

## Office of State Debt Collection

### Resources:

- To provide policies and procedures pursuant to [UCA 63A-3-505](#), and [77-18-6](#), 78A-6-6. Office of State Debt Collection, referred to in this policy as OSDC.  
**Note – [The Office of State Debt Collection](#) is also known as: State Debt and OSDC.**
- **Physical Address:** 1135 State Office Building, (Approximately 450 North State Street), Salt Lake City UT 84114-1205, **Mailing address:** P O BOX 141001, Salt Lake City, UT 84114-1001
- **Web payment address:** <https://EZpay.utah.gov/>
- Court [Legal Opinions](#) – Subsection: Fees,
- [Court LMS Learning Management System](#)
- For specific CORIS instruction, see DCJUST document ([Collections](#))
- District Court '[Checklist](#)' for transferring cases
- Section 04-03 Forms and Instructions contains various forms such as: [OSDC Civil NSF Referral Form](#), [OSDC District Civil NSF Instructions](#), [OSDC Code Reference Sheet](#).
- Refer to [Section 06-06 Cash Bail Disbursements for Surety Bond](#) process. [Surety Bond Judgment Information Form](#)
- [Section 03-07.00 Returned checks](#)

### Policy:

1. CORIS electronically submits receivables for criminal and civil cases to the Office of State Debt.
2. Nonsufficient fund checks are manually forwarded to the Office of State Debt. See Section 03-07.00 Returned checks. Note: OSDC will not pursue collection on NSF checks that are older than three years
3. Cases are not officially sent to OSDC until after overnight processing. If a case was sent by mistake and recalled the same day, it only needs to be recalled on CORIS.
4. When a case must be recalled from OSDC, the court recalls first from within the OSDC system.
5. Any account receivable (including deportations), over 60 days past due in District Court or AOC may be reviewed for eligibility of account(s) to be transferred to Office of State Debt Collection. Accounts that are more than 90 days past due are eligible for transfer to State Debt.
6. Separation of Duties should be observed for the recall of cases from OSDC.

7. Each location shall establish written procedures to be followed by that location to reference for audit.
8. Surety Bonds are sent to the Office of State Debt Collection as procedure dictates in Section 06-06 Cash Bail Disbursements. The clerk shall "adjust" the Accounts Receivable and complete the [Surety Bond Judgment Information Form](#).
9. When a Joint and Several case is sent to OSDC, the court shall clearly identify the uniqueness of the case, articulating the judge's order that liability is shared with one or more cases, which may or may not be jointly sent.
10. CIVIL filing fees **that have been returned** from the bank (NSF or Disputed) **written by a 3<sup>rd</sup> party, will not be** forwarded to the Office of State Debt. [See Section 03-07.00 Returned checks.](#)
11. When a district court case is at the Office of State Debt Collection and the court must send additional fines for collection (i.e. restitution ordered later, monies due as a result of a warrant being issued), the court shall no longer recall the case to increase the total amount owing, but send the additional accounts electronically. **(This was not working correctly from July 1 through December 2018).**
12. Restitution ordered by the Board of Pardons after the court's original sentence to prison, requires the court update the Judgment AND electronically send the debt to OSDC. These updated Restitution Orders will be emailed to the court.
13. OSDC should always be included as a "creditor" when fines are sent.
14. Once the debt is satisfied with the Office of State Debt Collections, a satisfaction will be filed with the court and a satisfaction of judgment should be entered on the case. (Note: OSDC waits 30 days before sending a satisfaction if the fine is paid by personal check.)
15. When a defendant is deceased, and the case is with OSDC, the court will not recall the case, but allow OSDC to adjust out the receivable.
16. As of July 1, 2018 the juvenile court may not transfer responsibility to collect unpaid fines, fees, surcharges and restitution to the Office of State Debt Collection. This is specific to juveniles that are under the jurisdiction of the court and not any other type of matters in which Juvenile Court may have jurisdiction under 78A-6-100; such as adult charges of contributing to the delinquency of a minor, compulsory education, or contempt on a parent in a delinquency or child welfare proceeding. This also does not apply to a returned check on a filing fee.

## Procedures:

### Responsible Action

#### District Court Clerk

1. Any account receivable where payment is past due 60 days or more, may be reviewed for eligibility of account to be transferred to OSDC. [Checklist for Transfer](#).
2. Transfer of case to OSDC through CORIS:
  - a. Verify the validity of the accounts receivable (make sure a correct A/R has been created and verify that credits or payments have been correctly allocated).
  - b. Money currently being held in the trust account for victims/attorney fees, shall be paid out to the recipient or sent to Unclaimed Property.
  - c. Finders/Tax Intercept or bail money should be forwarded to OSDC at the time the case is electronically sent.
  - d. If a warrant or FTC has been issued, recall unless the judge has ordered the warrant be left outstanding for other conditions.
  - e. Verify the accuracy of all party information, including defendant and victims for spelling of names, correct address, phone number, etc.
  - f. Transfer case to OSDC on computer system (this will automatically create a judgment for the amounts and parties involved in the case).
3. Transfers of receivable such as civil fees or surety bond forfeitures are manually forwarded to OSDC. Refer to OSDC Referral Form and OSDC Code Reference Sheet.
4. Any payment received after a case has been transferred to OSDC should be returned back to the issuer (i.e. defendant; or State Finance for tax intercept checks) with a note that future payments are to be sent to that office.

### **Juvenile Court Clerk**

1. OSDC will return to the referring court the fine portion pertaining to the 80/20 split. Receipt to Non-case Misc. Receipt, Dedicated credits; then select the *80/20 button* in the Receipt Allocation Screen so the distribution is automatically calculated.
2. Civil NSF checks are to be sent manually utilizing the [OSDC Referral](#) Form and [OSDC Code Reference](#) Sheet.