



Office of Court Administration
Collection Improvement Program

**Monthly Court Collection Reporting System (CCRS)
Vendor Software Provider Manual**

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Statute on Reporting

Does statute clearly state the breakdown of what should be included and excluded in reporting?

No, there is no statute that provides a breakdown of what is included or excluded in the OCA Monthly Collections Report; however, reporting requirements are authorized by statute (see Article 103.033(i), Code of Criminal Procedure [CCP]) and outlined in the Texas Administrative Code (TAC §175.3 & §175.4) in accordance with standards established by OCA. Contact a Collection Improvement Program (CIP) Financial Analyst if assistance is needed in determining what should be reported in the Court Collection Reporting System (CCRS).

Where can I find an example of a data entry screen?

An example of a Municipal Court data entry screen is located in the Appendix. The same field requirements apply to the other court levels, Justice Courts, County Courts, and District Courts.

What should the report look like?

The County or City and the court(s) included in the report with the month and year covered by the report should appear at the top of the report with the report run date. (The software report name and version number should also appear. The version number is helpful when determining whether the court has the latest version of the report should reporting errors occur.) The report will include the required entry items in the same sequence as the fields on the data entry screen. Arrows on the sample screen in the appendix indicate the column for the month's data entry. Fields should not be left blank but contain zeros when there is nothing for that field. The computer calculates totals during data entry and are indicated with "\$0.00" in a total fields on the sample data entry screen. It is helpful for data entry verification for your report to include these totals. However, please place the totals in a different column so data entry won't enter the total as the next field entry item. The previous two months entries are also displayed on the data entry screen to help the court determine the correctness of this month's data as compared to these months. The computer calculates some percentages (right hand column on the screen) that should not be included in your report.

Court Costs and Fees

What are Considered Court Costs and Fees?

There is no statute that explains how to determine what is considered courts costs and fees. However, The Office of Court Administration's attorney has organized charts listing Court Costs and Fees for the various court levels. These charts are located at <http://www.txcourts.gov/publications-training/publications/filing-fees-courts-costs.aspx> under the heading "Criminal Court Costs." Note that some court costs and fees may be called a "fine" (i.e. State Traffic Fine) or a "fee." Be careful when trying to identify court costs and fees by the name as it can be misleading. It is best to refer to the authorizing statute noted on charts. Payments are credited to court cost and fees first. When all court costs are fulfilled, payments are credited towards the fine.

Court Fines

What are Considered Court Fines?

There is no single statute that explains how to determine what is considered courts fines. However, each statute describing the offense generally will either state the fine amount, give the minimum and maximum range for the fine or give the maximum amount for the fine. Community service and/or jail time served credits are posted against fines first and when fulfilled, against court costs and fees.

Collections and Assessments

What Are Reported as Collections?

Reported collections are payments toward fulfillment of assessed court costs, fees, and fines. When a charge type is not reported (i.e. parking, restitution, civil fees, etc.), amounts collected toward the unreported charge type should **not** be reported on the OCA Monthly Collections Report. Therefore, assessments should generally be more than collections because there are always those that do not pay. However, there may be short periods where monthly collections exceed monthly assessments. This occurs when payments are reported in a month but the assessments were reported in a previous period. Examples of collections being greater than assessments include warrant roundup months, large assessments made towards the end of the month but collected in the next month and hiring a new collection vendor that begins collecting on a large volume of delinquent, previously assessed, cases.

Recording Cases

What Cases are Included in the Monthly Collection Report?

A. **Include criminal cases with associated court costs, fees, and fines**

1. Count the case only once in the month of:
 - a. the judgment
 - b. the sentence or plea date if it is a deferred disposition (including driver safety course) or deferred adjudication case
 - c. the acceptance of a (partial or full) payment when there is no sentence/plea date and it is a misdemeanor case for which the maximum possible punishment is by fine only (CCP Art. 27.14(c)) Note: Cases are not reported until there is a judgment, sentence or plea date or acceptance of a payment that creates a plea date. Pre-trial cases are not included until there is a judgment, sentence or plea date.
2. Record the initial assessment of court costs and fees separately from fines in the month of A.1.
3. Record initial waivers by indigency and non-indigency of court costs and fees separately from fines in the month of A.1. (Waivers granted later should be recorded in the month waived.)

B. **Cases to Exclude Entirely when the primary reason for the case is:**

1. Parking
2. Administrative Fee for Dismissing Cases (\$10 or \$20)
3. Teen Court Fee (\$10 or \$20)
4. Juvenile Court Fee (\$5)
5. Expungement Fee (\$30)
6. Copying Fee
7. Pre-trial diversion

C. **Other Types of Cases**

1. Driving Safety Course and Deferrals
 - a. Case is counted and assessed amount(s) reported on assessment/plea/sentence date
 - b. Payment amounts reported on date(s) received
 - c. When deferral requirements are not met:
 - i. Fine is assessed on date that deferral requirements are not met
 - ii. Payment amounts are assigned to court costs and fees (first) until that obligation is paid in full. Payment is then assigned to fines.

