

Best Practices
in
Maintaining
Accurate
Accounts Receivables

April 10, 2007

Revised 9/4/07

Background

In 2004, the Utah Judicial Council began adoption of a series of performance measures referred to as CourTools. One of the performance measures entitled, Collection of Fines, Fees and Restitution was adopted in 2005. Typically, as each CourTool measure is defined, prepared for on-going measurement and regularly reviewed, data and process issues surface. Collection of Fines, Fees and Restitution was no exception. Issues were identified in both district and juvenile court. The decision was made to focus on the district court first.

General clean up and programmatic changes to CORIS-generated accounts receivable reports were made during 2005. In October of 2006, a meeting was called of collections clerks from all judicial districts. The intent of the meeting was to summarize process and policy issues that affected collections clerks abilities to maintain an accurate Accounts Receivable Detail report. This includes the courts' ability to comply with §76-3-201.1 by turning aging accounts over to the Office of State Debt Collection (OSDC) in a timely manner.

The meeting was held on November 8, 2006. The general outcomes of the meeting included:

- the need for deputy court clerks and judges to better understand how case accounting entries affect the accounts receivable reports
- the need for more standardized practices statewide
- the need for a document that outlines best practices in maintaining current Accounts Receivable

This document summarizes the procedures that are working for various courts. It is intended to serve as a guide for courts in maintaining current accounts receivables.

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Goals

1. Keep accurate and reliable records.
2. Develop accounts receivable practices that maintain judicial intent and keep the courts' accounts receivable current.
3. Comply with §76-3-201.1 and let the Office of State Debt Collection do their job.
4. Provide all districts with practices and policies that have been determined to be effective in the district court.
5. Promote consistency in accounts receivable practices statewide.

Warrants and Overdue Fine Balances

Problem:

Issuing a warrant on a case does not stop a case accounts receivable from aging.

Solutions:

Issuing a Warrant for an Overdue Account Balance

If the judge wishes to make a final attempt at collection via a warrant, a warrant may be issued and the account held with the court for a defined period of time. If payment is not completed within the defined period of time, the warrant should be recalled and the account receivable sent to OSDC for collection.

Recalling a Warrant for an Overdue Account Balance

If a warrant has been issued on a defendant who has completed all conditions of probation except for paying an overdue fine amount, the warrant may be recalled and the account sent to OSDC for collection. This will remove the account from the Accounts Receivable Aging report.

Issuing a Warrant for Failure to Comply With Conditions of Probation on a Case with an Overdue Account Balance

If a defendant has failed to pay the fine and failed to comply with conditions of probation, a warrant may be issued for failure to comply with conditions of probation, and the fine account may be sent to OSDC for collection, the warrant to remain out standing as to the other violations.

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Handling Plea in Abeyances

The Problem: When a defendant enters into a plea in abeyance agreement and the court orders a plea in abeyance receivable, this receivable is not included on the Accounts Receivable Aging Report until the disposition is changed to guilty. If the plea is changed to guilty, the fee amount will then be listed on the Accounts Receivable Aging Report. (If a warrant is issued on a plea in abeyance, the disposition should remain as a plea in abeyance until the defendant appears.) The tracking is not always set up correctly.

Solution: Make sure a payment date has been entered on the Payment Schedule screen. If the Judge does not consider the Plea in Abeyance, Restitution or Fee currently due, enter the correct date such as the end of the plea in abeyance.

It will appear on the Payment Schedule screen if you fill in the information on the Fee Assessment screen that is marked with arrows. You can get to this screen from the Individuals Present > Toolbox > Assess Fees

When you enter a date in the Due Date box it will show in the Due Date on the Payment Schedule as shown with the red arrow below.

