

### **Rule 65.1. Proceedings Against a Surety**

Whenever these rules require or allow a party to give security, and security is given through a bond or other undertaking with one or more sureties, each surety submits to the court's jurisdiction and irrevocably appoints the court clerk as its agent for receiving service of any papers that affect its liability on the bond or undertaking. The surety's liability may be enforced on motion without an independent action. The motion and any notice that the court orders may be served on the court clerk, who must promptly mail a copy of each to every surety whose address is known.

#### COMMENT TO 2017 AMENDMENTS

This rule is identical to *Federal Rule of Civil Procedure 65.1*, as amended in 2007, except that it maintains one local distinction—the omission of a reference to the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

#### COMMENT

Identical to *Federal Rule of Civil Procedure 65.1* except for the deletion therefrom of the inapplicable reference to Supplemental Rules for Admiralty Cases in the federal District Courts.