For more details refer to “How are Dismissals and Waivers Recorded?” and “How are Fees and Fines for Deferred Dispositions or Driver Safety Course Cases Recorded?” in this document.
2. Cases Appealed to a Higher Court:
 - a. Justice and Municipal Courts require a bond that is two times the amount of the court cost and fine. The bond is not recorded in the CCRS.
 - i. Defendant appears in the County Court for the appeal:
 - 1) When found not guilty, the bond is returned to the defendant and the “Dollar Amount **Assessed**” for both Court Costs and Fines is reversed. (Refer to: “How Payments, Refunds and Other Adjustments/Transactions should be recorded in the Monthly Collection Report?”)
 - 2) When found guilty, any additional fees are added to the “Dollar Amount **Assessed**” for Court Costs. The bond is returned to the defendant or the court may subtract what has been assessed for the case from the bond and return the difference to the defendant. Collected amounts or proceeds from the bond are recorded to “Dollar Amount **Collected**” for Court Costs and/or Fines as appropriate.
 - ii. Defendant does not appear in the County Court for appeal: (Who gets the bond?) We may request an Attorney General’s Opinion on this.
 - b. County and District Courts do not require a bond.
 - i. Defendant appears in the court for the appeal:
 - 1) When found not guilty by the appellate court, the “Dollar Amount **Assessed**” for both Court Costs and Fines is reversed. (Refer to: “How Payments, Refunds and Other Adjustments/Transactions should be recorded in the Monthly Collection Report?”)
 - 2) When found guilty by the appellate court, any additional court costs and fees are added to the “Dollar Amount **Assessed**” for Court Costs.
 - ii. Defendant does not appear in the court for appeal: There are no changes. (The court costs, fees, and fines should have been assessed and any payments are recorded as “Dollar Amount **Collected.**”)
 - c. Theft-by-Check: In some jurisdictions a defendant is allowed to pay court costs before the case is adjudicated and when the defendant makes complete restitution, the case is dismissed. Since there is no judgment/plea/sentence date, this type of case is excluded from the court collections report. For this type of case, OCA suggests that the District Attorney consider implementing a pre-trial diversion program in which the District Attorney’s office may collect a pre-trial fee of up to \$500. A separate account should be set up for depositing this fee. Pre-trial diversion cases are **not** reported to the CCRS.

What Assessments, Collections, Waivers and Credits Are Captured in the Monthly Collection Report?

A. *Include* assessments and collections in the month in which they occur.

1. Time Payment Fee
2. Warrant Fee
3. Arrest Fee
4. Attorney Fee
5. Other Associated Court Costs, Fees, and Fines not assessed at sentence/plea date
6. OmniBase fee

B. *Include* jail time served credits and community service credits in the month that they occur

C. *Include* dismissals and waivers in the month that they occur: For more details refer to “How are Dismissals and Waivers Recorded?”

D. *Exclude any costs or fees* (assessed or collected) directly related to the following; however, *include the case* and other assessments and collections associated with the case:

1. Restitution
2. Collection vendor fees
3. Probation related fees
4. Revocations - Because court costs were assessed at the original trial, additional court costs are not assessed unless they are “service fees” such as arrest fee, warrant fee, etc.

Recording Payments, Refunds, and Adjustments

How Should Payments, Refunds and Other Adjustments/Transactions Be Recorded in the Monthly Collection Report?

A. Payment amounts are reported on date(s) received.

1. Overpayments should not be reported to the CCRS. However, if the software is designed such that it records overpayments, overpayments are recorded as “Dollar Amount **Collected**” in the Court **Fines** Section (even though this is more than what was assessed). When refunded, the amount of the refund is a negative amount in the “Dollar Amount of **Adjustment Collected**” in the Court **Fines** Section.
2. Cash Bonds that occur before adjudication are not reported into the CCRS. When the case is adjudicated, payments, whether from the bond or otherwise, are reported as “Dollar Amount **Collected.**”

B. Refunds/Reversals and Adjustments

1. The case management/collections software will automatically balance any refunds/reversals and adjustments made in the same month as the original transaction that is being adjusted.
2. Adjustments and Refunds/Reversals for *prior* months (months that have already been reported), are captured in the following fields (see “Adjustment Fields” section for more details):
 - a. “Dollar Amount of **Adjustment Assessed**” in the **Court Costs and Fees** Section
 - b. “Dollar Amount of **Adjustment Collected**” in the **Court Costs and Fees** Section
 - c. “Dollar Amount of **Adjustment Assessed**” in the Court **Fines** Section
 - d. “Dollar Amount of **Adjustment Collected**” in the Court **Fines** Section
3. Refunds will be negative amounts entered in the field “Dollar Amount of **Adjustment Collected**” in the Court **Fines** Section.

Adjustment Fields

What Is Captured in the Adjustment Assessed and Adjustment Collected Fields?

The following are examples but not an exhaustive list of events that would cause adjustments: expiration of probation, data entry errors, overpayments, insufficient funds (bounced) checks, appeals, and administratively closing/inactivating cases.

Excluding administratively closing/inactivating cases, when the events listed above or similar types of transactions occur in the same month as the amount assessed or amount collected, the events are accounted for during the month and nothing is placed in courts costs, fees, and fines adjustments assessed and/or collected fields. For example: A collection check is received at the beginning of the month but during the month the check was returned for insufficient funds. Since both transactions occurred in the same month, the check amount should not be reported as collected and the return of the check should not be reported as an adjustment.

