employee.
7. On September 26, 2024, Davidson sent an inquiry letter to Burnham at her address of record. Davidson indicated that the Division had learned that she was an employee of the State of Missouri, Missouri Department of Social Services. Davidson cited Missouri Supreme Court Rule 33.17(e), and asked Burnham to explain how she was in compliance with that rule.
8. On October 1, 2024, Burnham responded to Davidson’s inquiry letter. Burnham admitted that she was “currently employed by the State of Missouri Family Support Division as a Program Coordinator.” She maintained that she was not applying for a general bail bond agent license, and that the prohibition of Missouri Supreme Court Rule 33.17(e) therefore did not apply to her. Burnham further maintained that while she was employed with the state, she was not employed “in any capacity of an **elected or appointed** official position” (emphasis is Burnham’s).

CONCLUSIONS OF LAW

9. Section 374.715.1, RSMo Cum. Supp. 2020, provides as follows:

Applications for examination and licensure as a bail bond agent or general bail bond agent shall be in writing and on forms prescribed and furnished by the department, and shall contain such information as the department requires. Each application shall be accompanied by proof satisfactory to the department that the applicant is a citizen of the United States, has a high school diploma or general education development certificate (GED), is of good moral character, **and meets the qualifications for surety on bail bonds as provided by supreme court rule.** Each application shall be accompanied by the examination and application fee set by the department. Individuals currently employed as bail bond agents and general bail bond agents shall not be required to meet the education requirements needed for licensure pursuant to this section.

(Emphasis added).

10. Section 374.702.2, RSMo 2016, provides:

No judge, attorney, court official, law enforcement officer, state, county, or municipal employee who is either elected or appointed shall be licensed as a bail bond agent or a general bail bond agent.

11. Missouri Supreme Court Rule 33.17 provides, in part, as follows:

A person shall not be accepted as a surety on any bail bond unless the person:

* * *

(e) Is not an elected or appointed official or employee of the State of Missouri or any county or other political subdivision thereof, except that this disqualification shall not apply if the principal is the spouse, child, or family member of the surety[.]

12. Burnham is a current state employee and is therefore disqualified for bail bond agent licensure because she fails to meet the qualifications for sureties as set forth in Missouri Supreme Court Rule 33.17(e) and §§ 374.702.2, RSMo 2016, and 374.715.1, RSMo Cum. Supp. 2020.
13. Burnham has been appointed to a merit position within state government under Chapter 36, RSMo. She is therefore disqualified from holding a bail bond agent license. *Lampley v. Director of Dep't of Ins., Fin. Insts. and Prof'l Regis'n*, 16-3914 (Mo. Admin. Hrg. Comm. March 24, 2017). Section 374.702.2 likewise disqualifies Burnham from holding a bail bond agent license. *Id.*
14. The Director has no discretion when a person does not meet the minimum qualifications of a bail bond agent, and therefore must refuse to issue Burnham a bail bond agent license.
15. The Director has considered all the circumstances surrounding Burnham's Application. Issuing a bail bond agent license to Burnham would not be in the interest of the public because Burnham does not meet the qualifications for licensure and, accordingly, the Director must refuse to issue a bail bond agent license to Burnham.

16. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the bail bond agent license Application of **Amanda Michelle Burnham** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 27th **DAY OF JANUARY 2025.**





MICK CAMPBELL
ACTING DIRECTOR

NOTICE

TO: Applicant and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri, within 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.


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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of January 2025, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by United Parcel Service (UPS), with signature required, at the following addresses:

Amanda Michelle Burnham
11306 E. Fir Road
Carthage, Missouri 64836

Tracking No. 1Z0R15W84297473750



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