

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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| <p>Linguista White, <i>et al.</i>, Plaintiffs, v. Kevin Shwedo, <i>et al.</i>, Defendants.</p> | <p>Civil Action No. 2:19-cv-03083-RMG</p> |
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SUPPLEMENTAL DECLARATION OF NUSRAT J. CHOUDHURY

I, Nusrat J. Choudhury, declare as follows:

1. I am the deputy director of the Racial Justice Program of the American Civil Liberties Union Foundation (“ACLU”) and counsel for the Plaintiffs in this matter.

2. I make this Declaration based on personal knowledge, and I am competent to testify regarding the following facts.

3. Attached as Exhibit A is a true and correct copy of Board of Governors of the Federal Reserve System, *Report on the Economic Well-Being of U.S. Households in 2018* (2019). This exhibit is also available at <https://bit.ly/2KFZDZy>.

4. Attached as Exhibit B is a true and correct copy of Judicial Council of California, *Report on the Statewide Collection of Delinquent Court-Ordered Debt for 2017–18* (2018). This exhibit is also available at <https://bit.ly/33eUn5D>.

5. Attached as Exhibit C is a true and correct copy of Texas Fair Defense Project & Texas Appleseed, *Driven by Debt: How Driver’s License Suspensions for Unpaid Fines and Fees Hurt Texas Families*, <http://stories.texasappleseed.org/driven-by-debt> (last

visited Nov. 25, 2019).

6. Attached as Exhibit D is a true and correct copy of Matthew Menendez et al., *The Steep Costs of Criminal Justice Fees and Fines: A Fiscal Analysis of Three States and Ten Counties*, Brennan Center for Justice (2019). This exhibit is also available at <https://bit.ly/2Dajufe>.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed in New York, New York on this 25th day of November, 2019.

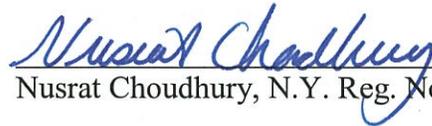

Nusrat Choudhury, N.Y. Reg. No. #4538302

EXHIBIT A



Report on the Economic Well-Being of U.S. Households in 2018

May 2019

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM



Report on the Economic Well-Being of U.S. Households in 2018

May 2019

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Preface

This survey and report were prepared by the Consumer and Community Research Section of the Federal Reserve Board's Division of Consumer and Community Affairs (DCCA).

DCCA directs consumer- and community-related functions performed by the Board, including conducting research on financial services policies and practices and their implications for consumer financial stability, community development, and neighborhood stabilization.

DCCA staff members Alex Durante and Lisa Chen were the lead contributors to this report and survey. Cassandra Duchan, Kimberly Kreiss, Ellen Merry, Barbara Robles, Claudia Sahm, and Mike Zabek were also key staff contributors. Federal Reserve

staff members Eric Belsky, Anna Alvarez Boyd, Andrea Brachtesende, David Buchholz, Jeff Larrimore, Madelyn Marchessault, and Susan Stawick provided valuable comments on the survey and report. Katherine Abraham, Mary Burke, Julia Cheney, Keith Ernst, Andrew Figura, Geoff Gerdes, Lisa Lee, Gavin Miller, Joshua Montes, Shannon Nelson, Michael Scherzer, James Spletzer, Alison Weingarden, and Josh Winters provided helpful feedback on new survey questions. The authors would like to thank Bob Torongo, Marlene Rosas, Mansour Fahimi, Frances Barlas, Elisa Chan, and Sergei Rodkin for their assistance fielding the survey.

If you have questions about the survey or this report, please email SHED@frb.gov.

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Executive Summary

This report describes the responses to the sixth annual Survey of Household Economics and Decisionmaking (SHED). The goal of the survey is to share the wide range of financial challenges and opportunities facing individuals and households in the United States.¹ For many, the findings are positive; however, areas of distress and fragility remain. The survey also reveals how households view their own financial lives and the many decisions they face, from education to retirement.

Most measures of economic well-being and financial resilience in 2018 are similar to or slightly better than in 2017. Many families have experienced substantial gains since the survey began in 2013, in line with the nation's ongoing economic expansion during that period. Even so, another year of economic expansion and the low national unemployment rates did little to narrow the persistent economic disparities by race, education, and geography.

A key theme in this year's report is exploring the sources and effects of financial fragility across several domains, from employment to banking to managing expenses. Results from the survey show that many adults are financially vulnerable and would have difficulty handling an emergency expense as small as \$400. In addition, volatile income and low savings can turn common experiences—such as waiting a few days for a bank deposit to be available—into a problem for some. At the same time, there is evidence of coping strategies, such as supplementing income through gig work and seeking financial support from family members.

¹ The latest SHED interviewed a sample of over 11,000 individuals—with an online survey in October and November 2018. The anonymized data, as well as a supplement containing the complete SHED questionnaire and responses to all questions in the order asked, are also available at <https://www.federalreserve.gov/consumerscommunities/shed.htm>.

The survey continues to use subjective measures and self-assessments to supplement and enhance objective measures. One example is trying to understand how close the economy is to full employment. In addition to asking adults whether they are working, the survey asks if they want to work more and what impediments they see to them working. Health limitations, a lack of available work, and family obligations are often cited as reasons for not being fully employed.

Overall Economic Well-Being

A large majority of individuals report that, financially, they are doing okay or living comfortably, and overall economic well-being has improved substantially since the survey began in 2013. Even so, notable differences remain by race and ethnicity, educational attainment, and geography.

- When asked about their finances, 75 percent of adults say they are either doing okay or living comfortably. This result in 2018 is similar to 2017 and is 12 percentage points higher than 2013.
- Adults with a bachelor's degree or higher are significantly more likely to be doing at least okay financially (87 percent) than those with a high school degree or less (64 percent).
- Nearly 8 in 10 whites are at least doing okay financially in 2018 versus two-thirds of blacks and Hispanics. The gaps in economic well-being by race and ethnicity have persisted even as overall well-being has improved since 2013.
- Fifty-six percent of adults say they are better off than their parents were at the same age and one-fifth say they are worse off.
- Nearly two-thirds of respondents rate their local economic conditions as “good” or “excellent,” with the rest rating conditions as “poor” or “only

fair.” More than half of adults living in rural areas describe their local economy as good or excellent, compared to two-thirds of those living in urban areas.

Income

Changes in family income from month to month remain a source of financial strain for some individuals. Financial support from family or friends to make ends meet is also common, particularly among young adults.

- Three in 10 adults have family income that varies from month to month. One in 10 adults have struggled to pay their bills because of monthly changes in income. Those with less access to credit are much more likely to report financial hardship due to income volatility.
- One in 10 adults, and over one-quarter of young adults under age 30, receive some form of financial support from someone living outside their home. This financial support is mainly between parents and adult children and is often to help with general expenses.

Employment

Most adults are working as much as they want to, an indicator of full employment; however, some remain unemployed or underemployed. Economic well-being is lower for those wanting to work more, those with unpredictable work schedules, and those who rely on gig activities as a main source of income.

- One in 10 adults are not working and want to work, though many are not actively looking for work. Four percent of adults in the SHED are not working, want to work, and applied for a job in the prior 12 months, similar to the official unemployment rate of 3.8 percent in the fourth quarter of 2018.
- Two in 10 adults are working but say they want to work more. Blacks, Hispanics, and those with less education are less likely to be satisfied with how much they are working.
- Half of all employees received a raise or promotion in the prior year.
- Unpredictable work schedules are associated with financial stress for some. One-quarter of

employees have a varying work schedule, including 17 percent whose schedule varies based on their employer’s needs. One-third of workers who do not control their schedule are not doing okay financially, versus one-fifth of workers who set their schedule or have stable hours.

- Three in 10 adults engaged in at least one gig activity in the prior month, with a median time spent on gig work of five hours. Perhaps surprisingly, little of this activity relies on technology: 3 percent of all adults say that they use a website or an app to arrange gig work.
- Signs of financial fragility—such as difficulty handling an emergency expense—are slightly more common for those engaged in gig work, but markedly higher for those who do so as a main source of income.

Dealing with Unexpected Expenses

While self-reported ability to handle unexpected expenses has improved substantially since the survey began in 2013, a sizeable share of adults nonetheless say that they would have some difficulty with a modest unexpected expense.

- If faced with an unexpected expense of \$400, 61 percent of adults say they would cover it with cash, savings, or a credit card paid off at the next statement—a modest improvement from the prior year. Similar to the prior year, 27 percent would borrow or sell something to pay for the expense, and 12 percent would not be able to cover the expense at all.
- Seventeen percent of adults are not able to pay all of their current month’s bills in full. Another 12 percent of adults would be unable to pay their current month’s bills if they also had an unexpected \$400 expense that they had to pay.
- One-fifth of adults had major, unexpected medical bills to pay in the prior year. One-fourth of adults skipped necessary medical care in 2018 because they were unable to afford the cost.

Banking and Credit

Most adults have a bank account and are able to obtain credit from mainstream sources. However, substantial gaps in banking and credit services exist among minorities and those with low incomes.

- Six percent of adults do not have a bank account. Fourteen percent of blacks and 11 percent of Hispanics are unbanked versus 4 percent of whites. Thirty-five percent of blacks and 23 percent of Hispanics have an account but also use alternative financial services, such as money orders and check cashing services, compared to 11 percent of whites.
- More than one-fourth of blacks are not confident that a new credit card application would be approved if they applied—over twice the rate among whites.
- Those who never carry a credit card balance are much more likely to say that they would pay an unexpected \$400 expense with cash or its equivalent (88 percent) than those who carry a balance most or all of the time (40 percent) or who do not have a credit card (27 percent).
- Thirteen percent of adults with a bank account had at least one problem accessing funds in their account in the prior year. Problems with a bank website or mobile app (7 percent) and delays in when funds were available to use (6 percent) are the most common problems. Those with volatile income and low savings are more likely to experience such problems.

Housing and Neighborhoods

Satisfaction with one's housing and neighborhood is generally high, although notably less so in low-income communities. Renters face varying degrees of housing strain, including some who report difficulty getting repairs done or being forced to move due to a threat of eviction.

- While 8 in 10 adults living in middle- and upper-income neighborhoods are satisfied with the overall quality of their community, 6 in 10 living in low- and moderate-income neighborhoods are satisfied.
- People's satisfaction with their housing does not vary much between more expensive and less expensive cities or between urban and rural areas.
- Over half of renters needed a repair at some point in the prior year, and 15 percent of renters had moderate or substantial difficulty getting their landlord to complete the repair. Black and Hispanic renters are more likely than whites to have difficulties getting repairs done.

- Three percent of non-homeowners were evicted, or moved because of the threat of eviction, in the prior two years. Evictions are slightly more common in urban areas than in rural areas.

Higher Education

Economic well-being rises with education, and most of those holding a postsecondary degree think that attending college paid off. The net financial benefits of education are less evident among those who started college but did not complete their degree; the same is true among those who attended for-profit institutions.

- Two-thirds of graduates with a bachelor's degree or more feel that their educational investment paid off financially, but 3 in 10 of those who started but did not complete a degree share this view.
- Among young adults who attended college, more than twice as many Hispanics went to a for-profit institution as did whites. For young black attendees, this rate was five times the rate of whites.
- Given what they know now, half of those who attended a private for-profit institution say that they would attend a different school if they had a chance to go back and make their college choices again. By comparison, about one-quarter of those who attended public or private not-for-profit institutions would want to attend a different school.

Student Loans and Other Education Debt

Over half of young adults who attended college took on some debt to pay for their education. Most borrowers are current on their payments or have successfully paid off their loans. However, those who failed to complete a degree, and those who attended for-profit institutions, are more likely to have fallen behind on their payments.

- Among those making payments on their student loans, the typical monthly payment is between \$200 and \$299 per month.
- Over one-fifth of borrowers who attended private for-profit institutions are behind on student loan payments, versus 8 percent who attended public institutions and 5 percent who attended private not-for-profit institutions.

Retirement

Many adults are struggling to save for retirement. Even among those who have some savings, people commonly lack financial knowledge and are uncomfortable making investment decisions.

- Thirty-six percent of non-retired adults think that their retirement saving is on track, but one-quarter have no retirement savings or pension whatsoever. Among non-retired adults over the age of 60, 45 percent believe that their retirement saving is on track.
- Six in 10 non-retirees who hold self-directed retirement savings accounts, such as a 401(k) or IRA, have little or no comfort in managing their investments.
- On average, people answer fewer than three out of five financial literacy questions correctly, with lower scores among those who are less comfortable managing their retirement savings.

Economic Well-Being

The large number of people reporting that they are doing at least okay financially mirrors the results in the prior survey, maintaining the significant gains since the survey began in 2013.² This generally positive assessment of economic well-being is consistent with the continued economic expansion and the low national unemployment rate. Even so, the rate of improvement in well-being was small relative to some previous years, and disparities persist across education, race, and neighborhoods.

Current Financial Situation

Three-quarters of adults in 2018 indicate they are either “living comfortably” (34 percent) or “doing okay” financially (41 percent), similar to the rate in 2017. The rest are either “just getting by” (18 percent) or “finding it difficult to get by” (7 percent). The 1 percentage point increase in the fraction doing at least okay financially in 2018 is not statistically

² The survey was fielded from October 11 to November 12, 2018, so references to “during 2018” in the report text are the 12-month period before the survey (typically from October 2017 through October 2018) rather than the precise calendar year.

significant but leaves this fraction substantially higher than the 62 percent in 2013.

Despite the positive trend, notable differences in economic well-being remain among education and racial groups. Adults with a bachelor’s degree or higher are significantly more likely to be doing at least okay financially (87 percent) than those with a high school degree or less (64 percent). Two-thirds of blacks and Hispanics report that they are doing at least okay financially, compared to nearly 8 in 10 whites. The racial disparities also exist within each level of educational attainment (figure 1).

Economic well-being also differs by income, family structure, and neighborhood (table 1). Fifty-six percent of adults with family income less than \$40,000 say they are doing okay financially, versus 94 percent of adults with income greater than \$100,000. Married individuals, in general, are more likely to report that they are doing at least okay financially (82 percent) than unmarried individuals (66 percent). Of those with children (under age 18), unmarried parents are much less likely to report a positive financial situation (52 percent) than married parents (78 percent). Finally, people living in low-

Figure 1. At least doing okay financially (by education and race/ethnicity)



Table 1. Share of adults at least doing okay financially (by demographic characteristics)

| Characteristic | Percent in 2018 | Change since 2017 | Change since 2013 |
|-------------------------------------|-----------------|-------------------|-------------------|
| Family income | | | |
| Less than \$40,000 | 56 | 1 | 14 |
| \$40,000–\$100,000 | 79 | 1 | 13 |
| Greater than \$100,000 | 94 | 0 | 12 |
| Race/ethnicity | | | |
| White | 78 | 1 | 13 |
| Black | 66 | 0 | 13 |
| Hispanic | 67 | 1 | 11 |
| Urban/rural residence | | | |
| Urban | 75 | 1 | 12 |
| Rural | 71 | 0 | 12 |
| Neighborhood income | | | |
| Middle or upper income | 78 | 1 | n/a |
| Low or moderate income ¹ | 65 | 2 | n/a |
| Family structure | | | |
| Married, no children | 84 | 1 | 10 |
| Married, children | 78 | 3 | 17 |
| Unmarried, no children | 68 | 2 | 10 |
| Unmarried, children | 52 | -4 | 10 |
| Overall | 75 | 1 | 12 |

Note: Census tracts were not included in the 2013 SHED so changes since 2013 are not available. Here and in subsequent tables and figures, percents may not sum to 100 due to rounding and question nonresponse.

¹ Low- or moderate-income neighborhoods are defined here as those census tracts with a median family income less than 80 percent of the national median income.

n/a Not applicable.

and moderate-income communities report lower levels of well-being than those living in middle- or upper-income communities.

To learn more about economic well-being, this year's survey also asked individuals to explain “in their own words” how they are managing financially. Text analysis of these responses highlights some of the nuances in how individuals think about their financial situation (box 1).

Changes in Financial Situation over Time

The average well-being in a handful of broad categories across survey years could mask the degree of change—both positive and negative—within specific families. When asked directly about *changes* in their finances, adults in 2018 are twice as likely to report that their finances improved over the prior 12 months (31 percent) than worsened (13 percent).

Table 2. Financial situation compared to parents (by education and race/ethnicity)

| Characteristic | Better off | About the same | Worse off |
|---|------------|----------------|-----------|
| Percent | | | |
| High school degree or less | | | |
| White | 52 | 28 | 19 |
| Black | 61 | 26 | 11 |
| Hispanic | 54 | 23 | 22 |
| Overall | 54 | 26 | 19 |
| Some college or associate degree | | | |
| White | 51 | 26 | 22 |
| Black | 62 | 21 | 17 |
| Hispanic | 58 | 19 | 23 |
| Overall | 54 | 24 | 21 |
| Bachelor's degree or more | | | |
| White | 58 | 24 | 17 |
| Black | 64 | 16 | 19 |
| Hispanic | 61 | 19 | 19 |
| Overall | 59 | 23 | 18 |
| Overall | 56 | 25 | 19 |

The remainder—55 percent of adults—say their finances are about the same as the prior year.