Excluding administratively closing/inactivating cases, when the events listed above occur or similar types of transactions in the current month but affects previously recorded transactions for a case from previous month(s), the following must occur:

Accounting for Adjustments in Dollar Amount Assessed for Previous Months:

When cases are administratively closed/inactivated, the total amount assessed for the closed/ inactivated cases is reflected as a negative amount in “Dollar Amount of **Adjustment Assessed**” fields. This adjustment in the amount assessed can occur in both Court Cost and Fees section and Court Fines section and are always a negative amount. Note: Administratively closed/inactivated case is when adjudicated cases are inactively/administratively closed for collection purposes and no additional effort will be made to collect what is owed. Also note that the amount must have been assessed (adjudicated case). If the case was a “no show,” there was never a plea or judgment of guilt and therefore, there is no assessed amount and the case should not be reported.

When a Judge reverses a fine that was assessed (i.e. late acceptance of the Driver Safety Course documentation), and the fine was assessed in a previous month, the software reverses the amount assessed on a previous month’s report by placing a negative assessed amount in the “Dollar Amount of **Adjustment Assessed**” field in the Court **Fines** Section . Other types of reversals in amount assessed can occur in both Court Cost and Fees section and Court Fines section and are always a negative amount.

When a person’s probation expires and the probation began before September 2013, no more monies can be collected on any court costs, fees, and fines previously assessed. (Note that the statute was changed in September 2013 and therefore, this does not apply to probations begun after that date.) All monies must be collected before probation expiration. Any monies not collected must be subtracted from the previously assessed amounts. This type of transaction is reflected as a negative amount in “Dollar Amount of **Adjustment Assessed**” fields. This adjustment in the amount assessed can occur in both **Court Cost and Fees** Section and **Court Fines** Section and are always a negative amount.

Accounting for Adjustments in Dollar Amount **Collected** for Previous Months:

When a check bounces (insufficient funds) and the amount collected was reported in a previous month's report, the reversal is reported in "Dollar Amount of **Adjustment Collected**" field in the month that the check was returned. This adjustment can occur in both Court Cost and Fees section and Court Fines section and are always a negative amount.

If an overpayment occurs, only the amount satisfying the assessment is reported. Therefore, whether the overpayment is kept or refunded no adjustment needs to occur to the OCA Monthly Collection Report. However, if your software is unable to identify the overpayment amount, the overpayment amount is recorded like a normal payment in the "Dollar Amount **Collected**" field in the Court **Fine** Section. The overpayment amount is not added to the "Dollar Amount **Assessed**" field and, when refunded, is adjusted in the "Dollar Amount of **Adjustment Collected**" field in the Court **Fines** Section when not occurring in the same month as the payment.

Accounting for Adjustments in Dollar Amount **Assessed** and/or Dollar Amount **Collected** for Previous Months:

When a data entry error occurs, adjustments are accounted for in the applicable fields. An adjustment in "Dollar Amount **Assessed**" field is corrected in the "Dollar Amount of **Adjustment Assessed**" field in court Cost and Fees or Court Fines sections and an adjustment in "Dollar Amount **Collected**" field is corrected in "Dollar Amount of **Adjustment Collected**" field in Court Cost and Fees or Court Fines sections. These amounts can be both positive and negative.

When an appeal overturns a conviction, the previously recorded "Dollar Amount **Assessed**" in both the Court Costs and Fees Section and the Court Fines section are negatively adjusted in the "Dollar Amount of **Adjustment Assessed**" fields in both the Court Costs and Fees Section and the Court Fines Section. Any collected amounts are refunded and adjusted in the "Dollar Amount of **Adjustment Collected**" fields as appropriate for the Court Costs and Fees section and the Court Fines Section.

Juvenile Case (Excluded from the Collection Improvement Program)

What is a Juvenile Case?

Age is not necessarily the criteria for determining whether a case is a juvenile case or not.

A. Juvenile Case:

- a. When the court "marks" the case as a Juvenile Case, it is always a Juvenile Case.
- b. When there is a Juvenile Court Fee, it is always a Juvenile Case.
- c. When only a juvenile can commit the offense, it is usually a Juvenile Case. This includes "Failure to Attend" and beginning September 1, 2015, "Truancy" cases.

B. It is usually not a Juvenile Case when:

- a. A licensed driver commits a traffic offense.
- b. There are normal court costs and fees assessed in the case rather than a Juvenile Court Fee.

Note: Juvenile cases are excluded from the collection improvement program.

Regular Dismissal vs. Deferred Dismissal

For Software Purposes, What Is the Difference Between “Regular Dismissals” Versus a “Deferred Dismissals?”

The software must have the capability to differentiate between a “regular dismissal” (the defendant is not guilty) and a “deferral dismissal” (the defendant satisfied the deferral requirements). If the software does not properly differentiate the two, the software will treat cases coded as deferred dismissal as “regular dismissals.” When the Monthly OCA Collection Report is run after the deferred dismissal, the case will not appear on the report.

