

## Components - Collection Improvement Program

These components are not intended for defendants who have been determined to be indigent.

<b>Mandatory Programs</b> - Critical Components -	<b>Voluntary Programs</b> - Components of the Model Concept -
Expectation that all court costs, fees, and fines are generally due at the time of assessment.	
<b>1. <u>Dedicated Staff</u></b>	
Each local program must have a minimum of one staff person whose priority job function is collection activities. The priority collections job function may be concentrated in one individual employee or distributed among two or more employees and need not require 40 hours per week of FTE time. However, it must be a priority.	Staff or staff time dedicated to collection activities. This may include county or city employees or contract employees.
<b>2. <u>Application and Contact Information</u></b>	
<p>If a defendant is unable to pay in full on the day of assessment:</p> <ul style="list-style-type: none"> <li>▪ If payment plan is set by the judge, contact information is required and must be documented.</li> <li>▪ In other cases, an application that includes contact information is required and must be documented.</li> </ul> <p>Programs may use a single form for both the application and contact information. The required information must be obtained within one month of the assessment date.</p>	In most cases, defendants unable to pay in full on the day of assessment are required to complete an application for extension of time to pay.
<b>3. <u>Verification of Contact Information</u></b>	
Both the home or contact phone number and the employer or source of support, if applicable, are required to be verified within five days of receiving the required information. Verifications must be documented indicating the person conducting it and the date of verification.	Application information is verified and evaluated to establish an appropriate payment plan for the defendant.
<b>4. <u>Defendant Interview</u></b>	
An in-person or telephone interview with the defendant either to review the application and determine an appropriate payment plan or to review the terms of the judge-imposed payment plan must be conducted within 14 days of receiving the required information. Interviews must be documented indicating the name of the interviewer and the date of the interview.	Applicant is interviewed to review the application and determine an appropriate payment plan for the defendant.

### **5. Payment Terms**

Payment plans set by a judge are discretionary and unrestricted. Other payment plans should require the highest payment amounts in the shortest period of time; considering the amount owed, the defendant's ability to pay, and the defendant's obligation to pay other court-mandated amounts.

Payment terms are usually strict.

- (1) Municipal and Justice Court Cases, full payment within four months of the assessment date.
- (2) In county and district court cases involving community supervision, full payment at least two months before expiration of the term of community supervision.
- (3) In county and district court cases not involving community supervision and not involving incarceration, full payment within six months of the assessment date.
- (4) In cases involving incarceration, no time requirements for payment plan.

Alternative enforcement options (e.g., community service) are available for those who do not qualify for a payment plan.

### **6. Payment Plan Compliance Monitor**

Monitoring of payment plans and documenting the process is required.

Defendants are closely monitored for compliance, and action is taken promptly for non-compliance.

### **7. Phone Contact**

Within one month of a missed payment, a phone call must be made to a defendant who has not contacted the program staff. The phone call must be documented.

Phone contact is attempted when a defendant fails to comply.

### **8. Mail Contact**

Within one month of a missed payment, a written delinquency notice must be sent to a defendant who has not contacted the program staff. The written notice must be documented.

A written delinquency notice is sent when a defendant fails to comply.

### **9. Capias Pro Fine ("Warrant") Notice**

If a capias pro fine ("warrant") will be sought for a defendant, a phone call must be made or written notice must be sent to the defendant who has not contacted

If a capias pro fine ("warrant") is sought for a defendant, a phone call is attempted or a written notice is sent before issuance if the defendant has not responded to the

<p>program staff within one month of the later of the phone contact or written delinquency notice described in numbers 7 &amp; 8 above. The phone call or written notice must be documented.</p>	<p>phone call or the notice described in numbers 7 and 8 above and has failed to comply.</p>
<p>Apply other statutorily permitted collection remedies as appropriate, such as programs for non-renewal of driver's license or vehicle registration.</p>	
<p><b>10. Reporting</b></p>	
<p>Though the Office of Court Administration (OCA) recommends monthly reporting, each program shall report its collection activity data online to the OCA at least annually in a format approved by the OCA.</p>	<p>Monthly online reporting of its collection activity data to the OCA is required to become a voluntary program.</p>
<p><b>11. Seriously Delinquent Cases</b></p>	
<p>The collection program must have a component designed to improve collection of balances more than 60 days past due.</p>	<p>There should be a component designed to improve collection of balances more than 60 days past due.</p>