To get a longer perspective than year-to-year changes, individuals also compared their current economic well-being to their parents' at the same age. Looking across a generation, 56 percent of adults say they are better off financially than their parents were (table 2). One-fifth say they are worse off than their parents were. At all levels of education, blacks and Hispanics are more likely than whites to say that they are better off than their parents were. However, in some education groups, minorities are also more likely than whites to say they are worse off than their parents. On net, this measure shows some evidence of narrowing racial disparities across a generation. In addition, having a bachelor's degree or more is generally associated with greater upward economic mobility than having less education.

Local Economic Conditions

Along with questions about their own economic well-being, people are asked to assess their local economy. Nearly two-thirds of respondents rated local economic conditions as “good” or “excellent” in 2018, with the rest rating conditions as “poor” or “only fair.”

The assessments differ widely by demographics and geography (table 3). Whereas 68 percent of whites

Table 3. Self-assessment of the local economy as good or excellent (by select characteristics)

| Percent | |
|------------------------------|---------------|
| Characteristic | Local economy |
| Race/ethnicity | |
| White | 68 |
| Black | 47 |
| Hispanic | 60 |
| Urban/rural residence | |
| Urban | 66 |
| Rural | 52 |
| Neighborhood income | |
| Middle or upper income | 71 |
| Low or moderate income | 45 |
| Overall | 64 |

Note: See table 1 for definitions of low- or moderate-income neighborhoods.

view their local economic conditions as good or excellent, 47 percent of blacks and 60 percent of Hispanics rate their local economies favorably. Not surprisingly, adults who live in low- and moderate-income neighborhoods are much less likely to report favorable local economic conditions than those in

middle- or upper-income neighborhoods. Looking across geography, more than half of adults living in rural areas rate their economy as at least good, compared to two-thirds of those living in urban areas.

Subjective measures of local economic conditions—like these self-assessments—can add to our understanding of individual experience. As one example, consider the 21 percent of adults in 2018 who personally know someone addicted to opioids or prescription painkillers. Some research has argued that economic decline in certain communities has contributed to the opioid epidemic.³ In 2018, those personally exposed to the opioid epidemic are less likely to view the local economy as good or excellent (60 percent) than those not exposed (65 percent). Even after accounting for race, rural or urban status, and neighborhood income, the modest relationship between opioid exposure and self-assessed local economic conditions remains.

³ See Jeff Larrimore et al., “Shedding Light on Our Economic and Financial Lives?” FEDS Notes (Washington: Board of Governors of the Federal Reserve System, May 22, 2018), <https://www.federalreserve.gov/econres/notes/feds-notes/shedding-light-on-our-economic-and-financial-lives-20180522.htm>.

Box 1. Text Analysis of Self-Assessed Well-Being and Income

Surveys, like the SHED, pair most questions with a small set of possible answers from which respondents choose. In some cases, the survey complements these structured questions with open-ended questions, to which respondents answer in their own words. Open-ended questions can provide different insights into how individuals are faring, and can inform the creation of new structured questions. Because of the range of possible responses, however, the results from open-ended questions are challenging to interpret. This box describes one example of how to analyze such text responses in a rigorous and systematic way.

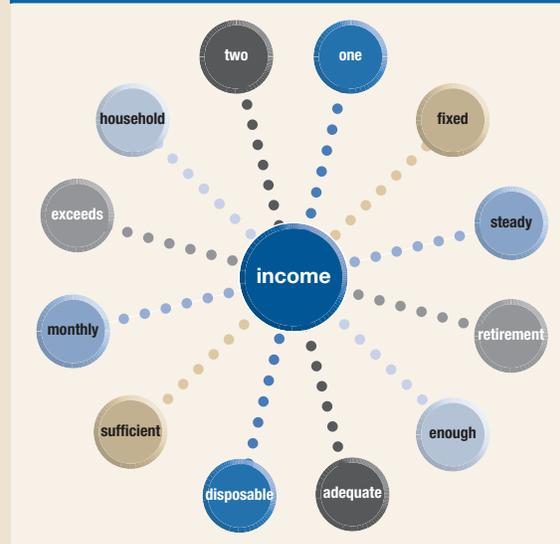
In this survey, everyone chooses from four pre-set answers (“finding it difficult to get by,” “just getting by,” “doing okay,” and “living comfortably”) to describe their financial situation. Then respondents are asked to explain in a sentence or two why they selected their response. To illustrate the uses of text analytics, consider explanations that include “income”—one of the most commonly used words. One in 10 adults who say that they are “doing okay” or “living comfortably” use the word “income” in their open-ended response. Those who are “just getting by” or “finding it difficult to get by” mention “income” twice as often.¹

This text analysis uses word pairs—also referred to as bigrams—that include “income” to unpack these open-ended responses.² Bigrams are pairs of successive words. For example, the text response “my income covers my expenses” is broken into the following bigrams: “my income,” “income covers,”

¹ Unlike the rest of the report, this analysis of open-ended text response questions is unweighted.

² Studying the frequency of bigrams is one form of text analysis; see also Julia Silge and Dave Robinson’s *Text Mining with R* at <https://tidytextmining.com>.

Figure A. Income-related word pairs among those “doing okay” or “living comfortably”



“covers my,” and “my expenses.”³ Not surprisingly, the words individuals use to describe their income differ substantially across the pre-set choices of “finding it difficult to get by” or “living comfortably.”

Descriptions of both the level and variability of income differ by self-assessed well-being. Among adults who say they are at least doing okay financially, common words include “adequate,” “sufficient,” and “exceeds” to describe their income (figure A).

(continued on next page)

³ Bigrams where either the first or the second word does not provide contextual information, such as “the” and “are,” are omitted.

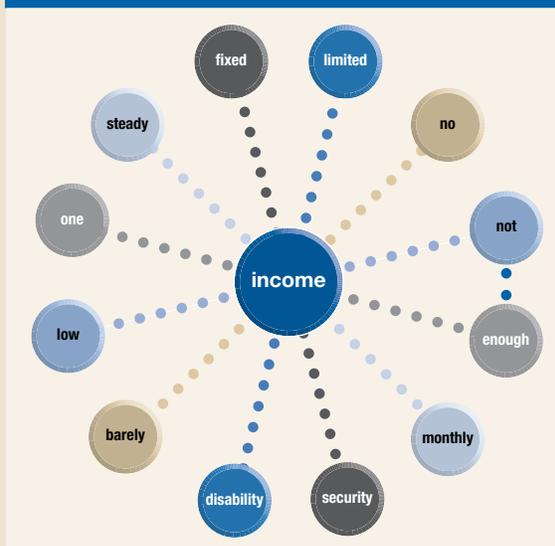
Box 1. Text Analysis of Self-Assessed Well-Being and Income—*continued*

On the other hand, those just getting by or worse use words like “low,” “limited,” and “barely” (figure B). Both well-being groups use “enough” and “steady” when talking about income, yet nearly every instance in the lower well-being group is preceded by the word “not,” “no,” or “need.”

The sources of income that individuals use to explain economic well-being also differ. Those who are not doing okay financially often mention “social security” and “disability” along with income, suggesting that social safety net programs are an important source of income for many of these respondents. Among those doing okay financially, “social security” is a common phrase, but they often mention it along with other retirement income sources like pensions or investment income. Those doing better financially are also more likely to point to having “two” incomes, such as from a spouse or partner also working, in their household. In contrast, “one” income is more common among those doing worse financially.

The kind of text analysis in this one example can be applied to other open-ended responses across a range of issues. This analysis often confirms what is understood from structured questions, but sometimes suggests nuances or new developments that merit further inquiry.

Figure B. Income-related word pairs among those “just getting by” or “struggling to get by”



Income

Income is central to most people’s economic well-being. The ability to meet current expenses and save for the future typically depends on income being sufficient and reliable. Some families also depend on financial support from, or provide such support to, their family or friends. Frequent changes in the level of family income, referred to here as “income volatility,” can be a source of economic hardship.

Level and Source

Family income in this survey is the income from all sources that the respondent and his or her spouse or partner received during the previous year. Income is reported in dollar ranges as opposed to exact amounts. One-quarter of adults had a family

income of less than \$25,000 during 2018, and 37 percent had less than \$40,000 (figure 2).⁴

Wages and salaries are the most common source of family income: nearly 7 in 10 adults and their spouse or partner received wage income during 2018 (table 4). Yet, many families also receive non-wage income, and the sources of non-wage income vary substantially with age. Among young adults (ages 18 to 29), other paid activities—often referred to as

⁴ The income distribution in the SHED is largely similar to the 2018 March Current Population Survey, although a higher fraction of adults in the SHED have family incomes above \$40,000 and a lower fraction have incomes below \$40,000. The higher income may partly reflect the fact that unmarried partners are treated as one family in the SHED, while the Current Population Survey treats them as two separate families.

Figure 2. Family income distribution

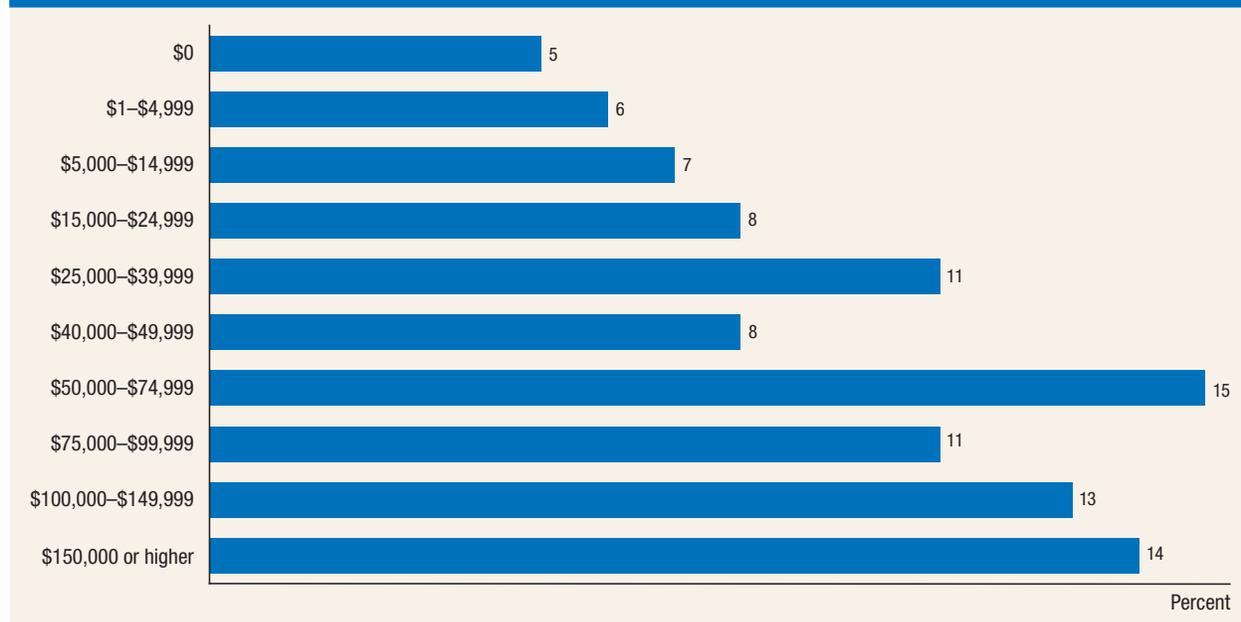


Table 4. Family income sources (by age)

Percent

| Income source | 18–29 | 30–44 | 45–59 | 60+ | Overall |
|--|-------|-------|-------|-----|---------|
| Wages or salaries | 77 | 83 | 80 | 38 | 68 |
| Self-employment | 14 | 19 | 19 | 14 | 16 |
| Other paid activities | 19 | 13 | 9 | 7 | 12 |
| Interest, dividends, or rental income | 15 | 21 | 29 | 44 | 28 |
| Social Security (including old age, SSI, and DI) | 4 | 7 | 14 | 76 | 28 |
| Unemployment income | 3 | 3 | 3 | 2 | 3 |
| Pension | 1 | 2 | 9 | 51 | 18 |
| Any other income | 7 | 6 | 7 | 15 | 9 |

Note: Respondents can select multiple answers.

gig work—is the most common source of non-wage income. Among middle-age adults (ages 30 to 59), the percent with gig income is lower, while the percent with interest, dividend, and rental income is higher. Finally, 83 percent of adults age 60 and older received Social Security or pension income. The common sources of income and its distribution are similar to previous surveys.

Financial Support

One in 10 adults received some form of financial support during 2018 from someone living outside of their home. Over one-quarter of young adults receive such support (table 5). Among young adults with incomes under \$40,000, nearly 4 in 10 receive some support from outside their home. Conversely, adults age 30 or older are more likely to provide financial support to individuals outside their home. Two in 10 adults ages 45 to 59 financially support others in this way.

This financial support is mainly between parents and adult children. Of those receiving family support, nearly two-thirds receive it from parents. Of those under age 30 who receive support, 8 in 10 receive it

from parents. For many older adults, the flow reverses: among adults age 60 and older who receive family assistance, 6 in 10 receive it from their adult children.

Financial support from family and friends takes many forms. Six in 10 of those receiving financial support receive money for general expenses, and over one-third receive help with their rent or mortgage (figure 3). In addition, nearly one-quarter of all recipients, and over one-third of recipients under age 30, receive help with educational expenses or student loan payments.

Income Volatility

The level of income during the year as a whole may mask substantial changes in income from month to month. The survey considers how mismatches between the timing of income and expenses lead to financial challenges.

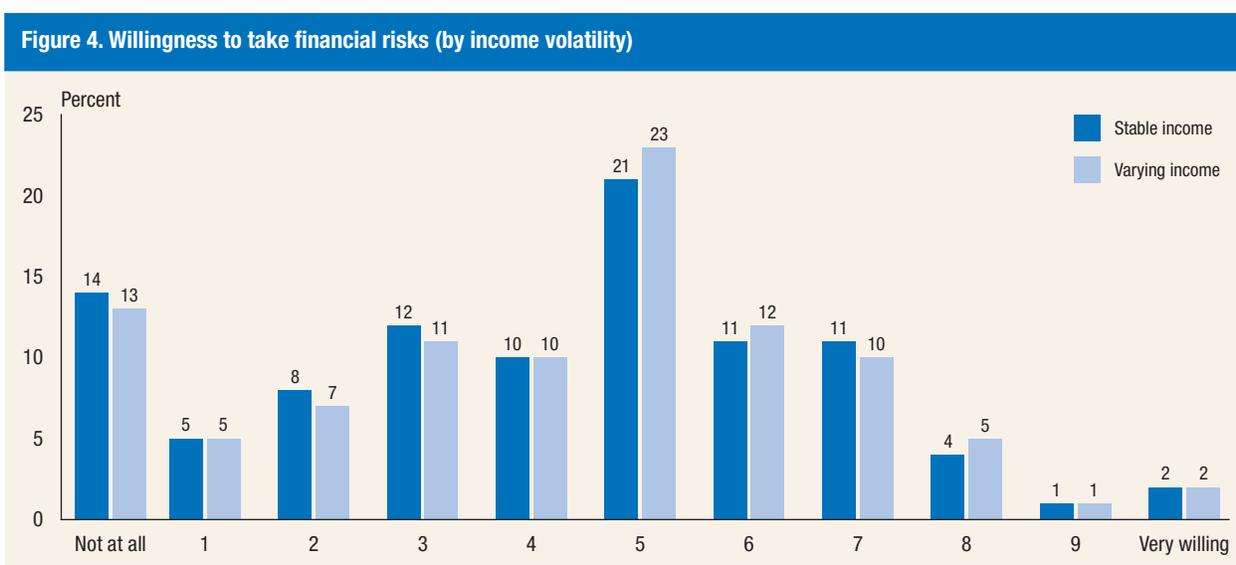
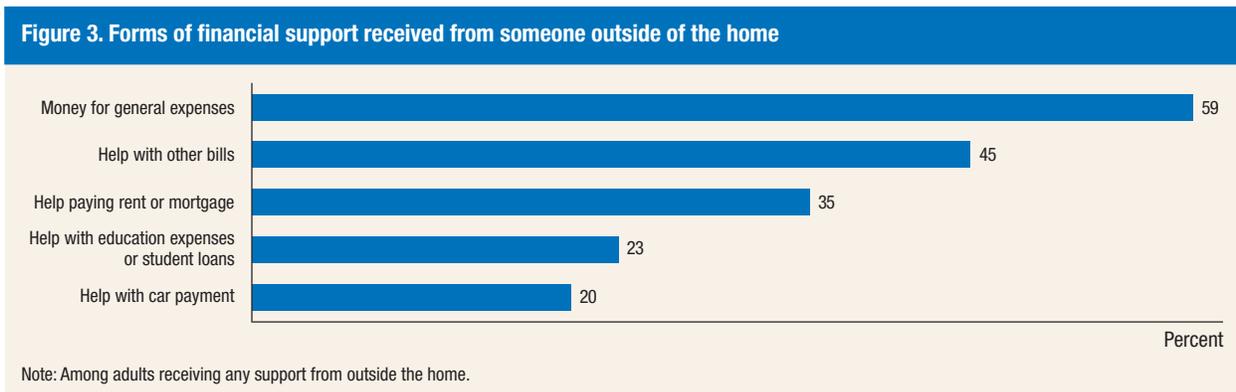
Income in 2018 was roughly the same from month to month for 7 in 10 adults. It varies occasionally for 2 in 10, and varies quite often for 1 in 10. Some families can manage these frequent changes in income easily, but for others this may cause financial hardship. In fact, one-third of those with varying income, or 1 in 10 adults overall, say they struggled to pay their bills at least once in the prior year due to varying income.