For this function to work properly, the data entry clerk must be trained to correctly enter the proper codes to differentiate the dismissal types (dismissed – not guilty, dismissed – the driver’s safety course has been satisfied, dismissed – the deferral requirements have been satisfied).

Deferred dismissal refers to deferred disposition/driver safety course cases and should not be confused with deferred adjudication. Deferred disposition is only for Class C offenses and is not a formal probation.

Deferred adjudication is “probation” for offenses above Class C. When the judge places a defendant on deferred adjudication, the judge is postponing finding the person guilty. The defendant will not be found guilty if the defendant successfully completes the terms of probation. For probation, initial court costs, fees, and fines are assessed at adjudication/sentence date.

Aging Schedule

How is Aging Calculated?

“Aging” begins at the Disposition/Adjudication/Plea/Sentence Date. (It is assumed that the Disposition Date = Judgment Date = Plea Date = Sentence Date. Note: Do not use offense or data entry dates.)

- Everything submitted to the OCA’s CCRS should have a disposition/adjudication/plea/sentence date. When running your OCA Monthly Collections Report, error messages like “No disposition date could be found” should be investigated and a disposition/adjudication/plea/sentence date should be added to the case. Cases without a disposition/adjudication/plea/sentence date will be incorrectly reported in the “120+ days” category in the aging schedule section of the collections report.
- When a payment is received and accepted by a court (and no disposition/judgment/plea/sentence date exists on this case and it is a misdemeanor case for which the maximum possible punishment is by fine only (CCP Art. 27.14(c)), the disposition/judgment/plea/sentence date is set to the payment acceptance date.

Example: A check was received in the mail for full or partial payment on a case that is a misdemeanor case for which the maximum possible punishment is by fine only. If no disposition/judgment/plea/sentence date exists on the case, the date the check was accepted by the court is the disposition/judgment/plea/sentence date.

- Even though some assessments (warrant fee, OmniBase fee, etc.) occur after the disposition/adjudication/plea/sentence date, collections are “aged” based on the disposition/adjudication/plea/sentence date.

Dismissals, Waivers, and Deferrals

How are Dismissals and Waivers Recorded?

Case dismissed or defendant found NOT guilty:

When a case is dismissed, it is usually during pre-trial. At trial, the defendant may be found not guilty. When a dismissal occurs or the defendant is found not guilty, the case is not recorded in the CCRS. The case should not be counted or assessed in the CCRS.

Court Cost and Fees - Dollar Amount Waived: Indigency

Court costs and fees can generally only be waived when there is an indigency hearing. When the judge determines that the defendant is indigent, the judge may waive all or part of the court costs and fees.

Court Costs and Fees - Dollar Amount Waived: Non-Indigency

This field was originally set up because most case management/collections software systems were unable to separate Indigency waivers from Non-Indigency waivers. Sufficient time has passed since this requirement was mandated for the CCRS, so all case management/collections software should have a way of separating/coding indigency waivers.

Waivers for non-indigency should be reserved for administratively closed/inactivated cases, *i.e.* when it is determined that the case is uncollectable. This determination will vary from jurisdiction to jurisdiction based on the jurisdiction’s collection process/methods. When the amounts that are not associated with administrative closures show up in the “Non-Indigency” category, staff should be trained to code the cases properly so that these amounts appear in the “Indigency category.”

Note: Non-adjudicated administratively closed/inactivated cases, “no shows,” are not reported to the CCRS.

Example:

The defendant’s case was adjudicated (Non-adjudicated cases, “no shows,” are not reported.) and it has been seven years since the jurisdiction was able to contact the defendant for paying court costs, fees, and fines. The defendant’s information was entered into the DPS system for non-renewal of driver’s license and there has been sufficient time for such a denial and for the defendant to contact the court to be able to renew his/her driver’s license. The policy of the jurisdiction is to administratively close such cases. The amounts still owed for court costs and fees are added to the Court Costs and Fees - “Dollar amount waived: Non-indigency” field.

Court Fines - Dollar Amount Waived

The judge may waive part of the fine or the judge may assess only a small fine.

Note: A “standard” fine may be established by a lower court for those defendants that call in or get their information on the web and wish to plead guilty or nolo contendere to an offence and pay the fine (and court costs and fees), thereby saving the time and effort of appearing before the judge. Some jurisdictions also use this “standard” fine for defendants that appear before the judge. The judge may assess the “standard” fine and this amount will be added to the “Dollar Amount **Assessed**” field in the Court **Fines** Section. When the judge assesses a fine less than the “standard” fine, the software takes the amount less than the “standard” fine and enters it as a waived amount. Other jurisdictions/software have no “standard” fine when the defendant appears before the judge and the judge just assesses the fine amount. These two methods will appear differently when the information is entered into the CCRS. Because amounts owed for the fine on administratively closed cases also are added to this field, OCA’s financial analysts may contact the jurisdiction as to the method used for assessing fine amounts.