If the Payment Schedule screen is selected (F11) fill in the Frequency information and one of the Payment Amount options. Select Calculate and it will update all of the information that is needed for the Accounts Receivable Aging Report. (Do not fill in the Due Date Box)

Fee Description	Fee Amount
CT COMPLEX TRAFFIC	7.00
DNA COLLECTION FEE	100.00
FORF TO STATE, FELONY	0
FORF TO STATE, MISDEM	0
INTEREST	0
PLEA IN ABEYANCE FEL	0
PLEA IN ABEYANCE MIS	0

Case	Due Date	Priority
071000164	02/28/2007	1

Frequency: ☒ Weekly ☐ Semi-monthly ☐ Bi-weekly ☐ Monthly

Payment Amount: Periodic Amount \$ or Num. of payments plus a Final payment amt \$

If the defendant fails to comply with the agreement, then any monies that have been paid should be entered as a credit toward the fine.

<http://www.utcourts.gov/intranet/dist/memos/20030909%20Collection%20of%20Accounts%20Receivable.pdf> The date on this memo is September 9, 2003.

Working with Due Dates in CORIS

When a due date is entered correctly in CORIS this is the date that the aging process will start. If no date is entered then it will begin from the date the account is set up. This is the procedure which will manage the Accounts Receivable Aging Report.

When a date is entered at the time of sentencing in the **Due By** field, this will stay the Accounts Receivable until that date. This date should be the date of the final payment.

If you want to change that date you must go into the Time Pay Screen and remove the date and then set the case on Time Pay.

The 'Sentence' form displays case information for Case 065010055, Traffic Citation, Name SMYER, BRYCE M. It includes a table of charges with columns for Seq, Description, Sev, Prison Sent, Susp, Jail Sent, Units, Jail Susp, and Units. The first charge is SPEEDING with a Total Due of 500.00. The 'Due By' field is set to 3/10/07. A red arrow points to the 'Due By' field.

From the Primary Menu > Accounting > Accounts Receivable (F11)

From this screen, select Payment Schedule.

The 'Accounts Receivable' form displays a summary of financial data for Case 065010055. It includes a table with columns for Revenue, Trust, and Open Trust, showing amounts due, paid, and balance due. The 'Payment Schedule' button is highlighted.

When a date is entered in the Sentencing Screen, it shows in the **Due Date** box on the Payment Schedule screen. The only way to update this date is to highlight it and select Remove Case. You then can set it up on a time pay account.

All payment date extensions must be set up on the Payment Schedule screen.

If a fine is sent back from AP&P, it must be set up on the Payment Schedule screen.

The Payment Schedule screen is the only screen that will update the Accounts Receivable Aging Detail report.

Selecting **Create Timepay Account** in the Sentencing screen will take you directly to the Payment Schedule screen.

Before a case can be set for payments, a balance must appear in the top right-hand Total Balance field.

Payment Schedule

Case Number: 065010055 Traffic Citation

Last Name: SMYER

First Name: BRYCE M

Case	Due Date	Priority
065010055	1/30/2006	1

Buttons: More Cases, Remove Case, Add a case

For all listed cases:

Revenue Balance \$ 504.88

Trust Balance \$ 1000.00

Total Balance \$ 1504.88

Frequency:

☐ Weekly ☐ Semi-monthly ☒ Monthly

Periodic Amount \$ 502.59

or

Num. of payments 0

plus a

Final payment amt \$

First payment date 1/30/2006

Final payment date 1/30/2006

Total Payments may exceed Total Balance due to interest.

Buttons: Calculate, Prepare Report (Enter or Exit) [Enter] [Exit]

SENTENCING

Case: 065010055 Traffic Citation

Name: SMYER, BRYCE M

Buttons: Enter, Exit

☒ Include surcharge ☐ Add surcharge ☐ Applies to all charges

Charges (not dismissed): 1

Seq	Description	Sev	Prison Sent	Susp	Jail Sent	Units	Jail Susp	Units
1	SPEEDING	MC			90	day(s)	90	day(s)

Fine Sent: 500.00 Fine Susp: 0.00 Surcharge: 153.74 Fine Override: Total Due: 500.00