Those with less access to credit are much more likely to report financial hardship due to income volatility. For example, one-fourth of adults who are not confident in their ability to get approved for a credit card have experienced hardship from income volatility in the prior year, versus 6 percent of those who are con-

Table 5. Receiving and providing financial support outside of the home (by age)

Percent

| Age | Receive support | Provide support |
|----------------|-----------------|-----------------|
| 18–29 | 27 | 9 |
| 30–44 | 9 | 13 |
| 45–59 | 5 | 21 |
| 60+ | 5 | 16 |
| Overall | 11 | 15 |



fidant in their credit availability (table 6). (Access to credit is discussed further in the “Banking and Credit” section of this report.)

More risk-tolerant individuals may be willing to accept income that is more volatile. On a scale of zero to ten, with “zero” being unwilling to take risks and “ten” being very willing to take risks, more risk-tolerant individuals are somewhat more likely to have varying income than those who are less risk tolerant (figure 4). However, the difference in income volatility by risk tolerance is modest. This suggests that factors other than individual risk preferences likely drive income volatility.

Table 6. Income volatility and related hardship (by credit confidence)

Percent

| Expect credit card application would be approved | Stable income | Varying income | |
|--|---------------|----------------|-----------------|
| | | No hardship | Causes hardship |
| Confident | 73 | 20 | 6 |
| Not confident | 64 | 9 | 26 |
| Overall | 71 | 19 | 9 |

Note: Among adults receiving any support from outside the home.

Employment

In this survey, the majority of adults report working as much as they want, and half of employees received a raise or promotion during the prior year. Even with the strong labor market, some still face challenges in finding quality jobs. For example, variable work schedules, temporary contracts, and gig work activities as a main source of income are often associated with less financial security than are more traditional work arrangements.

Work and Well-Being

Two-thirds of adults report that they are working as much as they want—a sign that they are fully employed. One in 10 adults are not working and want to work, though many are not actively looking for work.⁵ Four percent of adults in the SHED are not working, want to work, and applied for a job in

⁵ This statistic includes individuals who have not looked for work recently and thus is not directly comparable to the 3.8 percent national unemployment rate in the fourth quarter of 2018 (or alternate measures of labor utilization) published by the Bureau of Labor Statistics.

the prior 12 months. Two in 10 adults are working but say they want to work more hours.

Individuals in these latter two groups, who want to work more, have less education than those working as much as they want. Notably, after several years of economic expansion, 38 percent of adults with less than a bachelor's degree want more work, versus 23 percent of adults with a bachelor's degree.

Education is not the only gap. Within education levels, racial differences in having as much work as desired are also evident (figure 5). Half of blacks and Hispanics with a high school degree or less want more work, versus 3 in 10 whites with the same education. Moreover, blacks and Hispanics with a bachelor's degree or more are about as likely as whites with a high school degree or less to want more work.

Work status affects individuals and their families in many ways. Those who want more work report lower levels of well-being than those who are satisfied with their working hours (table 7). For example, the group of adults who are not working and want to work is

Figure 5. Want to work more than currently (by education and race/ethnicity)

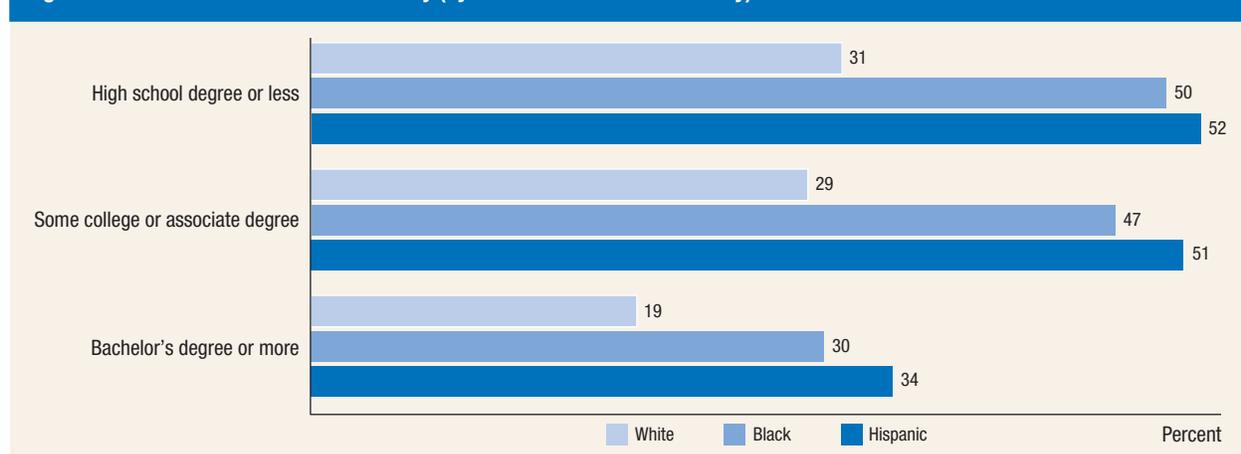


Table 7. Self-assessment of well-being and social class (by work status)
Percent

| Form of employment | Not doing okay financially | Bottom half of social ladder | Worse off than parents |
|-----------------------------------|----------------------------|------------------------------|------------------------|
| Not working, want work | 51 | 60 | 27 |
| Working, want more work | 38 | 50 | 25 |
| Not working, don't want more work | 20 | 35 | 14 |
| Working, don't want more work | 14 | 26 | 17 |

three and a half times as likely to report that they are not doing okay financially (51 percent) than the group that is working and does not want more work (14 percent).

But work is not enough to guarantee economic well-being. Those who are working and want to work more hours are worse off than those who are not working and do not want to work. In terms of self-assessed social status, those who are not fully employed are more likely to view themselves on the bottom half of a social ladder. They are also more likely to say that they are worse off than their parents were at the same age. It is worth noting, however, that even among those who want more work, the vast majority see themselves as better off or the same as their parents were.

Given the importance of work, it is also worth understanding why some adults, particularly in their prime years (ages 25 to 54), are not working. Despite a strong labor market, 24 percent of prime-age adults in 2018 report not working in the month prior

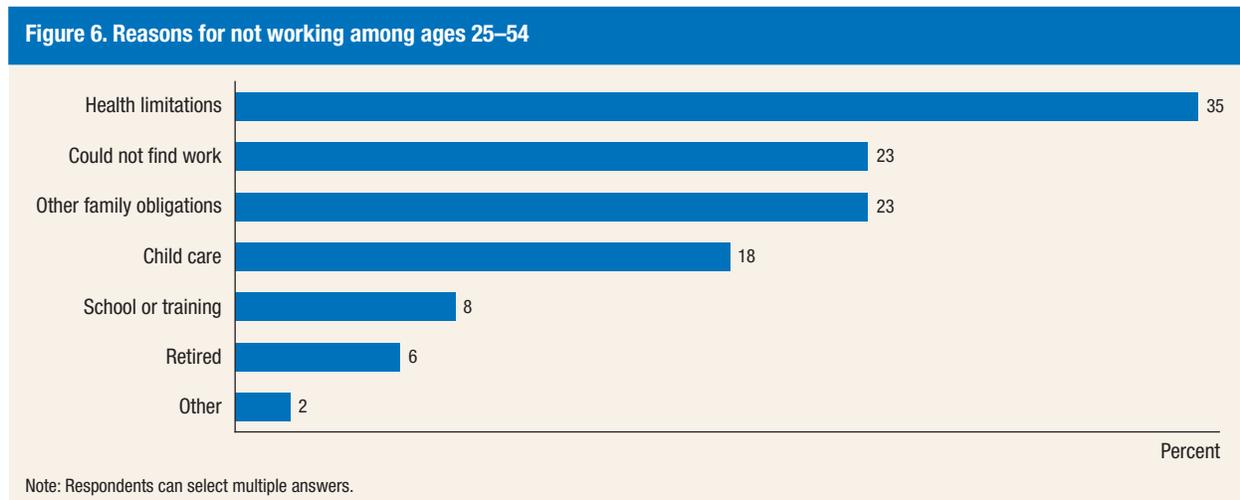
to the survey, split about evenly between those who want to work and those who do not.

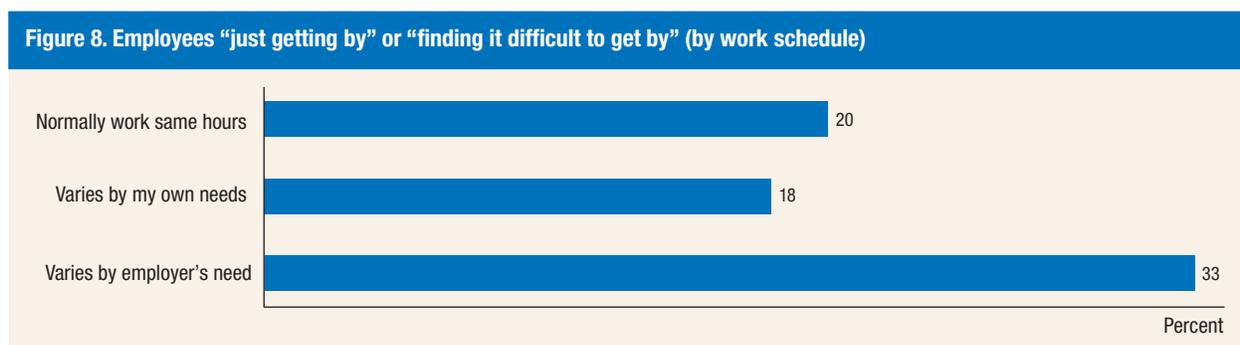
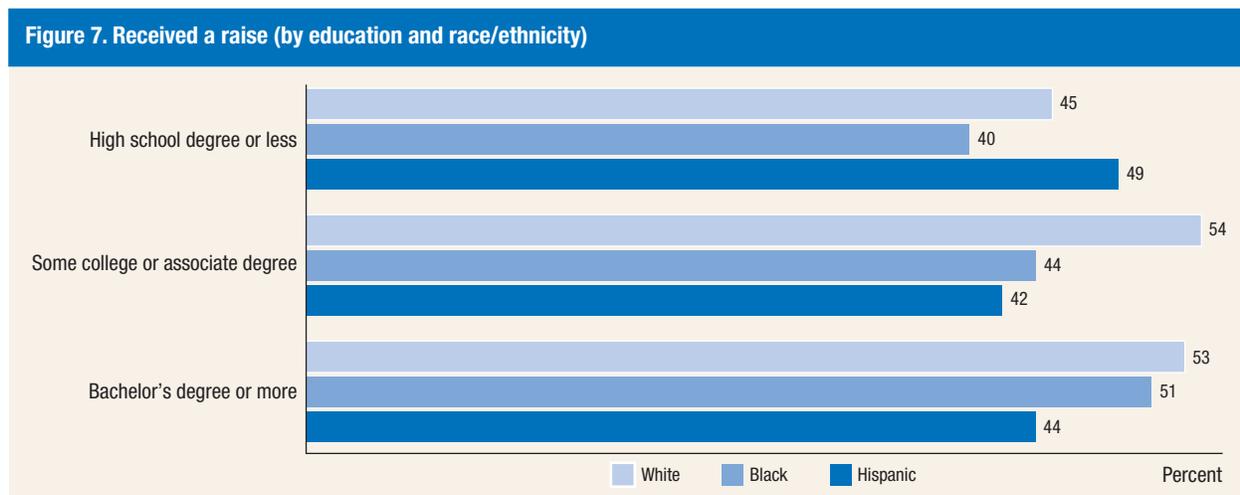
Over one-third of prime-age adults who are not working cite a health limitation as a reason, and nearly one-quarter say they could not find work (figure 6). Women not working in this age group are much more likely (42 percent) to cite child care or other family obligations as a reason than men (16 percent) are. Older adults (age 55 and older) are most likely to cite retirement as their reason for not working (80 percent), and younger adults (under age 25) are more likely to be out of the labor force because they are in school or training (60 percent).

Wage Growth and Work Arrangements

Wage growth is a key feature of a strong labor market. In 2018, half of all employees received a raise or promotion in the prior year, but some groups are less likely to experience such gains.

Blacks were less likely to have received a raise in the prior year than whites were, regardless of educational attainment (figure 7). Hispanics with some college education or a bachelor's degree were less likely than either whites or blacks with similar education to have received a raise. However, among workers with a high school degree or less, Hispanics were the most likely to have seen their wages rise. Beyond education and race, employees living in low- and moderate income neighborhoods were less likely to have received a raise (44 percent) than those living in more well-off communities (50 percent). The experi-





ences were similar for those in urban (49 percent) and rural areas (48 percent).

Temporary work contracts are often associated with lower economic well-being than are more stable work arrangements. The same is true for work schedules that vary with little advance notice. Among those working, 8 percent say that their main job—the one from which they receive the most income—was a temporary job. The self-employed are more likely to view their work as temporary, but some employees also work on short-term contracts.⁶

Work schedules are another source of unpredictability. One-quarter of employees have a varying work schedule, including 17 percent whose schedule varies based on their employer's needs. Of the latter group

of people who do not set their schedule, one-third say they are not doing okay financially (figure 8), versus one-fifth of employees with stable schedules or varying schedules that they control.

Workers with schedules that vary based on their employer's needs may report lower economic well-being because they receive short notice of when they will work. Among this group, nearly half are told when they will work three days or fewer in advance.

Those with less education are more likely to have these irregular schedules and receive short notice of when they will work. Of those with a high school degree or less, 22 percent had a job that varied by their employer's needs, compared to 11 percent of those with a bachelor's degree or higher. Workers with these types of irregular schedules are concentrated in certain industries. One-third of employees in the retail or accommodations (lodging and related services) sectors have a varying schedule set by their employer.

⁶ The rates of temporary work in the SHED are higher than in some surveys. For example, the “Contingent Worker Supplement” from the Bureau of Labor Statistics in May 2017 found that 3.8 percent of all workers (including the self-employed) did not expect their current, main job to last.

Table 8. Share of adults with gig work

| Activities | Percent |
|---|---------|
| Service activities | |
| Child care or elder care services | 5 |
| Dog walking, feeding pets, or housesitting | 3 |
| House cleaning, yard work, or other property maintenance work | 6 |
| Driving or ride-sharing, such as with Uber or Lyft | 3 |
| Paid tasks online | 2 |
| Other personal tasks, such as deliveries, running errands, or helping people move | 4 |
| Goods activities | |
| Sold goods yourself at flea markets or garage sales | 5 |
| Sold goods at consignment shops or thrift stores | 3 |
| Sold goods online, such as on eBay or Craigslist | 10 |
| Rented out property, such as your car or house | 4 |
| Other activities | |
| Any other paid activities not already mentioned | 2 |

Note: Respondents can select multiple answers.

Gig Work and Informal Paid Activities

Informal, infrequent paid activities—referred to here as gig work—are another source of income for some adults. In this survey, gig work covers personal service activities, such as child care, house cleaning, or ride-sharing, as well as goods-related activities, such as selling goods online or renting out property (table 8).⁷ This definition of gig work includes both online and offline activities, underscoring the fact that most of these activities predate the internet. Many adults who engage in gig work use it to supplement their income, but some rely on it for their main source of income. Finally, these gig activities are often done occasionally and do not take much time, and thus may not fit neatly in a standard concept of what is considered to be “work.”

Overall in 2018, 3 in 10 adults engaged in at least one of these gig activities in the month before the sur-

⁷ The list of gig activities is similar to those in Anat Bracha and Mary Burke, “Informal Work in the United States: Evidence from Survey Responses,” *Current Policy Perspectives* (Boston: Federal Reserve Bank of Boston, 2014), <https://www.bostonfed.org/publications/current-policy-perspectives/2014/informal-work-in-the-united-states-evidence-from-survey-responses.aspx>. For the further development of the gig questions now used in the SHED, see Barbara Robles and Marysol McGee, “Exploring Online and Offline Informal Work: Findings from the Enterprising and Informal Work Activities (EIWA) Survey,” Finance and Economics Discussion series 2016-089 (Washington: Board of Governors, October 2016), <https://www.federalreserve.gov/econresdata/feds/2016/files/2016089pap.pdf>.

Table 9. Gig work (by age)

| Activities | Percent | | | |
|---|-----------|-----------|-----------|-----------|
| | 18–29 | 30–44 | 45–59 | 60+ |
| Service activities | 23 | 17 | 13 | 9 |
| Goods activities | 19 | 22 | 16 | 12 |
| Use website or mobile app to find customers | 5 | 4 | 2 | 1 |
| Any informal activities | 37 | 34 | 27 | 21 |

Note: Respondents can select multiple answers.

vey.⁸ Fifteen percent of people engaged in a service activity, and 17 percent engaged in a goods activity. Younger individuals are more likely to perform gig work: 37 percent of those ages 18 to 29 performed gig work, but 21 percent of those age 60 or older did so (table 9).