Example:

1. A jurisdiction uses the “standard” fine when the defendant appears in court. The “standard” fine for the offense is \$100 but the judge assess only a \$60 fine. The \$100 would be added to the “Dollar Amount **Assessed**” field in the Court **Fines** Section and \$40 would be added to the “Dollar Amount **Waived** field” in the Court **Fines** Section.
2. A jurisdiction does not use a “standard” fine when the defendant appears in court. The judge assess a \$60 fine. The \$60 would be added to the “Dollar Amount **Assessed**” field in the Court **Fines** Section and no waiver amount would be entered.

Driver Safety Course Cases and Deferrals

Note: There are two ways that case management/collection software handle fines for this type of case. The defendant states that he/she wants to take the drivers safety course for an applicable offense or is given a deferral.

Method 1 - Preferred method - Only the court costs and fees are initially assessed and reported in the “Dollar Amount **Assessed**” field in the Court **Costs and Fees** Section of the OCA Monthly Collection Report in the month of the assessment (judgment/plea/sentence date).

- a. When the defendant completes the driver safety course or the deferral requirements and turns in the correct documentation within the allotted time period, the case is dismissed and no fine is assessed.
- b. When the defendant does **not** complete the course or does not turn in the correct documentation, the fine is assessed and reported in the “Dollar Amount **Assessed**” field in the Court **Fines** Section of the OCA Monthly Collection Report in the month of noncompliance.

Example: A citation was issued for speeding and the court costs and fees are \$97 and the fine is \$100. The court cost and fees are assessed (\$97 is added to the “Dollar Amount **Assessed**” field in the **Court Costs and Fees** Section).

- i. The defendant satisfies the driver safety requirements, the case is dismissed and no additional changes are made.

- ii. The defendant does not satisfy the driver safety requirements, the fine is assessed. (\$100 is added to the “Dollar Amount **Assessed**” field in the Court **Fines** Section and reported in the month of the assessment.)

Method 2 - All the court costs, fees and the “standard” fine are initially assessed at judgment/plea/sentence date. The court costs and fees are reported in the “Dollar Amount **Assessed**” field in the Court **Costs and Fees** Section of the OCA Monthly Collection Report in the month of the assessment (judgment/plea/sentence date). The fine is reported in the “Dollar Amount **Assessed**” field in the Court **Fines** Section of the OCA Monthly Collection Report in the month of the judgment/plea/sentence date (even though the fine technically should not be assessed at that time).

- a. When the defendant completes the driver safety course or deferral requirements and turns in the correct documentation within the allotted time period, the case is dismissed and the previously assessed fine amount is removed by inputting a negative amount to the “Dollar Amount of **Adjustment Assessed**” field in the Court **Fines** Section of the OCA Monthly Collection Report in the month the requirements were met.
- b. When the defendant does not complete the course or does not turn in the correct documentation, no changes are made since the fine has already been assessed.

Example: A citation was issued for speeding and the court costs and fees are \$97 and the fine is \$100. Both the court costs (\$97 is added to the “Dollar Amount **Assessed**” field in the **Court Costs and Fees** Section) and the fine (\$100 is added to the “Dollar Amount **Assessed**” field in the Court **Fines** Section) are reported to of the OCA Monthly Collection Report in the month of the judgment/plea/sentence date.

- i. The defendant satisfies the driver safety requirements, the case is dismissed and the fine is removed by inputting a negative \$100 (- \$100) to the “Dollar Amount of **Adjustment Assessed**” field in the Court **Fines** Section of the OCA Monthly Collection Report in the month the requirements were met.
- ii. The defendant does not satisfy the driver safety requirements, no additional changes are made.

Optional Fees and Fines Related to Driver Safety Course Cases and Deferrals

Refer to “How are optional fees and fines for Deferred Dispositions or Driver Safety Course Cases Recorded?”

How are Optional Fees and Fines for Deferred Dispositions or Driver Safety Course Cases Recorded?

The below processes apply to the assessing of court costs fees and fines whether there is an optional Special Expense Fee for deferred disposition cases or an Administrative Fee (or “Unnamed Fee” described below) for driver safety course cases assessed by your jurisdiction. We have included the optional fees in the examples to provide more detail when these fees are assessed. For jurisdictions that do **not** assess these fees the processes are explained “How are Dismissals and Waivers Recorded? Driver Safety Course

Cases and Deferrals section.” The process used by your jurisdiction may be dictated by your case management software. Your case management software will use either Scenario 1 or Scenario 2 processes described below. The fees and fine amounts used in the examples below are for illustrative purposes and do not represent the actual amount of the fees or fine that can be assessed in a particular case.

There are three fees that relate to this process:

1. Special Expense Fee (CCP, Art. 45.051(a)) relates to deferred disposition (DD) cases. This fee is optional and may not exceed the maximum amount allowed for the fine for that offense. When the fine is imposed, the amount of the Special Expense Fee is subtracted from the imposed fine amount.
2. Administrative Fee (CCP, Art. 45.0511(f)(1)) relates to driver safety course (DSC) cases. The fee is optional to cover the cost of administering DSC cases and may not exceed \$10. This fee is kept should a fine be imposed.
3. “Unnamed Fee” (CCP, Art. 45.0511(f)(2)) relates to DSC cases. This fee is optional and may be charged instead of the Administrative Fee but may not exceed the maximum amount allowed for the fine for that offense. This fee is nonrefundable. If the fine is imposed, there is no statutory requirement for subtracting this fee from the imposed fine.

Scenario 1: Software Assesses the Fine at Backend - Your software assesses the court cost and any appropriate optional fee above but not the fine when the defendant is granted DD or DSC upon the plea or finding of guilt or the plea of nolo contendere. *The fine is assessed when the defendant does not meet the requirements of the DD or DSC.* The normal court costs and fees and the applicable optional fees listed above are reported in the “Dollar Amount **Assessed**” field in the Court **Costs and Fees** Section of the OCA Monthly Collection Report in the month of the assessment (judgment/plea/sentence date).

1. For DSC cases and DD cases where there are none of the fees listed above, when a fine is assessed, it is reported in the “Dollar Amount **Assessed**” in the Court **Fines** Section of the OCA Monthly Collection Report in the month the fine was assessed.
2. For DD cases, when the court assessed the Special Expense Fee in a previous month, the fine amount must be equal to or greater than the Special Expense Fee but not exceed the fine amount for that offense. When the fine is assessed, the Special Expense Fee is converted to a fine. To accomplish this (and since the Special Expense Fee has been assessed as a court cost and fees in a previous month), the negative amount of the Special Expense Fee is placed in the “Dollar Amount of **Adjustment Assessed**” field in **Court Cost and Fees** section. (This removes it from court costs assessed.) The positive amount of the Special Expense Fee is placed in the “Dollar Amount of **Adjustment Assessed**” field in **Court Fines** section. (This adds it to court fines assessed.) Any payments made to the Special Expense Fee also needs to be moved from the court costs and fees section and added to the fines section. To accomplish this, the negative amount of the Special Expense Fee that was collected is placed in the “Dollar Amount of **Adjustment Collected**” field in **Court Cost and Fees** section. (This removes it from court costs and fees collected.) The positive amount of the Special Expense Fee that was collected is placed in the “Dollar Amount of **Adjustment Collected**” field in **Court Fines** section. (This adds it to court fines collected.) When

the fine is greater than the Special Expense Fee, the amount that is greater than the Special Expense Fee is added to the “Dollar Amount **Assessed**” in the Court **Fines** Section of the OCA Monthly Collection Report in the month the fine was assessed. Collected amounts are added to the “Dollar Amount **Collected**” in the **Court Fines** Section of the OCA Monthly Collection Report in the month the fine was collected.

Example A: The defendant completes the requirements of the DSC or DD, no fine is assessed, and no changes to the collection report are required.

Example B: The defendant did not complete the requirements of a DD and a \$100 fine is assessed. The court costs and fees, assessed in a previous month, included the normal court costs and fees and a Special Expense Fee of \$75. The \$75 Special Expense Fee has been paid by the defendant. The fine amount is \$100. A negative \$75 (-\$75) amount is placed in the “Dollar Amount of **Adjustment Assessed**” field in **Court Cost and Fees** section. A positive \$75 is placed in the “Dollar Amount of **Adjustment Assessed**” field in **Court Fines** section. Since the \$75 was previously collected, a negative \$75 (-\$75) amount is placed in the “Dollar Amount of **Adjustment Collected**” field in **Court Cost and Fees** section. A positive \$75 amount that was collected is placed in the “Dollar Amount of **Adjustment Collected**” field in **Court Fines** section. The additional \$25 fine amount (\$100 fine minus \$75 Special Expense Fee) is handled like a normal fine, assessed in the month it occurs.

Example C: The defendant did not complete the requirements of a DSC and a \$100 fine is assessed. The court costs and fees previously assessed included the normal court costs and fees and an Administrative Fee of \$10 or the “Unnamed Fee” of \$40. The fine amount assessed of \$100 is recorded in the OCA Monthly Collection Report as “Dollar Amount **Assessed**” in the **Court Fine** Section. The Administrative Fee of \$10 or “Unnamed Fee” of \$40 remain a court cost and, therefore, does not affect the assessed fine amount or the amount that has been collected for the Administrative or “Unnamed” Fee.

Scenario 2: Software Assesses Fines Upfront - Your software assesses the court costs, any appropriate optional fee above and the fine when the defendant is granted DD or DSC, upon the plea or finding of guilt or the plea of nolo contendere. The court costs and fees and the fine are reported in the month the DD or DSC is granted (even though the fine technically should not be assessed at that time). The court costs and fees are reported in the “Dollar Amount **Assessed**” field in the Court **Costs and Fees** Section of the OCA Monthly Collection Report and the fine is reported in the “Dollar Amount **Assessed**” field in the Court **Fines** Section of the OCA Monthly Collection Report. When the defendant completes the requirements of the DD or DSC, the fine amount is “removed” by reporting the previously assessed fine as a negative amount in the “Dollar Amount of **Adjustment Assessed**” field in the Court **Fines** Section of the OCA Monthly Collection Report in the month of compliance for the DD or DSC.

Example D: The defendant granted **DD** and a Special Expense Fee of \$75 is assessed but it is recorded as a **fine**. The other court costs and fees are reported in the “Dollar Amount **Assessed**” field in the **Court Costs and Fees** Section of the OCA Monthly Collection Report in the month that the

DD was granted (guilty or nolo contender plea or the finding of guilt). The \$75 Special Expense Fee was recorded in the “Dollar Amount **Assessed**” in the Court **Fines** Section of the OCA Monthly Collection Report in the month that the DD was granted.

Example D1: The defendant successfully complies with the DD requirements in Example D. The fine no longer applies but since it has been reported to the OCA Monthly Collection Report as a fine, it must be removed as a fine and reported as a court cost and fee. The adjustment is recorded as a negative fine amount of \$75 (-\$75) “Dollar Amount of **Adjustment Assessed**” field in the Court **Fine** Section and \$75 is added to the “Dollar Amount of **Adjustment Assessed**” field in the Court **Costs and Fees** Section. Any amounts collected also need to be adjusted. The amount collected towards the \$75 previously assessed fine is reported as a negative amount in the “Dollar Amount of **Adjustment Collected**” field in the Court **Fines** Section and is reported as a positive amount in the “Dollar Amount of **Adjustment Collected**” field in the Court **Costs and Fees** Section.

Example D2: The defendant fails to comply with the DD requirements in Example D. The \$75 Special Expense Fee has already been assessed as a fine and reported in a previous or current month’s report. When the fine equals the Special Expense Fee, no additional reporting is necessary. However, the fine is \$100. An additional \$25 (\$100 minus \$75) needs to be assessed and collected as a fine. The \$25 fine amount is reported as a normal “Dollar Amount **Assessed**” in the Court **Fines** Section of the OCA Monthly Collection Report in the month that the defendant fails to comply with the DD requirements. Any collected amounts toward the \$25 fine are recorded as a normal “Dollar Amount **Collected**” in the Court **Fines** Section of the OCA Monthly Collection Report in the month that it is received.

Example E: The defendant is granted a **DSC** and the Administrative Fee is \$10 or the “Unnamed Fee” is \$40 and the fine is \$100. The normal court costs and fees and the Administrative Fee or the “Unnamed Fee” is reported in the “Dollar Amount **Assessed**” field in the Court **Costs and Fees** Section of the OCA Monthly Collection Report in the month that the DSC was granted (guilty or nolo contender plea or the finding of guilt). Any collected amount is reported in the “Dollar Amount **Collected**” field in the Court **Costs and Fees** Section of the OCA Monthly Collection Report in the month collected. The \$100 fine amount is reported in the “Dollar Amount **Assessed**” in the Court **Fines** Section of the OCA Monthly Collection Report in the month that the DSC was granted.

Example E1: The defendant successfully complies with the DSC requirements so the fine no longer applies, but since it has been reported to the OCA Monthly Collection Report, it must be removed. The adjustment is recorded as a negative fine amount of -\$100 in the “Dollar Amount of

Adjustment Assessed” field in the Court **Fines** Section in the month that the defendant successfully completed the DSC.

Example E2: The defendant fails to comply with the DSC requirements so the \$100 fine as assessed is OK. No additional reporting to the OCA Monthly Collection Report is necessary.

Purged Cases

How are Purged Cases Recorded?

Purged records that did not have a sentence/adjudication/plea date should not show up on the report. Generally, only those that made a partial payment but did not complete their payments should be on the report. The amounts not paid should be reported in the “Dollar Amount Waived: Non-Indigency” and “Dollar Amount Waived” fields in the Court Cost and Fees and Court Fines Sections, respectively.

Fees Occurring After Sentence/Adjudication/Plea Date

What Happens If an Adjudicated Case Incurs Additional Fees (i.e. Time Payment, OmniBase, or Warrant Fee)?

Additional fees are reported in the “Dollar Amount **Assessed**” field in the Court **Costs and Fees** Section of the OCA Monthly Collection Report in the month that the fees are assessed. (Multiple calculations depending on when the fees were added are not necessary. Due to the complexity of tracking each new fee occurring on different dates, OCA decided calculating "aging" from the original assessment date is reasonable.)

For a more detailed explanation refer to the following link www.txcourts.gov/media/571408/How-to-Apply-Collected-Credited-Amounts-10-8-14.pdf.

Court Appointed Attorney Fees

How and When Are the Collection of Court Appointed Attorney Fees During the Pendency of the Case Instead of at Time of Judgment Recorded?

The answer is presented in several scenarios:

Scenario 1: The defendant pays all attorney fees up front or before the judgment is rendered.

Upon a judgment of guilty of no contest, the case management system should report the assessment in the Court Costs and Fees Section, “Dollar Amount **Assessed**” field and the collection of attorney fees, in the “Dollar Amount **Collected**” during the month of the judgment. Even though the payment precedes the judgment date, the aging of the collected amount falls in the 0-30 days’ category in the Court Costs and Fees Aging Schedule.

Scenario 2: The defendant only pays a portion of the attorney fees owed before the judgment is rendered and, at time of judgment, the balance will carry over with the fines and other court costs.

Upon a judgment of guilty of no contest, the case management system should report the entire assessment of attorney fees and any partial collection of attorney fees during the month of the judgment. Even though the partial payment precedes the judgment date, the aging of the collected amount falls in the 0-30 days' category. Amounts collected for attorney fees after the judgment date will be reported in the month that they are received.

Scenario 3: The defendant pays a portion or all of the attorney fees and the case ends up being dismissed. If there is a balance those remaining fees will be waived.

Upon a finding of not guilty or the case was dismissed: This case is not reported in OCA's Monthly Collection Report. Therefore, any collected amounts are not recorded in the monthly collection report.

OCA Monthly Reports

What Is the Difference Between the Monthly Collection Reports Versus the Monthly Judicial Activity Report?

The collection report gathers information on assessed criminal cases only and excludes juvenile and parking offenses, while the Judicial Activity Report collects information on all cases (including civil cases) that pass through the court system.

Appendix

Data Entry Screen Example

Justice, County, and District Courts will have the same fields. Only the title for the section changes.

New Cases			
Number of new cases in which court costs, fees, and fines were assessed during the reporting period	1,330	1,172	<input type="text"/>

Municipal Court: Court Costs and Fees				
	Previous Month 2	Previous Month 1	Dollar Amount	Percent of ^C Total
Dollar amount assessed	\$129,852.88	\$111,376.55	<input type="text"/>	
Dollar amount collected *	\$108,438.38	\$92,182.31	<input type="text"/>	
* Excludes dollar amount of credits for jail time served or community service performed or the dollar amount of waived court costs and fees.				
Note: Enter values in either Indigency or Non-Indigency or BOTH. If cost waived has not been separated, enter value in Non-Indigency.				
Dollar amount waived: Indigency	\$0.00	\$0.00	<input type="text"/>	
Dollar amount waived: Non-Indigency	\$0.00	\$0.00	<input type="text"/>	
Dollar amount waived: Total = Indigency + Non-Indigency	\$0.00	\$0.00	\$0.00	
Dollar amount of jail time served credit given	\$24,075.04	\$30,362.43	<input type="text"/>	
Dollar amount of community service credit given	\$495.30	\$1,570.10	<input type="text"/>	
^C Total of collections, waived amounts and credited amounts	\$133,008.72	\$124,114.84	\$0.00	
Municipal Court: Court Cost and Fee Adjustments Assessed and Collected				
Dollar amount of adjustment assessed	\$26,920.38	\$23,762.38	<input type="text"/>	
Dollar amount of adjustment collected	\$11,936.10	\$13,653.48	<input type="text"/>	
Municipal Court: Court Costs and Fees Aging Schedule				120-Day Collection Rate 0%
Breakdown of Dollar amount collected from date of assessment through date of payment	Previous Month 2	Previous Month 1	Dollars Collected *	Percentage Collected
0-30 days	\$77,078.51	\$61,263.72	<input type="text"/>	
31-60 days	\$7,353.86	\$9,123.90	<input type="text"/>	
61-90 days	\$4,752.40	\$5,146.55	<input type="text"/>	
91-120 days	\$3,465.85	\$1,588.55	<input type="text"/>	
120+ days	\$15,787.76	\$15,059.59	<input type="text"/>	
Total Dollars Collected	\$108,438.38	\$92,182.31	\$0.00	
* DO NOT include the dollar amount of credits for jail time served or community service performed or the dollar amount of waived court costs and fees.				

Data Entry Screen Example (Continued)

Municipal Court: Court Fines				
	Previous Month 2	Previous Month 1	Dollar Amount	Percent of Total
Dollar amount assessed	\$156,079.59	\$143,360.95	<input type="text"/>	
Dollar amount collected *	\$83,255.97	\$71,857.87	<input type="text"/>	
<i>* Excludes dollar amount of credits for jail time served or community service performed or the dollar amount of waived court costs and fees.</i>				
Dollar amount waived	\$0.00	\$0.00	<input type="text"/>	
Dollar amount of jail time served credit given	\$28,064.10	\$34,515.03	<input type="text"/>	
Dollar amount of community service credit given	\$1,042.70	\$1,716.90	<input type="text"/>	
FTotal of collections, waived amounts and credited amounts	\$112,362.77	\$108,089.80	\$0.00	
Municipal Court: Court Fine Adjustments Assessed and Collected				
Dollar amount of adjustment assessed	(\$10,985.19)	(\$3,661.70)	<input type="text"/>	
Dollar amount of adjustment collected	\$13,985.78	\$14,856.50	<input type="text"/>	
Municipal Court: Court Fines Aging Schedule				120-Day Collection Rate 0%
Time span from date of assessment through date of payment	Previous Month 2	Previous Month 1	Dollars Collected *	Percentage Collected
0-30 days	\$40,527.57	\$31,547.97	<input type="text"/>	
31-60 days	\$6,342.20	\$9,034.00	<input type="text"/>	
61-90 days	\$5,922.40	\$4,633.16	<input type="text"/>	
91-120 days	\$5,772.20	\$5,310.00	<input type="text"/>	
120+ days	\$24,691.60	\$21,332.74	<input type="text"/>	
Total Dollars Collected	\$83,255.97	\$71,857.87	\$0.00	
<i>* DO NOT include the dollar amount of credits for jail time served or community service performed or the dollar amount of waived court fines.</i>				