Length of probation: Report to Jail: Report Date: by: AM

Supervised by: Complete Date: Immediate PM

Home Confinement: Total Jail: None

Total Fine: 500.00 Due By: Total Jail: Credit for time served: Pay fine to agency: Fee: Fee Amount: Community Service: In lieu of \$ fine: In lieu of days in jail: Credit Rate: per hour

☒ Create Fine to Court

☐ Stay imposition of sentence

☐ Proof of community service

☐ Jail Suspended if fine paid

☒ Create Timepay Account

Com. Service Report to: Report On: Complete Date:

Payment Schedule

Case Number: 065010055 Traffic Citation

Last Name: SMYER

First Name: BRYCE M

Case	Due Date	Priority
065010055		1

Buttons: More Cases, Remove Case, Add a case

For all listed cases:

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Periodic Amount \$ 502.59

or

Num. of payments 0

plus a

Final payment amt \$

First payment date 1/30/2006

Final payment date 1/30/2006

Total Payments may exceed Total Balance due to interest.

Buttons: Calculate, Prepare Report (Enter or Exit) [Enter] [Exit]

Once a payment plan has been ordered, it must be set up in the Frequency area of the Payment Schedule screen.

You must choose how the judge ordered it paid; weekly, monthly, etc.

When you select the frequency, the items in the drop down box will change to match what you have selected.

For example, if you choose **Monthly** the days of the month will appear in the drop down box. If you choose **Weekly** then the days of the week will appear.

The screenshot shows the 'Payment Schedule' window. At the top, it displays 'Case Number 065010055' and 'Traffic Citation'. Below this, the 'Last Name' is 'SMYER' and the 'First Name' is 'BRYCE M'. The 'Case Priority' section shows a table with one entry: Case 065010055, Due Date (empty), and Priority 1. To the right of this table are buttons for 'More Cases', 'Remove Case', and 'Add a case'. A red arrow points to the 'Frequency' section, which has radio buttons for 'Weekly', 'Semi-monthly', 'Bi-weekly', and 'Monthly' (which is selected). Next to 'Semi-monthly' is a dropdown menu showing '30th'. Below the frequency options are fields for 'First payment date' (1/30/2006) and 'Final payment date' (1/30/2006). To the right, the 'Payment Amount' section has a 'Periodic Amount' of \$502.59, 'Num. of payments' of 0, and a 'Final payment amt' field. Above these are balance fields: 'Revenue Balance \$ 504.88', 'Trust Balance \$ 1000.00', and 'Total Balance \$ 1504.88'. At the bottom, there is a 'Calculate' button, a checkbox for 'Prepare Report (Enter or Exit)', and 'Enter' and 'Exit' buttons.

The First Payment date must be entered at this time. This date entered may be in the past, but if the payment amount is not current, the account will begin counting days on the Accounts Receivable Aging Report.

The next item to be filled in is the Payment Amount. You must fill in the amount that was ordered for each payment or how many payments the judge ordered.

Finally, select the **Calculate** button. The computer will figure the number of payments or the periodic amounts and calculate the **Final payment amt.**

You may only fill in the **Periodic Amount** or **Num. of payments**.

This screenshot is identical to the one above, but with a red arrow pointing to the 'Periodic Amount' field in the 'Payment Amount' section, which contains the value \$502.59.

IMPORTANT NOTE:

If restitution is added at a later date, you **must** recalculate the payments by removing the **Num. of payments** and selecting **Calculate**.

Restitution

The Problem:

When a judge orders a defendant to pay restitution, and the restitution amount owed is excessive, the defendant is unable to pay within the time frame of probation. The unpaid balance will show on the Accounts Receivable Aging Report.

Solutions:

When a defendant is ordered to make payments:

If the payment amount will not clear the amount of restitution owing prior to the time of probation, you could let CORIS calculate final payment date which may be past the probationary time. As long as the full or larger payment is made as scheduled, it will not appear on the Accounts Receivable Aging Report.