The relatively high prevalence rates of gig work in this survey likely reflect the broad set of activities covered. Some studies of gig work, instead, focus only on those who use a website or mobile app to connect with customers. Using this narrower definition, 3 percent of adults in this survey say that they participated in gig work enabled by these technologies.⁹

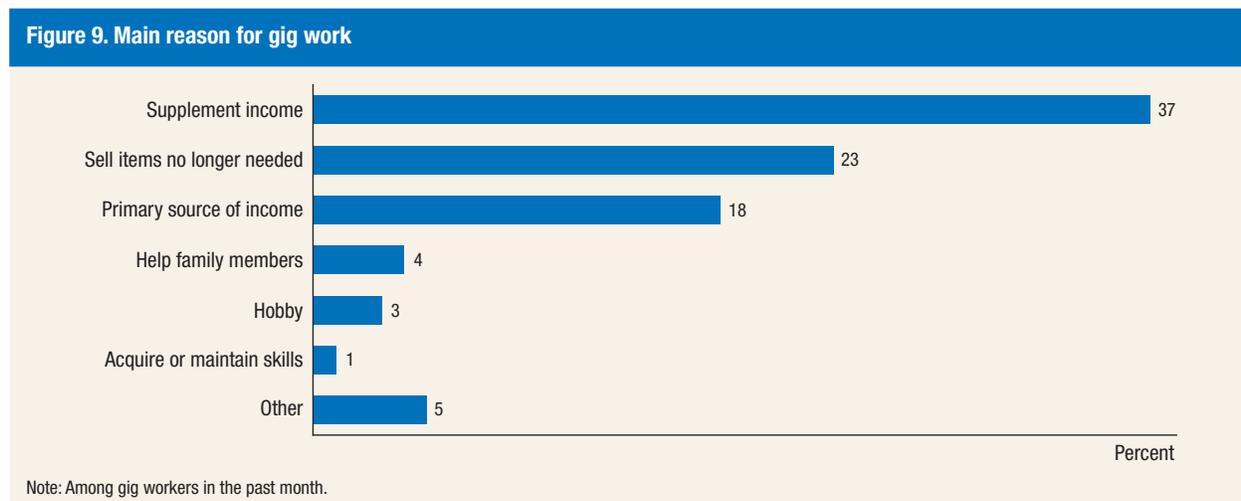
It is not clear that all individuals who participate in gig activities view those activities as the equivalent of traditional paid work. In fact, over one-quarter of those doing gig activities had reported earlier in the survey that they do *not* “work for pay or profit.”¹⁰

Workers participate in the gig economy for a variety of reasons. To earn extra money is the most common reason that individuals engage in gig work (figure 9).

⁸ The overall prevalence of gig work in 2018 was 2 percentage points lower than in 2017, but changes in the question wording complicate year-over-year comparisons. That said, 9 percent of adults reported spending more time on these activities relative to last year and 10 percent reported spending less time, a sign of slightly less gig work.

⁹ As a comparison, the JPMorgan Chase Institute study *The Online Platform Economy in 2018: Drivers, Workers, Sellers, and Lessors* by Diana Farrell, Fiona Greig, and Amar Hamoudi (<https://www.jpmorganchase.com/corporate/institute/report-ope-2018.htm>) found that 1.6 percent of families had received income from an online platform in the first quarter of 2018. Similarly, the “Contingent Worker Supplement” from the Bureau of Labor Statistics found that 1.0 percent of workers in May 2017 engaged in electronically mediated work.

¹⁰ Other surveys have also encountered challenges in measuring the gig economy, likely due to differences in terms and concepts. See Katherine Abraham and Susan Houseman, “Making Ends Meet: The Role of Informal Work in Supplementing Americans’ Income,” Working Paper (December 2018).



When asked about their main reason for engaging in gig activities, less than two-fifths of gig workers (11 percent of adults overall) are doing gig activities to supplement their income. For nearly one-fifth of gig workers (5 percent of adults), this is their primary source of income. Nearly one-quarter of gig workers (7 percent of adults) say that selling items that they no longer need is their main reason for gig work.

For most gig workers, this activity is occasional rather continuous, and for many, this work generates only a modest share of family income. Thirty percent of gig workers indicate that they earned income from these activities in all or most months during the year.

Among gig workers who say how much time they spend on gig activities, the median number of hours worked in the prior month was five. For 55 percent of gig workers, these activities account for under 10 percent of their family income. Six percent of the gig workers rely on these activities for 90 percent or more of their family income. However, gig workers with less education are more likely to rely on gig work for a larger fraction of their income. For gig workers with a high school degree or less, 14 percent rely on gig work for at least half of their income, compared to 8 percent for those with a bachelor's degree or higher. The extent to which individuals rely on gig work for income is also associated with differences in their financial fragility (box 2).

Box 2. Financial Fragility and Gig Work

A decade after the Great Recession, financial fragility and economic insecurity remain concerns for many households.¹ The adults engaged in gig activities are a segment of the population that may be experiencing heightened financial fragility.

Two measures of financial fragility are used here to examine gig workers: a) some difficulty handling a \$400 unexpected expense and b) using alternative financial services, such as purchasing money orders or cashing a check at a place other than a bank. Adults doing gig work are slightly more likely to say they would borrow, sell something, or could not pay the \$400 expense (42 percent) compared to those not doing gig work (38 percent). The use of alternative financial services is somewhat higher among gig workers (24 percent) relative to non-gig workers (16 percent).

The degree of financial fragility among gig workers varies considerably by the reasons for doing gig

work. For those doing gig work as their *primary* source of income, 58 percent would have difficulty handling the unexpected expense, compared to 44 percent of those doing gig work to *supplement* their income (figure A). For adults doing gig work to sell items they no longer need, 36 percent would have difficulty with the unexpected expense—a lower fraction than those not doing gig work at all.

The use of alternative financial services, due to their nature and cost compared to bank and credit union services, is also sometimes viewed as an indicator of financial fragility. Use of alternative financial services by gig adults also varies by the motives for gig work (figure B). Those doing gig work as a primary income source (33 percent) use alternative financial services and products to a greater degree than those supplementing their income (26 percent) or selling items they no longer need (19 percent).

Gig work—on its own—is not a uniform sign of financial fragility. Doing gig activities to earn money, in particular as a primary source of income, is associated with more fragility, but selling items that are no longer needed is associated with about the same fragility as non-gig workers.

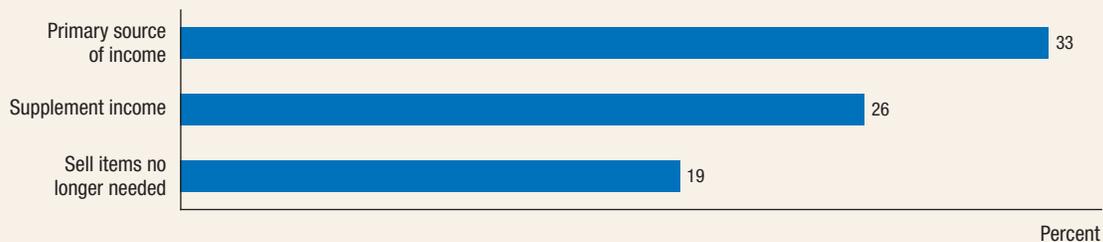
¹ Andrea Hasler, Annamaria Lusardi, and Noemi Oggero, *Financial Fragility in the U.S.: Evidence and Implications* (Washington: Global Financial Literacy Excellence Center, the George Washington University School of Business, November 2017), https://www.nefe.org/_images/research/Financial-Fragility/Financial-Fragility-Final-Report.pdf.

Figure A. Gig work and some difficulty handling an unexpected expense (by reasons for doing gig work)



Note: Respondents can select multiple reasons for gig work. "Some difficulty" is defined as borrow, sell something, or cannot pay.

Figure B. Gig work and use of alternative financial services (by reasons for doing gig work)



Note: Respondents can select multiple reasons for gig work.

Dealing with Unexpected Expenses

Results from the survey indicate that many adults are not well prepared to withstand even small financial disruptions, though the ability to pay current bills and to handle unexpected expenses has improved markedly since 2013. Despite the positive trends, financial challenges remain, especially for those with less education and for minorities.

Small, Unexpected Expenses

Relatively small, unexpected expenses, such as a car repair or replacing a broken appliance, can be a hardship for many families without adequate savings. When faced with a hypothetical expense of \$400, 61 percent of adults in 2018 say they would cover it, using cash, savings, or a credit card paid off at the next statement (referred to, altogether, as “cash or its equivalent”)—a 2 percentage point increase from 2017 (figure 10). In 2013, half of adults would have covered such an expense in the same way.

Among the remaining 4 in 10 adults who would have more difficulty covering such an expense, the most common approaches include carrying a balance on credit cards and borrowing from friends or family (figure 11). Twelve percent of adults would be unable

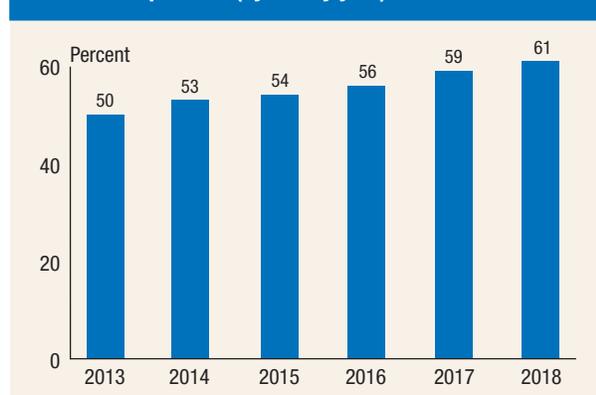
to pay the expense by any means. Although so many incurring additional costs for a modest expense is disconcerting, it is possible that some would choose to borrow even if they had \$400 available, preserving their cash as a buffer for other expenses.¹¹

While the prior question asks about a hypothetical expense, the survey results indicate that a number of people struggle to pay their actual bills. Even without an unexpected expense, 17 percent of adults expected to forgo payment on some of their bills in the month of the survey. Most frequently, this involves not paying, or making a partial payment on, a credit card bill (table 10). Four in 10 of those who are not able to pay all their bills (7 percent of all adults) say that their rent, mortgage, or utility bills will be left at least partially unpaid.

Another 12 percent of adults would be unable to pay their current month’s bills if they also had an unexpected \$400 expense that they had to pay. Altogether, 3 in 10 adults are either unable to pay their bills or are one modest financial setback away from hardship, slightly less than in 2017 (33 percent).

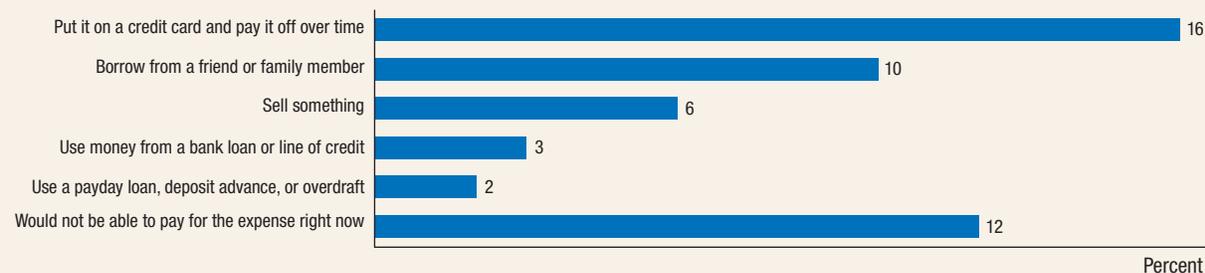
Those with less education in particular are less able to handle these expenses. Thirteen percent of adults with a bachelor’s degree or more do not expect to pay their current month’s bills or would be unable to

Figure 10. Would cover a \$400 emergency expense using cash or its equivalent (by survey year)



¹¹ For example, Neil Bhutta and Lisa Dettling estimate in 2016, using the Survey of Consumer Finances, that 76 percent of households had \$400 in liquid assets (even after taking monthly expenses into account), which is higher than the 56 percent of adults in the 2016 SHED who say they would cover a \$400 expense with cash or its equivalent (“Money in the Bank? Assessing Families’ Liquid Savings using the Survey of Consumer Finances,” FEDS Notes (Washington: Board of Governors, November 19, 2018), <https://www.federalreserve.gov/econres/notes/feds-notes/assessing-families-liquid-savings-using-the-survey-of-consumer-finances-20181119.htm>). David Gross and Nicholas Souleles first identified the “credit card debt puzzle” in which some households hold both high-interest credit card debt and low-return liquid assets that could be used to pay down those debts (“Do Liquidity Constraints and Interest Rates Matter for Consumer Behavior? Evidence from Credit Card Data,” *Quarterly Journal of Economics* 117, Issue 1 (February 2002): 149–85.)

Figure 11. Other ways individuals would cover a \$400 emergency expense



Note: Respondents can select multiple answers.

Table 10. Bills to leave unpaid or only partially paid in the month of the survey

Percent

| Bill | Among adult population | Among those who expect to defer at least one bill |
|----------------------------------|------------------------|---|
| Housing-related bills | | |
| Rent or mortgage | 4 | 22 |
| Water, gas, or electric bill | 6 | 33 |
| Overall | 7 | 39 |
| Non-housing-related bills | | |
| Credit card | 7 | 42 |
| Phone or cable bill | 5 | 32 |
| Student loan | 2 | 12 |
| Car payment | 3 | 19 |
| Other | 1 | 3 |
| Overall | 11 | 67 |
| Unspecified bills | 4 | 25 |
| Overall | 17 | 100 |

Note: Respondents can select multiple answers. "Unspecified bills" reflects those who said they would not be able to pay bills in full but then did not answer the type of bill.

if faced with an unexpected \$400 expense, versus 42 percent of those with a high school degree or less. Racial and ethnic minorities of each education level are even less able to handle a financial setback (figure 12).

Some financial challenges require more preparation and advanced planning than a relatively small, unexpected expense would. One common measure of financial preparation is whether people have savings sufficient to cover three months of expenses if they lost their job. Half of people have set aside dedicated emergency savings or "rainy day" funds. As was the case with smaller financial disruptions, some would deal with a larger shock by borrowing or selling assets; one-fifth say that they could cover three months of expenses in this way. In total, 7 in 10 adults could tap savings, would need to borrow or sell assets if faced with a financial setback of this magnitude.

Figure 12. Not able to fully pay current month's bills (by education and race/ethnicity)

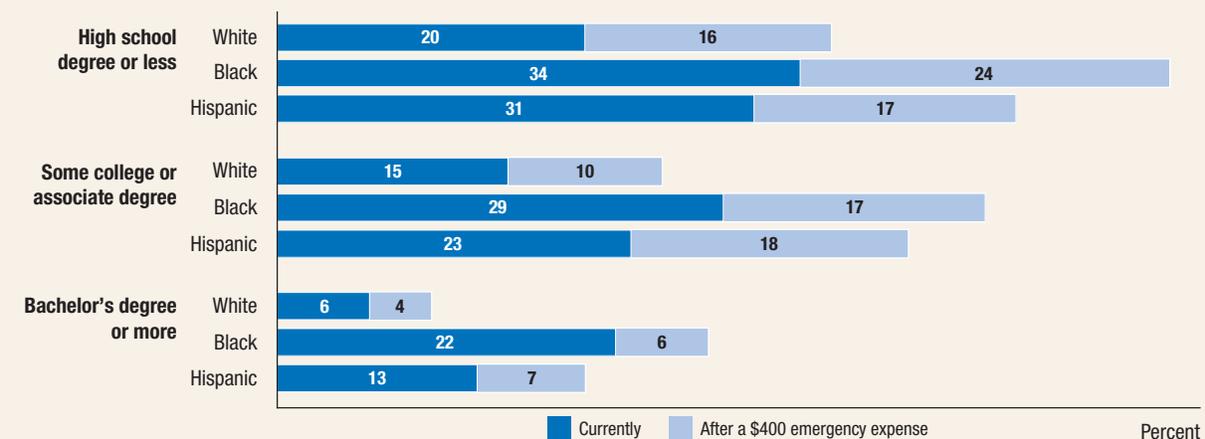
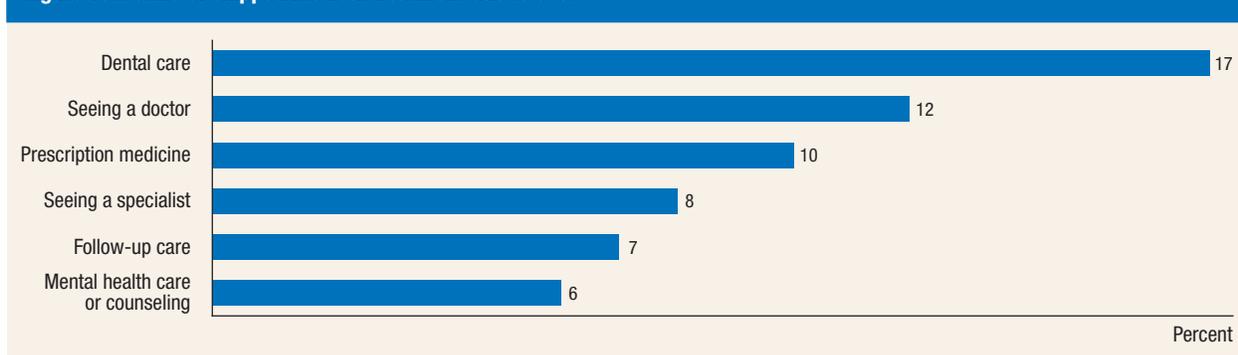


Figure 13. Forms of skipped medical treatment due to cost

Health Care Expenses

Out-of-pocket spending for health care is a common unexpected expense that can be a substantial hardship for those without a financial cushion. As with the small financial setbacks discussed above, many adults are not financially prepared for health-related costs. During 2018, one-fifth of adults had major, unexpected medical bills to pay, with the median expense between \$1,000 and \$4,999. Among those with medical expenses, 4 in 10 have unpaid debt from those bills.

In addition to the financial strain of additional debt, 24 percent of adults went without some form of medical care due to an inability to pay, down from 27 percent in 2017 and well below the 32 percent reported in 2013. Dental care was the most frequently skipped treatment (17 percent), followed by visiting a doctor (12 percent) and taking prescription medicines (10 percent) (figure 13).

There is a strong relationship between family income and individuals' likelihood of receiving medical care. Among those with family income less than \$40,000,

36 percent went without some medical treatment in 2018, down from 39 percent in 2017. This share falls to 24 percent of those with incomes between \$40,000 and \$100,000 and 8 percent of those making over \$100,000.

Health insurance is one way that people can pay for routine medical expenses and hedge against the financial burden of large, unexpected expenses. In 2018, 90 percent of adults had health insurance. This includes 57 percent of adults who have health insurance through an employer or labor union and 22 percent who have insurance through Medicare. Four percent of people purchased health insurance through one of the health insurance exchanges. Those with health insurance are less likely to forgo medical treatment due to an inability to pay. Among the uninsured, 38 percent went without medical treatment due to an inability to pay, versus 22 percent among the insured.¹²

¹² Since the survey asks respondents about their current health insurance status, but also asks about whether they missed medical treatments in the previous year, it is possible that some respondents who currently have insurance were uninsured at the point at which they were unable to afford treatment.

Banking and Credit

Most adults have a bank account and are able to obtain credit from mainstream sources, but notable gaps in access to basic financial services still exist among minorities and those with low incomes. On average, individuals with capacity to borrow on a credit card are more prepared for financial disruptions.

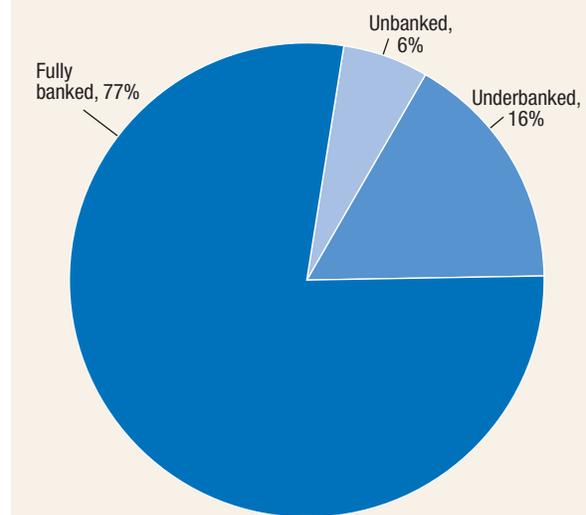
Unbanked and Underbanked

Although the majority of U.S. adults have a bank account and rely on traditional banks or credit unions to meet their banking needs, gaps in banking access remain. Six percent of adults do not have a checking, savings, or money market account (often referred to as the “unbanked”). Two-fifths of unbanked adults used some form of alternative financial service during 2018—such as a money order, check cashing service, pawn shop loan, auto title loan, payday loan, paycheck advance, or tax refund advance.¹³ In addition, 16 percent of adults are “underbanked”: they have a bank account but also used an alternative financial service product (figure 14).¹⁴ The remaining 77 percent of adults are fully banked, with a bank account and no use of alternative financial products.

¹³ This fraction using alternate financial services was somewhat lower in 2018, but the latest survey clarified that only check cashing or money order services not conducted at a bank should be included. Thus, the two years of data are not directly comparable.

¹⁴ The most recent FDIC National Survey of Unbanked and Underbanked Households in 2017 found that a similar 6.5 percent of households were unbanked and 18.7 percent of households were underbanked. However, the FDIC uses a broader underbanked definition, which includes international remittances and rent-to-own services as alternative financial services. See Federal Deposit Insurance Corporation, *2017 FDIC National Survey of Unbanked and Underbanked Households* (Washington: Federal Deposit Insurance Corporation, October 2018), <https://www.economicinclusion.gov/surveys/2017household/>.

Figure 14. Banking status



Note: Fully banked individuals have a bank or credit union account and have not used an alternative financial service in the past year.

The unbanked and underbanked are more likely to have low income, less education, or be in a racial or ethnic minority group. One percent of those with incomes over \$40,000 are unbanked, versus 14 percent of those with incomes under that threshold. Similarly, 14 percent of blacks and 11 percent of Hispanics are unbanked, versus 4 percent of whites (table 11).

Individuals who use alternative financial services (one-fifth of adults) may need or prefer to conduct certain financial transactions through providers other than traditional banks and credit unions. The vast majority (89 percent) of people using alternative financial services use transaction services such as purchasing a money order or cashing a check at a place other than a bank (table 12). Twenty-eight percent borrowed money using an alternative financial service product, including payday loans or

Table 11. Banking status (by family income, education, and race/ethnicity)
Percent

| Characteristic | Unbanked | Underbanked | Fully banked |
|----------------------------------|----------|-------------|--------------|
| Family income | | | |
| Less than \$40,000 | 14 | 21 | 64 |
| \$40,000–\$100,000 | 2 | 17 | 80 |
| Greater than \$100,000 | 1 | 7 | 92 |
| Education | | | |
| High school degree or less | 13 | 21 | 66 |
| Some college or associate degree | 4 | 18 | 77 |
| Bachelor’s degree or more | 1 | 9 | 89 |
| Race/ethnicity | | | |
| White | 4 | 11 | 85 |
| Black | 14 | 35 | 50 |
| Hispanic | 11 | 23 | 66 |
| Overall | 6 | 16 | 77 |

paycheck advances, pawn shop or auto title loans, and tax refund advances.

Credit Outcomes and Perceptions

The majority of U.S. adults who applied for credit in 2018 were able to obtain it, but a sizable share report barriers or limitations to borrowing. During 2018, more than one-third of adults applied for some type of credit. Of those who applied for credit, 23 percent were denied at least once in the prior year, and 31 percent were either denied or offered less credit than they requested.

The incidence of denial or limitations on credit differs by the family income of the applicants and by their race and ethnicity. Lower-income individuals

Table 12. Forms of alternative financial services used
Percent

| Alternative financial service | Among adult population | Among those using any alternative financial services |
|---------------------------------|------------------------|--|
| Money order, not from a bank | 12 | 63 |
| Cash a check, not at a bank | 8 | 45 |
| Transaction services | 16 | 89 |
| Payday loan or paycheck advance | 3 | 17 |
| Pawn shop or auto title loan | 2 | 13 |
| Tax refund advance | 1 | 8 |
| Borrowing services | 5 | 28 |

Note: Respondents can select multiple answers.

Table 13. Credit applicants with adverse credit outcomes (by family income and race/ethnicity)
Percent

| Characteristic | Denied | Denied or approved for less than requested |
|-------------------------------|--------|--|
| Less than \$40,000 | | |
| White | 31 | 40 |
| Black | 59 | 70 |
| Hispanic | 39 | 59 |
| Overall | 37 | 48 |
| \$40,000–\$100,000 | | |
| White | 16 | 22 |
| Black | 41 | 52 |
| Hispanic | 29 | 42 |
| Overall | 22 | 30 |
| Greater than \$100,000 | | |
| White | 8 | 12 |
| Black | 21 | 28 |
| Hispanic | 17 | 23 |
| Overall | 10 | 15 |
| All incomes | | |
| White | 18 | 24 |
| Black | 45 | 55 |
| Hispanic | 31 | 45 |
| Overall | 23 | 31 |

Note: Among adults who applied for some form of credit in the past 12 months.

are substantially more likely to experience adverse outcomes with their credit applications than those with higher incomes. Among applicants with incomes under \$40,000, 37 percent were denied credit, versus 10 percent of applicants with incomes over \$100,000. Within each income bracket, black and Hispanic individuals are more likely to report an adverse credit outcome, relative to white adults (table 13).

Negative perceptions may be an additional barrier to credit. About 1 in 10 adults put off at least one credit application because they thought that their application would be denied. This includes 5 percent who applied for some credit, but opted against submitting additional applications because they expected to be denied and 3 percent who desired credit but did not apply at all for fear of denial.

Although some people are forgoing credit applications because they expect a denial, most adults (79 percent) are at least somewhat confident that they could obtain a credit card if they were to apply for one. Those with low incomes are substantially less confident about being approved than those with

Table 14. Confidence that a credit card application would be approved (by family income and race/ethnicity)
Percent

| Characteristic | Confident | Not confident | Don't know |
|-------------------------------|-----------|---------------|------------|
| Less than \$40,000 | | | |
| White | 67 | 24 | 9 |
| Black | 46 | 39 | 14 |
| Hispanic | 57 | 29 | 14 |
| Overall | 61 | 27 | 12 |
| \$40,000–\$100,000 | | | |
| White | 88 | 8 | 3 |
| Black | 74 | 20 | 6 |
| Hispanic | 81 | 15 | 4 |
| Overall | 85 | 11 | 4 |
| Greater than \$100,000 | | | |
| White | 95 | 3 | 2 |
| Black | 91 | 6 | 2 |
| Hispanic | 93 | 5 | 1 |
| Overall | 95 | 3 | 2 |
| All incomes | | | |
| White | 84 | 12 | 5 |
| Black | 63 | 27 | 10 |
| Hispanic | 72 | 20 | 8 |
| Overall | 79 | 15 | 6 |

Note: "Confident" includes people reporting that they are either very confident or somewhat confident.

high incomes (table 14). Additionally, credit perceptions differ by race and ethnicity, although these gaps are at least partially attributable to other socioeconomic factors that also vary by race.¹⁵ The patterns in 2018 are consistent with those seen in recent years.

Credit Cards

In people’s financial lives, credit cards can serve different functions at different times. For people who pay their balances off each month, credit cards are mainly a form of payment convenience and can be thought of more or less the same as using cash. For those who carry a balance, however, the card represents borrowing and carries a cost in the interest payment and any fees that are incurred.

Overall, 8 in 10 adults have at least one credit card, and the share with a credit card is higher among those with higher incomes, more education, or who

¹⁵ In a regression including marital status, age, education, income, employment status, region, and urban/rural residence, the difference in confidence between black and white adults narrows but remains significant. The gap between Hispanics and white adults is largely accounted for by these demographic factors.

Table 15. Has at least one credit card (by family income, education, and race/ethnicity)

| Characteristic | Percent |
|----------------------------------|-----------|
| Family income | |
| Less than \$40,000 | 61 |
| \$40,000–\$100,000 | 90 |
| Greater than \$100,000 | 98 |
| Education | |
| High school degree or less | 69 |
| Some college or associate degree | 80 |
| Bachelor’s degree or more | 95 |
| Race/ethnicity | |
| White | 85 |
| Black | 68 |
| Hispanic | 72 |
| Overall | 81 |

are white (table 15). Among those with a credit card, 47 percent had paid their bill in full every month in the prior year. One-quarter carried a balance once or some of the time in that year; the remaining 27 percent carried a balance most or all of the time (figure 15). The frequency of regular borrowing with credit cards during 2018 is similar to 2017.

On average, individuals with capacity to borrow on a credit card are more prepared for financial disruptions. Transactional users of credit cards who never carry a balance are much more likely to say that they would pay an unexpected \$400 expense with cash or

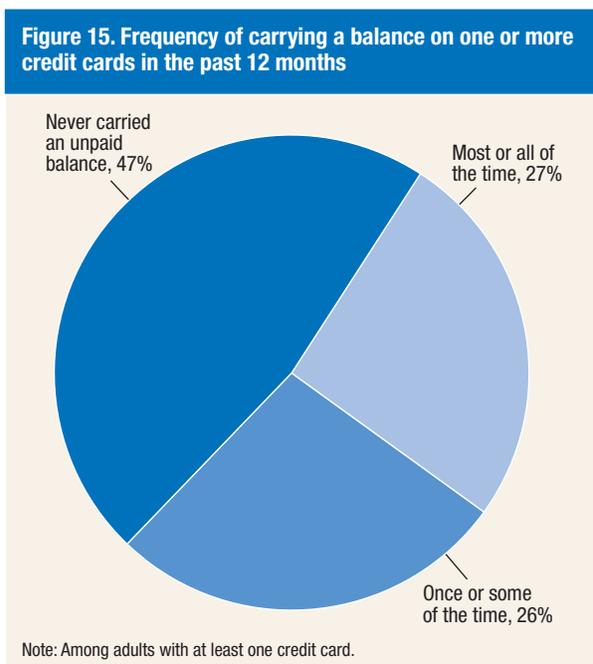


EXHIBIT B



JUDICIAL COUNCIL OF CALIFORNIA

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*Administrative Director,
Judicial Council*

November 15, 2018

Ms. Diane F. Boyer-Vine
Legislative Counsel
State Capitol, Room 3021
Sacramento, California 95814

Mr. Daniel Alvarez
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

*Re: Report of Statewide Collection of Court-Ordered Debt for 2017–18,
as required under Penal Code section 1463.010*

Dear Ms. Boyer-Vine, Mr. Alvarez, and Mr. Wilson:

Attached is the Judicial Council’s annual report to the Legislature on the collection of delinquent court-ordered debt in California for 2017–18, in accordance with Penal Code section 1463.010(c).

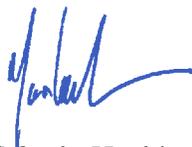
In 2017–18, statewide collections programs collected a total of \$583.5 million in delinquent court-ordered debt. This figure represents a 1.5 percent decrease from the reported amount for 2016–17. Since reporting began in 2008–09, a total of \$6.4 billion in delinquent court-ordered debt has been collected by court and county collections programs. Total outstanding delinquent debt at the end of 2017–18 was \$10.3 billion. This figure represents a 1.8 percent increase over the \$10.0 billion reported for 2016–17. Detailed information about each court or county collections program is included in the full report.

Ms. Diane F. Boyer-Vine
Mr. Daniel Alvarez
Mr. E. Dotson Wilson
November 15, 2018
Page 2

Additionally, as stated in the October 2018 report to the Department of Finance (DOF) and the Joint Legislative Budget Committee (JLBC) per Government Code section 68514, this report contains revised or additional information from programs that did not submit data, or submitted incomplete data for inclusion in the October 1 report. The first report required under Government Code section 68514 was submitted to the Legislature in October 2018 and is available at www.courts.ca.gov/7466.htm.

If you have any questions related to this report, please contact Mr. Zlatko Theodorovic, Director, Judicial Council Budget Services, at 916-263-1397.

Sincerely,



Martin Hoshino
Administrative Director
Judicial Council

MH/ML

Attachments

cc: Eric Dang, Policy Consultant, Office of Senate President pro Tempore Toni G. Atkins
Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon
Misty Feusahrens, Special Assistant, Office of Assembly Speaker Anthony Rendon
Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office
Tina McGee, Executive Secretary, Legislative Analyst's Office
Rebecca Kirk, Program Budget Analyst, Department of Finance
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Christopher Francis, Consultant, Senate Budget and Fiscal Review Committee
Shaun Naidu, Consultant, Senate Appropriations Committee
Matt Osterli, Consultant, Senate Republican Fiscal Office
Mike Petersen, Consultant, Senate Republican Policy Office
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Jennifer Kim, Consultant, Assembly Budget Committee
Jay Dickenson, Chief Consultant, Assembly Appropriations Committee
Jessica Peters, Principal Consultant, Assembly Appropriations Committee
Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget

Ms. Diane F. Boyer-Vine
Mr. Daniel Alvarez
Mr. E. Dotson Wilson
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Paul Dress, Consultant, Assembly Republican Office of Policy & Budget
Amy Leach, Minute Clerk, Office of Assembly Chief Clerk
Jennifer Troia, Principal Consultant, Joint Legislative Budget Committee
Cory T. Jaspersen, Director, Governmental Affairs, Judicial Council
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MR. MARTIN HOSHINO
Administrative Director,
Judicial Council

November 15, 2018

Report Title: *Report on the Statewide Collection of Court-Ordered Debt for 2017–18*

Statutory Citation: Senate Bill 940 (Stats. 2003, ch. 275, § 3)

Code Section: Penal Code section 1463.010(c)

Date of Report: November 30, 2018

Attached is the Judicial Council’s annual report to the Legislature on the collection of delinquent court-ordered debt in California for 2017–18. The following summary of the report is provided per the requirements of Government Code section 9795.

In 2017–18, statewide collections programs collected a total of \$583.5 million in delinquent court-ordered debt. This figure represents a 1.5 percent decrease from the reported amount for 2016–17. Since reporting began in 2008–09, a total of \$6.4 billion in delinquent court-ordered debt has been collected by court and county collections programs. Total outstanding delinquent debt at the end of 2017–18 was \$10.3 billion. This figure represents a 1.8 percent increase over the \$10.0 billion reported for 2016–17. Detailed information about each court or county collections program is included in the full report.

Additionally, as stated in the October 2018 report to the Department of Finance (DOF) and the Joint Legislative Budget Committee (JLBC) per Government Code section 68514, this report contains revised or additional information from programs that did not submit data, or submitted incomplete data for inclusion in the October 1 report. The first report required under Government Code section 68514 was submitted to the Legislature in October 2018.

Both collection reports are available at www.courts.ca.gov/7466.htm. A printed copy of the report may be obtained by calling 415-865-7966.

JUDICIAL COUNCIL OF CALIFORNIA

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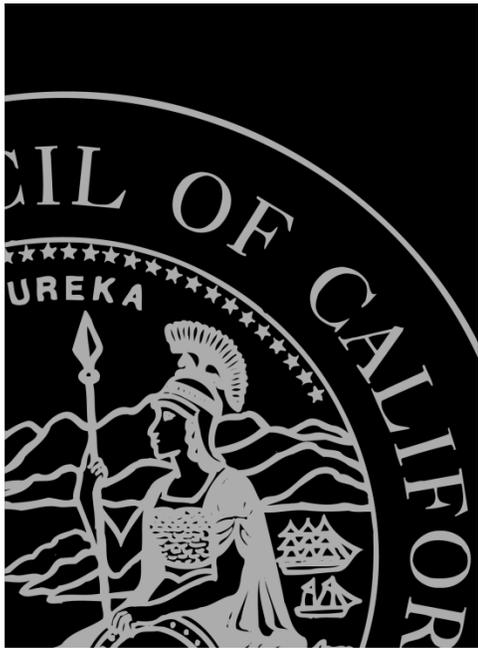
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Primary Author of Report*



Report on the Statewide Collection of Delinquent Court- Ordered Debt for 2017-18

AS REQUIRED BY PENAL CODE
SECTION 1463.010

DECEMBER 2018

In 2003, the Legislature amended Penal Code section 1463.010 to require the Judicial Council to develop and adopt guidelines, standards, and tools for collecting court-ordered debt. In 2007, the statute was further amended to require the Judicial Council to develop performance measures and benchmarks to review the effectiveness of programs in the collection of delinquent court-ordered debt and to report annually to the Legislature on the following:

- The extent to which each court or county collections program is following best practices for its collections program;
- The performance of each collections program; and
- Any changes necessary to improve the performance of collections programs statewide.

The first legislative report, covering 2008–09, established the framework for reporting the performance of collections programs statewide and provided a baseline from which to measure future performance.

Overview

This annual report includes information as reported by the individual court and/or county collections programs. This report provides a summary snapshot of each collections program, including the program’s assessment of its performance, progress, and any challenges encountered during the reporting period (see Attachment 1). Court and county collections programs are required to submit their information using the Judicial Council–approved Collections Reporting Template (CRT) (Attachment 2).

Additionally, as stated in the October 2018 report to the Department of Finance (DOF) and the Joint Legislative Budget Committee (JLBC) per Government Code section 68514, this report contains revised or additional information from programs that did not submit data, or submitted incomplete data for inclusion in the October 1 report. The first report required under Government Code section 68514 was submitted to the Legislature in October 2018 and is available at www.courts.ca.gov/7466.htm.

Findings

Based on information reported by the 58 court and county collections programs for 2017–18, a total of \$1.5 billion was collected from court-ordered fines, fees, forfeitures, penalties, and assessments. Of the amount collected, \$922.3 million was from nondelinquent accounts and a total of \$583.5 million was from delinquent court-ordered debt.

Delinquent accounts are defined as “nonforthwith” collections, and installment payment accounts that have not met the terms and conditions of the original payment agreements. The figure for delinquent revenue represents a 1.5 percent decrease from the reported amount for 2016–17. The decrease can be attributed to the court’s ability to address and collect court-ordered debt forthwith (nondelinquent).

The \$922.3 million in nondelinquent collections represents an 8.9 percent increase from the \$840.3 million reported in 2016–17. Forthwith payments generally involve payments on the same day as the court order, with no extra cost involved, but may also include current installment payment plans.

In addition, a total of \$464.9 million in delinquent debt was adjusted (or satisfied by means other than payment). An adjustment is defined as any change in the total amount of debt due after the initial determination of the outstanding delinquent debt amount, including suspension or dismissal of all or a portion of a bail or fine amount, and alternative payments such as community service in lieu of a fine. Over the past several years, the courts have implemented several mechanisms to help individuals pay or resolve their court-ordered debt before it becomes delinquent:

- Release of driver's hold or suspension for failure to pay;
- Ability-to-pay determinations; and
- Alternative sentences, including community service.

The efforts of the Legislature and the Judicial Council allow the courts to help thousands of individuals resolve their court-ordered debt before it becomes delinquent. Going forward, the robust reporting requirements under Government Code section 68514 will provide data that demonstrates how these efforts help individuals avoid delinquency.

Since 2008–09, when the Judicial Council's Funds and Revenues Unit began tracking statewide performance, a total of \$6.4 billion in delinquent court-ordered debt has been collected by court and county collections programs. A total of \$5.1 billion in delinquent debt has been resolved through court-ordered adjustments. The total outstanding debt of \$10.3 billion reported by courts and counties in 2017–18 represents a 1.8 percent increase over the \$10.0 billion reported in 2016–17.

The current outstanding balance of \$10.3 billion includes the 2008-09 beginning balance of \$5.2 billion. As debt ages it becomes harder to collect, therefore, it is probable that at minimum, \$5.2 billion may be uncollectible due to the age of the accounts. The collectability of delinquent debt is primarily determined by the age of the account (the date at which it becomes delinquent).

The disparity in case management and accounting systems statewide continues to hinder consistent and reliable reporting, including age-related debt information. Individual collections programs reported a number of factors that affected data reporting this fiscal year and should be considered in assessing the overall effectiveness of their efforts on a statewide basis. These factors include the following:

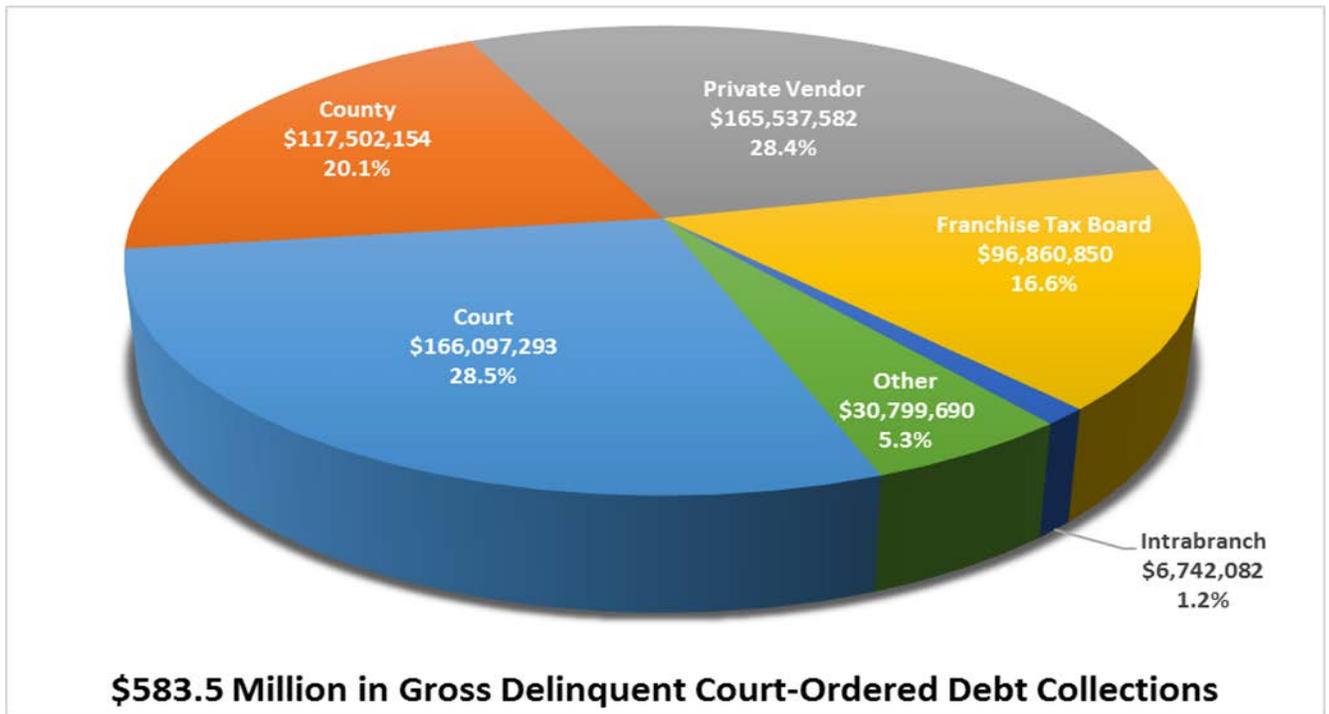
- Implementation of new case management systems continues to create reporting complications for some programs in reconciling financial and case data from multiple systems which may result in overstated or understated figures. Long-term performance improvements are expected in revenue tracking and reporting, once

implementation issues are resolved.

- Transition of collections services between third-party collections entities. Terminating a contract and entering into a new one with a private vendor or the intrabranched collections programs causes a delay in the transfer and referral process of delinquent cases.
- The new reporting requirement under Government Code section 68514 required significant modifications to the CRT. Programs found it necessary to reprogram case management and/or accounting systems to separate and report court-ordered debt by period (current and prior years). Collections programs, including the private collection agencies, were not previously required to report data based on the year in which the debt amount was assessed; some programs were unable to separate data by period.

Chart 1 depicts the total delinquent court-ordered debt collected in 2017–18, and the percentages collected by each of the collecting entities involved in the statewide collection of court-ordered debt. Amounts collected by the Franchise Tax Board’s Interagency Intercept Collections program and the Department of Motor Vehicles are reported under “Other.”

Chart 1: 2017–18 Delinquent Court-Ordered Debt Collected by Entity



It should be noted that all delinquent court-ordered debt is only temporarily deposited in each respective local treasury. It is then distributed to the various state and local government entities as mandated. The approximate distribution of revenue derived from court-ordered debt is displayed below:

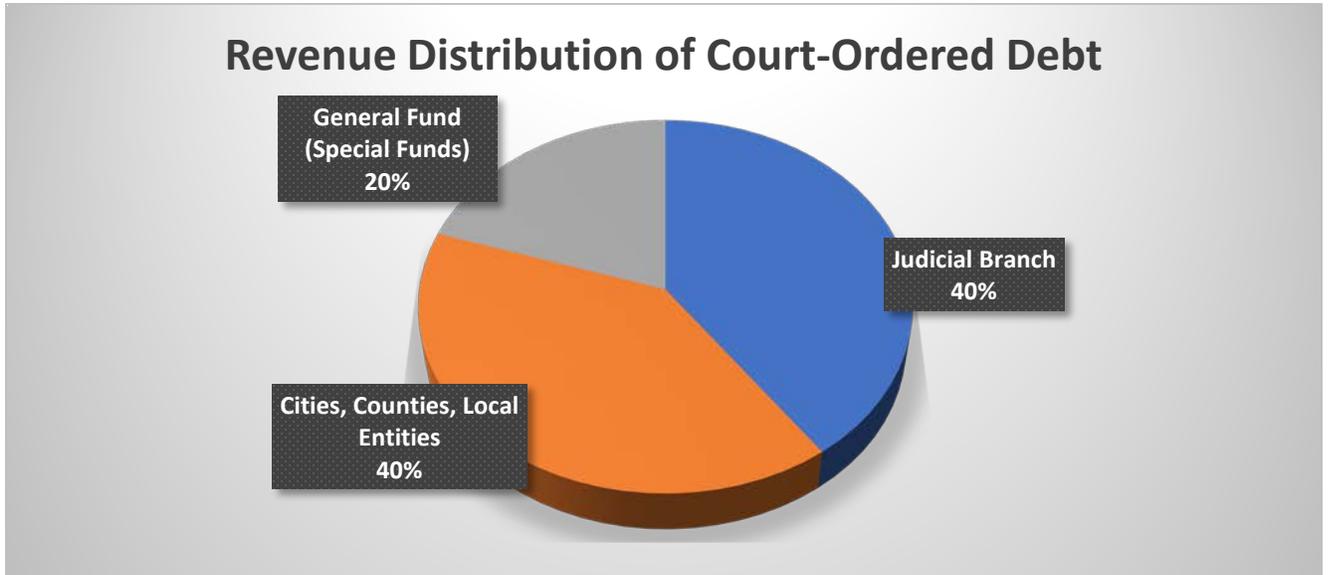


Chart 2 shows court-ordered debt collected and program costs for each entity involved in the collection of court-ordered debt this fiscal year. The total gross amount collected by each entity is shown in dollars; program costs are shown as percentages. For example, the courts collected a total of \$166.1 million of which 24.1 percent was used to offset program operating costs and commission fees charged by each collections entity (private vendors, intrabranh programs, Franchise Tax Board, etc.). Notable variances in private vendor operating costs—as compared to the intrabranh collections programs—represent economies of scale and other program-specific factors.

Chart 2: 2017–18 Delinquent Court-Ordered Debt Collected and Recovered Costs by Entity

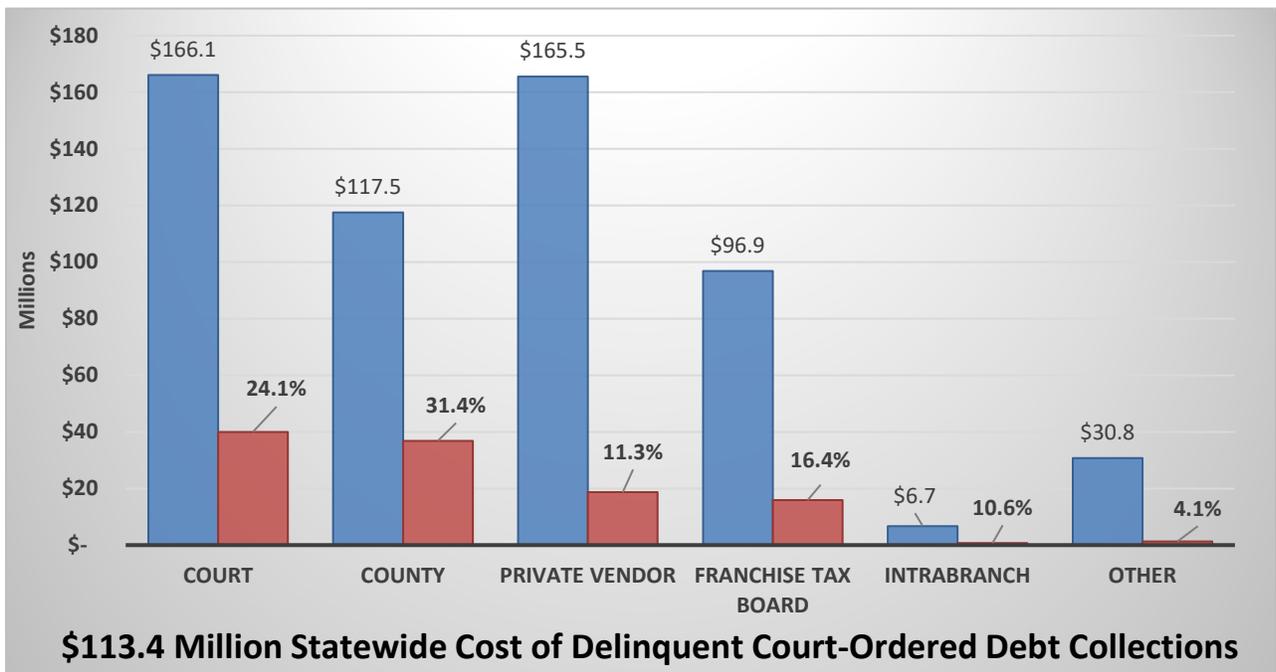
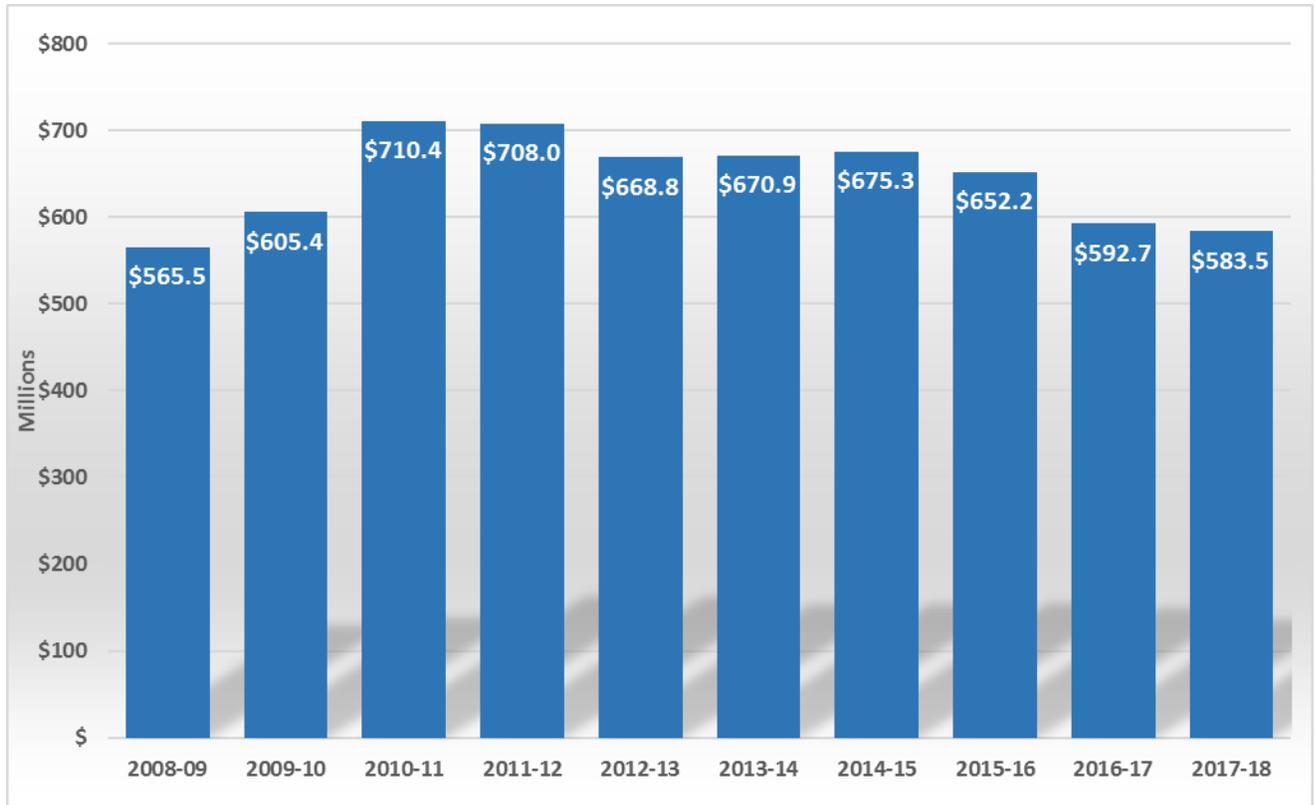


Chart 3 shows statewide collections totals for delinquent court-ordered revenue over a 10-year period.

Chart 3: Statewide Delinquent Court-Ordered Debt Collections since 2008–09



Supplemental Report on Government Code Section 68514 Data

In July 2018, as permitted by subdivision (c) of Government Code section 68514, the collections programs provided information on the CRT to the extent possible, and the Judicial Council reported to the DOF and JLBC that any revised or additional data would be submitted to the Legislature in this report.

As reported to the DOF and the JBLC, collection programs—including the private collection agencies—were not previously required to report this type or level of information. Although the CRT submitted in September included data that was unavailable for inclusion in the July report, there is still a substantial amount of missing data, specifically as it pertains to information on the 16 collections activities. As anticipated, this information was the most difficult to report on, as the case management systems are not configured to track the amount of revenue collected or the number of cases or costs associated to those revenues by activity (see Attachment 7).

In an effort to obtain the required information in the future, some programs are participating in meetings held by the AB103 Subcommittee, which is composed of staff from the 25 courts that contract with Tyler Technologies. The group expects to create a report within Odyssey (Tyler’s financial application) to comply with the additional reporting elements incorporated into the

CRT. Other programs are diligently working with their respective vendors (collections and CMS software) on developing report(s) to meet the statutorily required reporting requirement.

Collections Best Practices

The Judicial Council adopted *Judicial Council–Approved Collections Best Practices* in 2008, with subsequent revisions made in 2011 (Attachment 3). The best practices identify a variety of strategies designed to improve the collection of delinquent court-ordered debt. They included enforcement tools such as placing a hold on a driver’s license through the Department of Motor Vehicles (DMV) and imposing a civil assessment rather than issuing an arrest warrant on a delinquent debtor. As of June 27, 2017, pursuant to Assembly Bill 103 (Stats. 2017, ch. 17),¹ driver’s license holds for failure to pay are no longer permitted. Although the DMV released all failure to appear holds and suspensions, the collections programs are still authorized to collect any related fines and fees. Therefore, the impact to delinquent revenues is not evident at this time. However, a few programs anticipate potential long-term impact to delinquent revenues as a result of the elimination of this tool and the implementation of ability-to-pay determinations, which allows for a reduction of the base fine amount. Other best practices include trial in absentia, in which the case is adjudicated when the defendant fails to appear, utilizing Franchise Tax Board collections programs and contracting the services of third-party collections vendors. Statewide collections programs are encouraged to follow as many best practices as possible in an effort to enhance collections efforts, resolve accounts in a timely manner, and increase revenue collections.

In 2017–18, of the 58 collections programs, 51 met 20 or more of the 25 best practices; 35 programs were in the 90th percentile, meeting 23, 24, or all 25 of the best practices; and 8 programs were in the 100th percentile, meeting all 25 of the best practices. Collections programs are not required to meet a specified number of best practices, though courts and counties continue to implement additional practices to improve revenue collection.

The following table lists the number of best practices used by each collection program in 2017–18.

¹ The administration has recognized the potential loss in revenue that may occur as a result of eliminating driver’s license suspensions for failure to pay court-ordered debt and the impact to branch funds, and has indicated a willingness to explore the potential of providing relief through the existing budget process.

Table 1: Number of Best Practices Used by Collections Programs for 2017–18

| | | | | | | | |
|--------------|----|-------------|----|-----------------|----|------------|----|
| Alameda | 25 | Kings | 20 | Placer | 24 | Sierra | 21 |
| Alpine | 19 | Lake | 24 | Plumas | 20 | Siskiyou | 24 |
| Amador | 24 | Lassen | 21 | Riverside | 24 | Solano | 22 |
| Butte | 23 | Los Angeles | 22 | Sacramento | 21 | Sonoma | 24 |
| Calaveras | 23 | Madera | 25 | San Benito | 13 | Stanislaus | 25 |
| Colusa | 24 | Marin | 23 | San Bernardino | 19 | Sutter | 19 |
| Contra Costa | 21 | Mariposa | 25 | San Diego | 25 | Tehama | 22 |
| Del Norte | 13 | Mendocino | 23 | San Francisco | 20 | Trinity | 21 |
| El Dorado | 22 | Merced | 24 | San Joaquin | 23 | Tulare | 25 |
| Fresno | 20 | Modoc | 24 | San Luis Obispo | 23 | Tuolumne | 23 |
| Glenn | 24 | Mono | 21 | San Mateo | 25 | Ventura | 24 |
| Humboldt | 24 | Monterey | 24 | Santa Barbara | 24 | Yolo | 23 |
| Imperial | 24 | Napa | 20 | Santa Clara | 23 | Yuba | 24 |
| Inyo | 23 | Nevada | 25 | Santa Cruz | 21 | | |
| Kern | 19 | Orange | 23 | Shasta | 22 | | |

Third-Party Collections Entities

California collections programs are allowed by law to contract for the services of one or more third-party collections entities to assist in the collection of delinquent court-ordered debt, which is particularly helpful when programs have limited staff or resources, or need to focus their efforts on other mission-critical goals and objectives. Additionally, third-party vendors tend to be better equipped to address hard-to-collect cases, allowing collections programs to address the collection of newer delinquent cases that tend to be easier and less costly to collect. The options available to the programs for third-party collections entities, as listed in the *Judicial Council–Approved Collections Best Practices*, include the following:

- Use of California Franchise Tax Board (FTB) services.** The FTB has two programs that can be used to help collections programs. These are the Court-Ordered Debt (FTB-COD) program, and the Interagency Intercept Collection (FTB-IIC) program. The FTB-COD program offers a variety of collections services, including wage garnishment, bank levies, and seizure of real and personal property or other assets to satisfy payment of delinquent debt. Accounts with a balance of at least \$100 must be delinquent 90 days before they can be referred to the FTB-COD; commission rates do not, by law, exceed 15 percent. For FTB-IIC, collections programs submit delinquent accounts by December 1 each year. The program intercepts California tax returns where available and applies the amount seized to the outstanding debt. (For the FTB-COD program, see www.ftb.ca.gov/online/Court_Ordered_Debt/overview.shtml; for the FTB-IIC program, see www.ftb.ca.gov/individuals/Interagency_Intercept_Collections/index.shtml.)
- Use of another court or county collections program.** Intrabranched collections services are court-to-court programs that operate under a written memorandum of understanding. The Shasta and Ventura superior courts currently provide these services to ten (10) other

superior courts. Shasta provided collections services to six courts, and Ventura provided collections services to four courts. Both of these courts provide customized services and tools to meet the needs of the programs.

- **Use of private third-party vendors.** There are currently 11 private vendors with statewide master agreements,² which were awarded by the Judicial Council in January 2014. In January 2017, one vendor opted out of its renewal contract with the Judicial Council due to its engagement in business operations outside of the United States, which is unallowable under the contract terms. Individual programs independently negotiate and contract with the vendor(s). Programs with a high volume of delinquent accounts may elect to use multiple vendors. Contractor commission rates vary from 3.9 percent to 47.8 percent. Fifty-four of the 58 collections programs used at least one private vendor during this reporting period, which represents an increase of two from last year. For a list of statewide master agreements, refer to www.courts.ca.gov/procurementservices.htm.

Performance Measures

In 2008–09, performance measures and benchmarks were developed to evaluate the future effectiveness of collections programs statewide. A benchmark represents the minimum standard of performance that should be achievable by each collections program. The Judicial Council adopted two measures—the Gross Recovery Rate (GRR) and the Success Rate (SR)—to provide baselines from which to measure and compare each program’s progress from year to year, and for analyzing statewide programs. The benchmarks have not been revisited since they were established, but due to Government Code section 68514, they may need to be reexamined to align with current reporting requirements (see Attachment 4).

In prior reports, this section of the report included both an explanation of the extent to which the statewide programs met the established benchmarks and a comparison to prior year rates. However, the new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates throughout the state. As revised, the CRT now captures the GRR and SR calculations by period (see Attachment 5). Therefore, the programs performance for the 2017–18 reporting period cannot be compared to previous years.

The individual calculations provide a more valid collection rate by period. However, the expectation is that the collections rate for prior periods will be low, as the calculation includes the value of long-standing, hard to collect debt. Further, separating the data and metrics

² The existing master agreements expire in December 2018. A request for proposals was released in July 2018 to have new master agreements awarded and executed by January 2019.

calculation by period on the CRT aligns with collections industry standards, as recommended by the Legislative Analyst's Office report, [*Restructuring the Court-Ordered Debt Collection Process*](#), November 2014.

Discharge from Accountability

It is important to distinguish collectible court-ordered debt that is past due from delinquent court-ordered debt that is considered uncollectible and meets the recommended eligibility criteria to be discharged from accountability by the collecting entity. Court and county collections programs are authorized, under Government Code sections 25257 through 25259.95, to discharge outstanding debt from accountability if the outstanding amount is too small to justify the cost of collection, or the likelihood of collection does not warrant the expense involved. Additional criteria for determining when debt may be considered uncollectible include:

- All the required reasonable collection efforts, including those under Penal Code section 1463.007, have been performed;
- The debtor is deceased, has no assets, and a copy of the death certificate has been submitted; and
- At least five years have elapsed for infractions, or 10 years have elapsed for misdemeanors and felonies from the date the debt became delinquent.

In 2017–18, \$166.3 million was discharged by collections programs, which represents a 13.7 percent increase from the \$146.2 million discharged in 2016–17. The \$869.9 million discharged in the past six fiscal years combined represents a substantial amount compared to the \$5.2 billion in outstanding debt reported at the beginning of 2008–09, the base year established for measuring statewide performance.

The programs, including third-party collection entities, demonstrated some improved systems capabilities. This is assumed since data was separated by period, which suggests that uncollectible debt may be identified and tracked for discharge. Additional outreach will be conducted to assist programs with the discharge process.

The Judicial Council's Funds and Revenues Unit recommends that programs implement a discharge from accountability process to aid in eliminating uncollectible debt from their records in order to reduce the statewide outstanding debt balance. However, court-ordered debt discharged from accountability does not constitute a release from liability for payment.

Improving Statewide Collections and Distribution of Court-Ordered Debt

In 2009, the Judicial Council's Funds and Revenues Unit, in collaboration with the California State Association of Counties, convened an informal group of court and county subject matter experts to make recommendations to improve the performance of collections programs

statewide. Since 2009, a number of changes have been identified across the full spectrum of collections efforts, from new enforcement tools to improvements in collecting forthwith payments so they do not become delinquent.

Specific efforts and accomplishments in improving statewide collections and distribution during this reporting period include:

- Collaborating with internal Judicial Council divisions on structuring a pilot program for ability-to-pay determinations by recommending programs for participation in the pilot based on the programs' collections and reporting capabilities (including third-party collections entities).
- Conducting an annual statewide training program on the distribution of revenues in collaboration with the State Controller's Office, the Franchise Tax Board, Governmental Affairs, and Legal Services offices. Court and county staff were invited to attend any of the three "live" sessions, which were offered in both southern and northern California locations in June 2018. As a midyear follow-up, a winter webinar session was offered to provide updates on new laws affecting traffic, criminal fines, and fees.
- Continuing outreach to court and county collections programs to address a variety of current issues and collections questions, which include providing tools for improving collections and reporting, as well as training.
- Maintaining and strengthening key relationships and partnerships with collections stakeholders such as (1) the State Controller's Office, (2) the California State Association of Counties, (3) the California Revenue Officers Association, and (4) the Franchise Tax Board.
- Maintaining peer-to-peer information sharing and problem resolution opportunities, including a collections and revenue distribution listserve (an application that manages e-mail for members of a discussion group) open to both court and county partners who work in court-ordered debt collections and revenue distribution to collaborate and share knowledge regarding the collection of forthwith, nondelinquent, and delinquent court-ordered debt, as well as local and state distribution of the monies collected.

Conclusion

In 2017–18, a total of \$583.5 million in delinquent court-ordered debt was collected by court and county collections programs, representing a 1.5 percent decrease in collections from the previous year. As noted above, an accurate amount of total collectible debt cannot be easily determined due to the disparity in case management and accounting systems that continue to hinder consistent and reliable reporting of age-related debt information.

The CRT is intended to capture the same information from all programs, but data consistency cannot be guaranteed based on the way programs capture information and the many different case management systems used statewide. Disparate case management and accounting systems continue to limit the type and scope of information that was provided by the individual collections programs, including the additional information required under Government Code section 68514. Some collections programs anticipate potential long-term impact to delinquent revenues as a result of the elimination of the tool that allowed for holds or suspension of driver's licenses for failure to pay and the implementation of ability-to-pay determinations. However, since the decrease in revenue collected is small, the impact to delinquent revenues is not evident at this time.

A total of \$6.4 billion has been collected over the 10 years that the state has been actively collecting data on delinquent court-ordered debt. Despite the added workload related to changes in court processes and the continued challenges associated with the implementation of new case management systems, the courts and counties continue to enhance their collections programs by following best practices to improve their performance, adding new collections activities and tools, and streamlining their collections operations.

Attachments

Attachment 1: *Statewide Collection of Delinquent Court-Ordered Debt for 2017–18: Individual Court and County Collections Program Reports*

Attachment 2: *Collections Reporting Template*

Attachment 3: *Judicial Council–Approved Collections Best Practices*

Attachment 4: Collections Performance Measures and Benchmarks

Attachment 5: Gross Recovery Rate and Success Rate by Period

Attachment 6: Gov. Code, § 68514 Data: Revenue Collected, Adjustments, and Defaults, Items 1, 2, 3, 8

Attachment 7: Gov. Code, § 68514 Data: Collections Activities, Items 4, 5, 6a, 6b, 7.

County of Alameda and Superior Court of Alameda County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 1,660,202 | Nondelinquent Revenue: \$56,988,339 |
| Authorized Judges/Commissioners²: 75/10.0 | Delinquent Revenue Collected: \$20,257,162 |
| Combined Gross Recovery Rate³: 13% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 8% | Total Amount Adjusted⁴: \$15,575,308 |
| | Ending Balance⁵: \$230,508,828 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Alameda County and the County of Alameda. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$20,257,162 in revenue from 67,154 cases.
- The total number of delinquent cases established, referred, or transferred is 495,469; of these, 40,456 are newly established.
- The administrative cost to collect the debt was \$3,206,257.
- The ending balance of \$230,508,828 represents 469,527 cases with outstanding delinquent court-ordered debt.

According to the Alameda collection program, information is provided to the extent possible and is currently incomplete due to system limitations. The program is unable to report some of the requested collections information requested: administrative costs are not calculated per collection activity, but rather calculated monthly based on the state-mandated guidelines. The program intends to go live with Odyssey Financials in 2018–19, making data related to criminal forthwith collections activity available to report in the future. The program will continue to work in collaboration with the private vendor and the Franchise Tax Board to ensure continuity of the data reported. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Alameda and Superior Court of Alameda County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$29,254,156 | \$27,734,183 |
| | Delinquent gross revenue collected | \$2,981,338 | \$17,275,824 |
| Item 2 | Number of cases associated with nondelinquent collections | 102,251 | 97,858 |
| | Number of cases associated with delinquent collections | 11,764 | 55,390 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$2,276,434 | \$13,298,874 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 34% | 22% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$1,367,916 | 31,812 | - |
| Category 2: Written notice(s) | \$38,958 | 906 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | \$15,834 | 1,131 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$7,685,663 | 82,463 | \$1,136,655 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$2,662,342 | 399,877 | \$150,361 |
| Category 7: Driver's license hold/suspension for failure to appear | \$756,325 | 18,813 | - |
| Category 8: Private debt collectors | \$3,855,237 | 259,805 | \$442,864 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$16,382,275 | 794,807 | \$1,729,880 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Alameda and Superior Court of Alameda County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the decrease in percentages is also attributed to the court ceasing the practice of issuing a DMV license hold as a consequence for failing to pay court-ordered debt. The court released DMV license holds for 53,791 unique individuals, affecting approximately 83,000 cases—the revenue impact has not been determined. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 21% | 13% | 13% |
| Success Rate | 13% | 8% | 8% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period. Over \$830,000 in traffic debt was reduced to approximately \$80,000 during the reporting period pursuant to Amnesty. Lastly, effective May 1, 2017, the ability-to-pay program replaced Amnesty in providing debt relief for qualifying defendants. To date, 1,667 ability-to-pay applications have been processed by the court, resulting in a 50 percent reduction of the outstanding fine amount (including civil assessment). Unfortunately, the court cannot provide the total amount of debt reduced or collected pursuant to ability to pay for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Alameda and Superior Court of Alameda County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$22,984,921 | \$25,667,928 | \$26,029,643 | \$26,916,685 | \$22,637,952 | \$20,257,162 |
| Year-over-Year Percent Change | 27.7% | 11.7% | 1.4% | 3.4% | -15.9% | -10.5% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice-related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Alpine and Superior Court of Alpine County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 1,154 | Nondelinquent Revenue: \$1,399,990 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$120,607 |
| Combined Gross Recovery Rate³: 12% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 14% | Total Amount Adjusted⁴: \$-17,722 |
| | Ending Balance⁵: \$763,238 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Alpine County and the County of Alpine. The court and county do not have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with a private debt collector;
- Meets 19 of the 25 recommended collections best practices, with the following best practices not currently being met: 1, 7, 8, 9, 10, and 21 (see Attachment 3); and
- Engages 12 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$120,607 in revenue from 218 cases.
- The total number of delinquent cases established, referred, or transferred is 1,017; of these, 688 are newly established.
- The administrative cost to collect the debt was \$9,560.
- The ending balance of \$763,238 represents 700 cases with outstanding delinquent court-ordered debt.

According to the Alpine collection program, information is provided to the extent possible and is currently incomplete due to its case management system having limited capabilities. Value of collection cases increased this period as old case management system cases were not reported in previous reports. In previous reports, delinquent revenue collected was added into the Gross Revenue collected and was not separated out. In addition, the court switched over to a new case management system and established a new contract with a private collection agency. Revenue was down due to the transition phase. Court staff is continuing to make progress entering old cases into their new case management system. The program expects to provide additional information in the next reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Alpine and Superior Court of Alpine County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$307,348 | \$1,092,642 |
| | Delinquent gross revenue collected | \$66,556 | \$54,051 |
| Item 2 | Number of cases associated with nondelinquent collections | 1,371 | 3,540 |
| | Number of cases associated with delinquent collections | 181 | 37 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$-18,316 | \$594 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 26% | 3% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | \$73,793 | 267 | \$2,585 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$46,813 | 55 | \$6,975 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$120,606 | 322 | \$9,560 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Alpine and Superior Court of Alpine County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 265 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 9% | 16% | 12% |
| Success Rate | 12% | 16% | 14% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------|----------|----------|---------|----------|-----------|
| Delinquent Revenue Collected | \$27,466 | \$29,715 | \$33,891 | \$1,860 | \$16,049 | \$120,607 |
| Year-over-Year Percent Change | -24.4% | 8.2% | 14.1% | -94.5% | 762.8% | 651.5% |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Alpine and Superior Court of Alpine County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Amador and Superior Court of Amador County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 38,094 | Nondelinquent Revenue: N/A |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$554,098 |
| Combined Gross Recovery Rate³: 6% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$0 |
| | Ending Balance⁵: \$8,156,992 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Amador County and the County of Amador. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Ventura County to provide collections services as part of an Intrabranch Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 10. (see Attachment 3);
- Engages 12 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$554,098 in revenue, from 5,267 cases.
- The total number of delinquent cases established, referred or transferred is 15,902; of these, 2,054 are newly established.
- The administrative cost to collect the debt was \$109,643.
- The ending balance of \$8,156,992 represents 9,291 cases.

According to the Amador collection program, they have provided information to the extent possible and is currently incomplete due to system limitations. The program expects to provide additional information in the next reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Amador and Superior Court of Amador County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | - |
| | Delinquent gross revenue collected | \$197,433 | \$356,665 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 759 | 4,508 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | - | - |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 66% | 44% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$427,904 | 2,026 | \$85,581 |
| Category 2: Written notice(s) | \$126,194 | 2,096 | \$24,062 |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$554,098 | 4,122 | \$109,643 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Amador and Superior Court of Amador County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 0 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 12% | 5% | 6% |
| Success Rate | 12% | 5% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$191,255 | \$149,983 | \$183,750 | \$320,669 | \$477,136 | \$554,098 |
| Year-over-Year Percent Change | -9.2% | -21.6% | 22.5% | 74.5% | 48.8% | 16.1% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Amador and Superior Court of Amador County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Butte and Superior Court of Butte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 227,621 | Nondelinquent Revenue: \$4,094,712 |
| Authorized Judges/Commissioners²: 11/2.0 | Delinquent Revenue Collected: \$4,318,344 |
| Combined Gross Recovery Rate³: 11% | Total Amount Discharged: \$2,999,159 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$4,145,460 |
| | Ending Balance⁵: \$88,504,064 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Butte County and the County of Butte. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, and 24 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$4,318,344 in revenue, from 3,939 cases.
- The total number of delinquent cases established, referred or transferred is 81,581; of these, 14,063 are newly established.
- The administrative cost to collect the debt was \$1,142,459.
- The ending balance of \$88,504,064 represents an undetermined number of cases with outstanding delinquent court-ordered debt.

According to the Butte collection program, due to case management and collections systems limitations the additional data required under Government Code section 68514 is provided to the extent possible. The county’s collections system is unable to differentiate payments made towards cases assigned during the reporting period and payments made for cases assigned in prior years; revenue is reported in a lump sum in the prior period section. The court was also unable to report new, additional data required, more specifically, the data related to prior period inventory, victim restitution, and other justice related reimbursements. The court believes it is close to having the capability of reporting on some of the data elements; however, there are still lingering issues with the Odyssey report that is utilized to provide the data. The program anticipates improved reporting capabilities in the next reporting period, as it is part of the AB103

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Butte and Superior Court of Butte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Subcommittee comprised of Tyler Courts with the hope of creating a new report in Odyssey to capture the additional data elements. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$4,094,712 | - |
| | Delinquent gross revenue collected | \$1,181,313 | \$3,137,031 |
| Item 2 | Number of cases associated with nondelinquent collections | 13,482 | - |
| | Number of cases associated with delinquent collections | 3,939 | - |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$1,128,422 | \$3,017,038 |
| | Debt discharged from accountability | \$2,999,159 | - |
| Item 8 | Percentage of debt defaulted on* | -% | -% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$0 | - | \$0 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Butte and Superior Court of Butte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 10% | 12% | 11% |
| Success Rate | 6% | 4% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$2,999,159 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$8,425,176 | \$8,210,472 | \$8,113,069 | \$8,284,862 | \$3,563,836 | \$4,318,344 |
| Year-over-Year Percent Change | -4.8% | -2.5% | -1.2% | 2.1% | -57.0% | 21.2% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Butte and Superior Court of Butte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (, Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Calaveras and Superior Court of Calaveras County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 45,157 | Nondelinquent Revenue: \$838,586 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$397,683 |
| Combined Gross Recovery Rate³: 8% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 7% | Total Amount Adjusted⁴: \$82,736 |
| | Ending Balance⁵: \$5,503,026 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Calaveras County and the County of Calaveras. The court and county do not have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 1 and 21 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$397,683 in revenue from 2,022 cases.
- The total number of delinquent cases established, referred, or transferred is 5,176; of these, 1,609 are newly established.
- The administrative cost to collect the debt was \$155,502.
- The ending balance of \$5,503,026 represents 5,513 cases with outstanding delinquent court-ordered debt.

According to the Calaveras collection program, their case management system has limited capabilities in reporting the required data. Most of the information reported comes directly from their private vendor and the Franchise Tax Board, which is reconciled against the collection program’s data. The program is not able to identify the number of cases that have payments, the activities generating the payments, or the inventory that each vendor maintains. This year, adjustments had to be made in the case management system, which includes entering, tracking, and collecting data needed for the report. Therefore, there are a few discrepancies from last

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Calaveras and Superior Court of Calaveras County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

year's ending totals to this year's beginning totals; it is a work in progress. Last year, the number of cases was counted, and not the number of individuals. In addition, the program counted joint totals and several case totals separately to avoid duplication. Juvenile cases are included this year, but the cases are not moved to the collection agency or FTB caseloads at this time. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$762,399 | \$76,187 |
| | Delinquent gross revenue collected | \$119,169 | \$278,514 |
| Item 2 | Number of cases associated with nondelinquent collections | 77 | 242 |
| | Number of cases associated with delinquent collections | 1,058 | 964 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$42,957 | \$39,779 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 13% | 10% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Calaveras and Superior Court of Calaveras County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|--|---|-----------------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | 1,535 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | 488 | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | 69 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | 155 | - |
| Category 8: Private debt collectors | \$226,814 | 358 | \$43,935 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$226,814 | 2,605 | \$43,935 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR reflects a dramatic drop due to the formula no longer taking into consideration the nondelinquent collections. In addition, the program's nondelinquent and delinquent collections have decreased. With the loss of the ability to place DMV holds on FTPs,

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County of Calaveras and Superior Court of Calaveras County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

the program will continue to see a decrease in revenue. The program is in the process of discharging old debt that has been deemed uncollectible. Efforts are being made to have this accomplished in 2018–19. The program’s GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 8% | 8% | 8% |
| Success Rate | 6% | 7% | 7% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$459,235 | \$470,046 | \$421,411 | \$388,264 | \$428,971 | \$397,683 |
| Year-over-Year Percent Change | -15.1% | 2.4% | -10.3% | -7.9% | 10.5% | -7.3% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Colusa and Superior Court of Colusa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

County Population¹: 22,098

Authorized Judges/Commissioners²: 2/0.3

Combined Gross Recovery Rate³: 5%

Combined Success Rate³: 4%

Nondelinquent Revenue: \$1,730,716

Delinquent Revenue Collected: \$476,244

Total Amount Discharged: \$0

Total Amount Adjusted⁴: \$71,335

Ending Balance⁵: \$10,811,177

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Colusa County and the County of Colusa. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Shasta County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 16 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$476,244 in revenue from 1,436 cases.
- The total number of delinquent cases established, referred, or transferred is 10,195; of these, 1,454 are newly established.
- The administrative cost to collect the debt was \$112,826.
- The ending balance of \$10,811,177 represents 9,395 cases with outstanding delinquent court-ordered debt.

According to the program, their case management system is unable to provide some of the required data at this time. This includes the breakdown of payment information on current vs. the prior year’s cases, as well as tracking payment plans. Currently, the IT Department is working on a program to facilitate obtaining this data in the future. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Colusa and Superior Court of Colusa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$1,730,716 | - |
| | Delinquent gross revenue collected | \$426,124 | \$50,120 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 618 | 818 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$71,335 | - |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 2,039 | - |
| Category 2: Written notice(s) | - | 2,573 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | 2,819 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$71,600 | 230 | \$17,184 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$67,695 | 5,421 | \$16,247 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$12,500 | 19 | \$3,000 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$151,794 | 13,101 | \$36,431 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Colusa and Superior Court of Colusa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage for prior periods are 0 because their case management system is unable to provide the data at this time. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 39% | 0% | 5% |
| Success Rate | 35% | 0% | 4% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$883,986 | \$837,324 | \$622,350 | \$478,023 | \$454,110 | \$476,244 |
| Year-over-Year Percent Change | 8.3% | -5.3% | -25.7% | -23.2% | -5.0% | 4.9% |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Colusa and Superior Court of Colusa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Contra Costa and Superior Court of Contra Costa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 1,149,363 | Nondelinquent Revenue: \$15,926,128 |
| Authorized Judges/Commissioners²: 38/4.0 | Delinquent Revenue Collected: \$16,302,773 |
| Combined Gross Recovery Rate³: 9% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$8,555,525 |
| | Ending Balance⁵: \$256,777,750 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Contra Costa County and the County of Contra Costa. The court and county have a written memorandum of understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 21 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 10, 11, and 19 (see Attachment 3); and
- Engages 13 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$16,302,773 in revenue, from 47,598 cases.
- The total number of delinquent cases established, referred or transferred is 392,694; of these, 33,537 are newly established.
- The administrative cost to collect the debt was \$2,893,810.
- The ending balance of \$256,777,750 represents 350,347 cases with outstanding delinquent court-ordered debt.

According to the Contra Costa collection program, they have provided information to the extent possible and is currently incomplete due to systems limitations. Systems do not track information by activity. For example, although the private agency and FTB engaged in multiple collections activities (telephone calls, notices, internal reports, skip tracing, garnishments, etc.), information is reported under the FTB and private agency activity categories only. The court engages in multiple collections activities, but the only collections activity tracked by the courts’ system is delinquent notices. Therefore, the information is reported in the notice activity category. The program expects to provide additional information in the next reporting period. The following

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Contra Costa and Superior Court of Contra Costa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$14,677,395 | \$1,605,043 |
| | Delinquent gross revenue collected | \$3,010,607 | \$13,292,166 |
| Item 2 | Number of cases associated with nondelinquent collections | 49,907 | 3,327 |
| | Number of cases associated with delinquent collections | 9,288 | 38,310 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$277,250 | \$8,278,275 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 16% | 10% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | \$2,045,569 | 6,978 | - |
| Category 3: Lobby/counter | - | - | \$351,954 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$8,884,462 | 71,498 | \$1,332,669 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$2,115,738 | 88,986 | \$151,642 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$3,257,005 | 278,849 | \$1,057,545 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$16,302,774 | 446,311 | \$2,893,810 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Contra Costa and Superior Court of Contra Costa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 296,644 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, they are having more success collecting newer cases and have a large inventory of cases from prior periods. The program plans to discharge older uncollectible debt in 2018-19 to reduce prior period case inventory, which will hopefully increase the programs overall GRR and SR. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 28% | 8% | 9% |
| Success Rate | 26% | 5% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Contra Costa and Superior Court of Contra Costa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$28,209,589 | \$24,128,249 | \$18,840,665 | \$20,421,603 | \$18,807,393 | \$16,302,773 |
| Year-over-Year Percent Change | 3.9% | -14.5% | -21.9% | 8.4% | -7.9% | -13.3% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Del Norte and Superior Court of Del Norte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 27,221 | Nondelinquent Revenue: N/A |
| Authorized Judges/Commissioners²: 2/0.8 | Delinquent Revenue Collected: \$353,986 |
| Combined Gross Recovery Rate³: 2% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 2% | Total Amount Adjusted⁴: \$4,719 |
| | Ending Balance⁵: \$16,660,313 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Del Norte County and the County of Del Norte. The court and county do not have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contract with a private debt collector;
- Meets 13 of the 25 recommended collections best practices, with the following best practices not currently being met: 1, 2, 3, 7, 8, 9, 10, 13, 19, 21, 22, and 24 (see Attachment 3); and
- Engages 10 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$353,986 in revenue, from 706 cases.
- The total number of delinquent cases established, referred or transferred is 19,666; of these, 1,171 are newly established.
- The administrative cost to collect the debt was \$65,489.
- The ending balance of \$16,660,313 represents 19,087 cases with outstanding delinquent court-ordered debt.

According to the Del Norte collection program, the information provided is currently incomplete due to case management system limitations. The program is working with a collaborative group of users to initiate and improve reporting capabilities. The program expects to provide additional information in the next reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Del Norte and Superior Court of Del Norte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | - |
| | Delinquent gross revenue collected | \$73,360 | \$280,626 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 113 | 593 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$1,409 | \$3,310 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 17% | 28% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$353,985 | 706 | \$65,489 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$353,985 | 706 | \$65,489 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Del Norte and Superior Court of Del Norte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 0 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 5% | 2% | 2% |
| Success Rate | 5% | 2% | 2% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$463,932 | \$424,529 | \$460,769 | \$372,004 | \$347,944 | \$353,986 |
| Year-over-Year Percent Change | 23,740.3% | -8.5% | 8.5% | -19.3% | -6.5% | 1.7% |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Del Norte and Superior Court of Del Norte County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

Superior Court of El Dorado County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 188,399 | Nondelinquent Revenue: \$6,027,651 |
| