



Office of Court Administration

Memo

To: David Slayton
From: Mena Ramon, General Counsel
Scott Griffith, Director of Research and Court Services
Date: February 20, 2018
Re: Proposed Amendment to Sec. 175.4, Texas Administrative Code, Title I, Chapter 175,
Collection Improvement Program

The Judicial Council's Data Committee has recommended that the Office of Court Administration (OCA) review all OCA reporting requirements to determine whether the collection of the data serves its intended purpose. In response to this recommendation, OCA's Research and Court Services Division has reviewed the Collections Improvement Program data reporting requirements found in Sec. 175.4 of Title 1 of the Texas Administrative Code (attached) and recommends the repeal of the annual reporting requirements listed in Sec. 175.4(c)(1).

Additionally, the Division recommends that Sec. 175.4(c)(2) be amended to require that data in that subsection be reported monthly. Under the current rules, it is recommended that the data be reported monthly but local programs may report the information annually.

The proposed amendments to Sec. 175.4 will eliminate reporting requirements that were essential when local collections programs were initially being implemented but that are of limited utility now that the programs required to be established by law have been implemented. The reduction in reporting will also allow the local collection improvement programs to focus on more essential reporting requirements.

Attachment: Sec. 175.4, 1 TAC 175.

Texas Administrative Code

TITLE 1	ADMINISTRATION
PART 8	TEXAS JUDICIAL COUNCIL
CHAPTER 175	COLLECTION IMPROVEMENT PROGRAM
RULE §175.4	Content and Form of Local Government Reports

(a) General Scope. Article 103.0033(i) of the Code of Criminal Procedure requires that each local program submit a written report to OCA at least annually that includes updated information regarding the local program, with the content and form to be determined by OCA. Reporting under Art. 103.0033 of the Code of Criminal Procedure and this subchapter is not the same as reporting of judicial statistics under Sec. 71.035 of the Government Code and different rules for reporting and waiver apply.

(b) Reporting Format and Account Setup. OCA has implemented a web-based online Court Collection Reporting System for local programs or jurisdictions to enter information into the system. For good cause shown by a jurisdiction, OCA may grant a temporary waiver from timely online reporting. Local program participants or jurisdictions must provide OCA with information for the online reporting system to enable OCA to establish the local program reporting system account. The information must include the local program name, program start date, start-up costs, the type of collection and case management software programs used by the local program, the entity to which the local program reports (e.g., judge, district clerk's office, sheriff, etc.), the name and title of the person who manages the daily operations of the local program, the mail and e-mail addresses and telephone and fax numbers of the local program, the courts serviced by the local program, and contact information for the local program staff with access to the system so user identifications and passwords can be assigned.

(c) Content and Timing of Reports.

(1) Annual Report. By the 60th day following the fiscal year end, each local program or jurisdiction must report the following information:

- (A) Number of full-time and part-time local program employees;
- (B) Total local program expenditures;
- (C) Salary expenditures for the local program;
- (D) Fringe benefit expenditures for the local program;
- (E) Areas other than court collections for which the local program provides services;
- (F) Local and contract jail statistics and average cost per day to house a defendant; and
- (G) A compilation of 12 months of the monthly reporting information described in paragraph (2) of this subsection, if not reported each month as requested.

(2) Monthly Reports. By the 20th day of the following month, each local program or jurisdiction is requested to provide the following information regarding the previous month's local program activities:

- (A) Number of cases in which costs, fees, and fines were assessed;
- (B) Number of cases in which local program staff provided the court a defendant's ability to pay information in a case under §175.3(a)(6) for review of the defendant's ability to pay;

(C) For assessed court costs and fees: the dollar amount assessed and collected; the dollar amount of credit given for jail time served; the dollar amount of credit given for community service performed or other non-monetary compliance options; the dollar amount waived because of the defendant's inability to pay, and the dollar amount waived for reasons other than the defendant's inability to pay;

(D) For fines: the dollar amount assessed, collected, or waived; the dollar amount of credit given for jail time served; and the dollar amount of credit given for community service performed or other non-monetary compliance options; and

(E) Aging information consisting of the time span from date of assessment through the date of payment, in 30-day increments up to 120 days, and for more than 120 days.