If the defendant is ordered to pay restitution by a certain date or if it will be reviewed at the end of probation.

A final payment date can be entered and payments of any amount should be accepted. At the end of the probation have the judge revisit the matter and put an order in place to cover the balance.

In both of the above solutions, it is recommended that this case be put on tracking or calendared so the date is not missed.

Note: If restitution is ordered when the trust account is set up, it is very important to include the victim information. If this information is not included and the case is sent to OSDC and collected, they will make the check payable to the court rather than the victim and send the monies directly to the court. If OSDC has the victim information they will send the check directly to the victim.

Entering Fine Due Dates on Court or Private Probation Cases

Problem: At sentencing, when a defendant is placed on court or private probation, the judge often anticipates the fine will be due by the end of probation. If an end-of probation date is not entered in the CORIS Sentencing screen or payments are not set up in the Payment Schedule screen, the fine begins aging on the day of sentencing. Consequently, the account appears to be overdue when that is not what the judge intended or what the defendant understood.

Solution: A local policy stating if a defendant is on court or private probation, the fine will be due at the end of probation is the courts most useful tool in addressing the problem. Like all local policies, this policy should be in writing and on file. With the policy in place, whenever a defendant is placed on court or private probation, the in-court clerk has a date to work with in setting up the account so the fine does not begin aging prematurely.

Entering Fine Due Dates in CORIS

Sentencing screen

When a date is entered at the time of sentencing in the **Due By** field on the Sentencing screen, the accounts receivable will not begin aging until the date that was entered. This date should be the final payment date.

The screenshot shows the 'Sentence' window in CORIS. The case number is 065010055 and the defendant is SMYER, BRYCE M. The 'Due By' field is set to 3/10/07. A red arrow points to this field. Other fields include 'Length of probation', 'Report to Jail', 'Supervised by', 'Home Confinement', 'Total Fine', 'Due By', 'Prison Immediate Commitment', 'Create Fine to Court', 'Stay imposition of sentence', 'Proof of community service', 'Jail Suspended if fine paid', 'Create Timepay Account', 'Com. Service Report to', 'Report On', and 'Complete Date'.

Payment Schedule screen

To change the due date entered in DUE By field on the Sentencing screen, you must go to the Payment Schedule screen, remove the date and then set the case up on a Payment Schedule. Changing the final payment date on the Payment Schedule will update the Accounts Receivable Aging Detail report.

The screenshot shows the 'Payment Schedule' window in CORIS. The case number is 065010055 and the defendant is SMYER, BRYCE M. The 'Due Date' field is empty. The 'Final payment date' is set to 1/30/2006. Other fields include 'Case Priority', 'Frequency', 'First payment date', 'Final payment date', 'Payment Amount', 'Periodic Amount', 'Num. of payments', 'Final payment amt', 'Total Payments may exceed Total Balance due to interest.', 'Calculate', 'Prepare Report (Enter or Exit)', 'Enter', and 'Exit'.

Cases Referred Back to the Court From Supervised Probation

Problem:

Duplication of collection efforts. If a Progress/Violation report is filed by AP & P with no direction regarding the receivables, the court is needlessly creating a receivable causing duplication of collection efforts.

Solutions:

1. If a balance is still owing and the defendant has been making regular payments:
 - A. If the defendant has time remaining on probation and supervision is changed to the court, the accounts receivable should be set up with the balance owing and it should be put on time pay.
 - B. If there is not enough time left on supervised probation for the defendant to complete paying the fine, then the court should address this with a new order.
2. If a balance is owing and 90 days in arrears:
 - A. A progress/violation report should be filed by AP & P with the court, stating the receivables are 90 days in arrears and request it be sent to OSDC.
 - B. The fine should be sent directly to OSDC from AP & P upon progress/violation report being signed by the judge.

Local Policies

Local policies have been referred to several times in this document. Local policies are typically established to assist judges and clerks in addressing commonly encountered issues. A well-thought out local policy will reduce judge, clerk, court, and defendant time. All local policies should be in writing for reference when auditing.

Current local policies regarding accounts receivable in Utah courts:

1. Handling partial payments: The clerk may adjust fine payments to a lower amount if a defendant is making regular payments. This policy should have some guidelines such as requiring that the fine be paid off prior to the end of probation.
2. If a warrant is issued for an Overdue **fine** only, after a given period of time, the warrant should be recalled and the fine account sent to OSDC.
3. If a case is referred back from AP&P for failure to comply, and the fine is more than 90 past due, then AP&P should request an order to send the fine directly to OSDC. The judge may order a warrant issued on the probation violation. If the defendant is current on fines and all conditions of probation are met then the fine balance should be returned to the court for collection.

Local policies may be put in place in several ways:

1. A General Court Order signed by the Presiding Judge
(See example page 12)
2. A collection policy put into place that has been approved by the management and the judges.
(See example page 14 to 19)
3. A memorandum signed by all judges that pertain to the content.
(See example page 20)
4. A cover letter requesting an order that is pre-worded just needing a check and a signature.
(See example page 21-24)

Please see the following pages for examples.

IN THE SECOND JUDICIAL DISTRICT
WEBER AND DAVIS COUNTIES, STATE OF UTAH

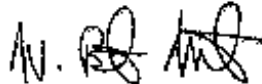
General Court Order

Fine Credits
March 2002
No. 02-02

IT IS HEREBY ORDERED

For the purpose of clearing up outstanding fine accounts receivable, the collections department of the Second District Court are authorized to credit fine amounts of \$25.00 or less.

Dated this 29th day of March, 2002.



W. Brent West
Presiding Judge
Second Judicial District

Second District Court Collections Policy

as of 3/24/2004 Amended 8/9/04, 8/1/2005, 11/4/05, 12/2006 & 1/24/07, **3/26/07**

A collections department was created in the Second District in February 2002.

General Purpose: To outline responsibility for collection of delinquent accounts, as it relates to the local collection department and court sites within the district. This policy enhances the general court collections policy and procedure found in the Court's Accounting Manual.

Limitations of the collections department: Money is not receipted by this department. Individuals are directed to the appropriate court site to make payment or utilize the district's IVR system for payment by credit card.

Requirements of Individual Court sites

Payments at the counter:

1. When a payment is made for less than ordered, the cashier shall accept the payment and remind the payer of the monthly payment ordered by the judge.
2. If a request is made to permanently reduce the amount of their monthly payments for the balance of their fine, the defendant must appear before the judge.
3. Clerks are authorized to grant a one month extension and shall reference in the case history. To maintain consistency, cashiers should verify in the case history actions previously taken by collections.
4. The court shall not end "tracking" initiated by the collections department unless the reason for the tracking has been satisfied.

In Court clerks:

5. As of May 2003, Judges may order the "collection process to begin" as an alternative to issuing warrants for failure to pay. This allows the collections department to begin their collection process sooner.
6. Collections shall submit a "judicial review" form to the assigned judge when it is unclear what action should be taken on a case or judicial action needs to be taken. Unless otherwise directed by the judge, the in court clerk will comply with the judge's direction. When applicable (case is to be dismissed/credits applied) the clerk shall file documentation in the case file and with accounting records.

7. The court shall not end “tracking” initiated by the collections department unless the reason for the tracking has been satisfied.

The court shall maintain the accuracy of due dates and will in certain instances modify the account to reflect the true date past due. Only in the following situations will this occur:

8. When a case must be recalled from OSDC (and will not be resent) the clerk performing the CORIS recall should set up a new payment schedule.
9. When a plea in abeyance case is converted to fine, a new payment schedule should be established based on this conversion date.
10. If a case is on probation with a private provider (eg Frontier, New Horizons) or with the court and the judge doesn’t specify a payment schedule, then the court clerk should reflect the due date when probation is concluded.

Requirements for sending/recalling cases to the Office of State Debt Collection (OSDC):

11. When a judge orders a case to be sent to OSDC, the defendant only has until the close of that business day to pay in full.
12. Separation of Duties as it relates to sending and recalling cases to OSDC shall be adhered to (See Separation of Duties Model).
13. The adopted “2nd District Flow Chart for Recalling Cases” shall be followed, ensuring the following:
 - a. A copy of the OSDC screen print (dCart web site) showing the case recalled, shall be filed with the accountant’s daily documentation.
 - b. If the case is recalled but fine is not satisfied, the case shall be put on collections tracking for two weeks out.
 - c. If the case **will not be promptly resent back to OSDC (after the required wait)**, ensure the judgment (created at the time the case was originally sent) is “set-a-side”. If the case is paid in full and has an FTA/FTC issued, it should also be adjudicated.
14. If a case must be resent, the court must wait one week from the recall date to allow for proper close out of the previous account.

(Note: Credits often can be reported to OSDC rather than needing to recall, apply and re-send the case.)

Collection Department's Procedure

Cases will be sent by Collections to the Office of State Debt as per the following statutes and local policy:

- ◆ As quoted from Tim Shea's memo to State Auditors, 9/9/03: *"The judiciary is required to transfer to OSDC its accounts receivable that are **more than** 90 days past due. 76-3-201.1(8)©). The judiciary's collection responsibility is limited to straight fines and unsupervised probation, this automatic transfer is typically limited to infractions and misdemeanors."*
- ◆ As per 76-3-201.1 (8)(b) states: *If a criminal judgment account receivable in a case not supervised by the Department of Corrections is past due, the district court may, without a motion or hearing, record the unpaid balance of the criminal judgment account receivable as a civil judgment and transfer the responsibility for collection the account receivable to the Office of State Debt Collection.*
- ◆ The SECOND DISTRICT COURT INTERPRETS 'PAST DUE' to mean **no payment or credit has been applied in the last 90 days**. 'Payment' is defined as any amount, which may or may not be the monthly ordered amount due.

As of January 2007, collections is in a better position to further review amounts outstanding in cases where individuals have not been 90 days delinquent in making any payment amount, yet reports reflect cases to be extremely past due. In an effort to bring the accounts current, or to more accurately reflect a case is past due, the following may occur:

- If a defendant has been making regular monthly payments, exactly as ordered for the last 2 years, yet the past due amount reflects prior years of missed payments (or other CORIS related accounting issues-the case wasn't set up on time pay correctly) the collection department is granted permission to restart the time payment account so it correctly reflects that the account is current.
- Defendants who have consistently made monthly payments, yet **below the monthly ordered** amount for an extended period, may receive notice to either schedule a judge review to request a new monthly payment amount, or must bring the account current. Failure to comply within the month, shall result in the case being sent to OSDC.

Collection Process:

Collection letters are sent when a case is found to be delinquent. (Depending on the case and payment schedule, could be issued upon 30 days late or 1 day after due in full). If a defendant makes contact with collections payment extensions may be granted. Defendants will be referred to the court to schedule a hearing if an extension of more than 30 days is requested. Cases where a collection letter has been sent will be reviewed every 30 days. Upon 60 days past due, collections will determine and place on tracking when the account becomes 90 days delinquent.

Review Procedure:

1. Daily review

- Computer generated reports run by data processing nightly are reviewed each day. This list contains cases where a payment was due the previous day. Each site's list is reviewed and delinquent letters are sent as required.
- Tracking reports are run daily to identify cases where the following tracking reasons had been previously applied:
 - Collection Fine Due -used to track cases not yet 90 days past due
 - Collection Warrant - set 13 months after issuance of warrant
 - Collection 90 days - date case becomes 90 days past due and is OSDC eligible
 - Collections Drug Court - (Farmington only) used to track cases that have gone to drug court.
 - Judge Review - tracks cases turned to the judge.
 - Collection Plea & Abey - tracks plea in abeyance cases one month after the end of the agreement/dismissal review
 - Fine/trust - Date due in full.
 - NSF tracking - to ensure additional fees are assessed for nonpayment of non-sufficient fund checks (see local NSF Policy)
 - Collections probation - ordered through AP&P not yet set up, info is sent to AP&P requesting account be setup, so this tracking is to follow up.
 - Inmate Work Credits - Davis County Only

2. Quarterly

- ◆ The CORIS newly created 90 days past due report (available since February 2006) shall be reviewed every 3-4 months per site, to locate cases over 90 days past due which have not yet been sent to OSDC.

3. Annual review

- ◆ The collections department shall review the “Accounts Receivable Report” for each site once a year. The focus of this report is to find cases that have not been set up on time pay, or some type of tracking applied. Monies found in cash bail that could be applied to the fine, and have been held for longer than 90 days, will be reported to the accountant.
- ◆ At the conclusion of the review, a report shall be forwarded to the Assistant Clerk of Court depicting the status of the court’s receivables. The report will also address any issues that need further attention/correction by the court.

Credits applied by the Collection Department: When required, appropriate “proof of credits” are submitted to the accountant to be filed with the accounting records and the case file (see underlined bullet points). Credits or adjustments to the accounts receivable are applied for the following reasons:

- ◆ Based on General Court Orders: #02-02, #02-03, #96-01
- ◆ If the defendant is currently on probation through Adult Probation and Parole yet the accounts receivable still shows monies owing (old clean up issue) the case shall be credited upon verification through AP&P’s system (OOS) that obligations are recorded correctly.
- ◆ the defendant is deceased, upon proof of death certificate or Obituary
- ◆ When application of the credit was not applied (forgotten) by the clerks for the following reasons:
 - ◆ the judge grants defendant to complete community service in lieu of fine
 - ◆ Case was dismissed
 - ◆ judge orders the fines and fees waived or suspended
- ◆ Davis County Inmate work credits (see general policy)
- ◆ As ordered by the judge in response to the “Judicial Review Form”.

Collection of unpaid Surety bonds: Once a judgment is entered, the courts accounting manual indicates to call the Insurance Department to help collect on the bond. The Second District will decide on a case by case basis to follow this step, but will send to OSDC (manually) after 90 days delinquent.

Handling Cases with Warrants

Until December 2003, cases with a warrant were not reviewed by collections. To keep with the requirement to send cases to OSDC after 90 days delinquent, when it is discovered a case (other than felony) has a warrant for “failure to pay fine only” (with a conviction entered) and the warrant has been outstanding for one year, the warrant will be recalled by collections and the case sent to OSDC. When the warrant is for additional reasons, (and has been outstanding one year) Collections will seek judicial approval to send the fine to OSDC but keep the warrant active. (See also local “Warrant policy”). The due day for fine payments will be the date the warrant is outstanding one year.

If the warrant is recalled and a new payment plan is not established, rather than the old payment plan initiating, collections is allowed to restart the payment plan as of the month the warrant was recalled.

Davis County Inmate Work Credits

The Davis County Judges have an agreement with the Davis County Jail to accept inmate work credits (to fines only-not restitution) at a rate of \$10 per day. This report is issued monthly to the collections department which are applied by the 15th of each month. The case will not reflect as past due as long as credits are being applied.

Cases that are with AP&P or OSDC, will be alerted to inmate work credits that can not be applied to the local court record.

MEMORANDUM

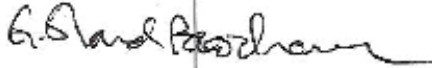
To: District Court Criminal Clerks (all criminal clerks can receipt credits) *ES*.
From: Sharlene Rowley
Date: January 17, 2007
Subject: Receipting Credits for Counseling, Evaluations, & Southern Utah Intervention Costs

The costs for supervision through Southern Utah Intervention can be credited towards the defendant's fine. Sometimes the minutes just state counseling and evaluations. The judges intend for the supervision costs from Southern Utah Intervention be credited, unless otherwise specified.

Thanks,

Sharlene Rowley
Collection Clerk

Judge Beacham



Judge Ludlow



Judge Shumate



CASH BAIL IN TRUST

Attention Judge: _____ regarding:

Case #: _____

Name: _____

The court has received cash bail in the amount of \$_____ on _____.

Please indicate what action you would like taken:

_____ Apply money as partial payment on fine

_____ Apply money as full payment on fine

_____ Apply \$_____ to fine and refund \$_____ to payee

_____ Apply cash bail to restitution or attorney fees (circle one)

_____ Refund to payee

_____ Forfeit and issue new bench warrant in the amount of \$_____

_____ Forfeit to fine

_____ Forfeit for contempt

_____ Other: _____

Judge's Initials: _____ Date: _____

PLEASE RETURN TO ACCOUNTING.

FINDERS MONEY IN TRUST

Attention Judge: _____ regarding:

Case #: _____

Name: _____

The court has received finders money in the amount of \$_____ on _____.

Please indicate what action you would like taken:

_____ Apply money as partial payment on fine

_____ Apply money as full payment on fine

_____ Apply \$_____ to fine and refund \$_____ to debt

_____ Apply gotcha money to restitution or attorney fees (circle one)

_____ Refund to debt

_____ Forfeit and issue new bench warrant in the amount of \$_____

_____ Forfeit to fine

_____ Forfeit for contempt

_____ Other: _____

Judge's Initials: _____ Date: _____

PLEASE RETURN TO ACCOUNTING

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Attention: Judge

Please Address by:

Location:

Your Honor, Please review in regards to monies owing

Attached:

Case Number: _____

*Docket

Defendant: _____

Collections feels this case needs your review:

Your Honor, the defendant has failed to pay fine, fees or restitution as ordered by the court and has an active warrant. The warrant has been out for over one year's time. It is requested that the case's financial obligations be sent to Office of State Debt Collection. Please review the case and initial and date the action to be taken below. Please return to your in-court clerk to make a case history note of the action to be taken and to file the original in the case file.

Thanks for your time and assistance in this matter!

Clerks: Please do not end Collections Judge Review tracking as this is how we will locate the cases. Thanks!

In-Court Clerk Shall: (please initial and date the action to be taken)

_____ **Send financial obligations to the Office of State Debt Collection,
RECALL warrant and CLOSE case.**

_____ **Send financial obligations to the Office of State Debt Collection
and leave warrant active.**

_____ **Other:** _____

Thank You,

Second District Court Collections Department

Billie Jo Petty #801-397-7025, billiejp@email.utcourts.gov

Attention:

Please Address by:

Location:

Your Honor, Please review in regards to monies owing

Attached:

Case Number: _____

*

Defendant: _____

Collections feels this case needs your review:

Your Honor this defendant was ordered to pay \$18.50 in witness fee's on March 1, 2006, he has since been sentenced (on April 26, 2006), and ordered to pay a fine of \$1775.00 through AP&P. His witness fee's have not yet been paid, and collection letters have been sent. Would you like these fee's to be paid through AP&P, sent to OSDC, or suspended by the court?

In-Court Clerk Shall Please:

_____ issue a warrant

_____ schedule an Order to Show Cause Hearing

_____ Other: _____

Collections Shall:

_____ send to the Office of State Debt Collection

_____ Transfer financial obligations to AP&P

_____ suspend fines and fees

_____ Plea in Abeyance fee shall be converted to fine and sent to OSDC

_____ Other: _____

Thank You,

Second District Court Collections Department

Billie Jo Petty #801-397-7025, billiejp@email.utcourts.gov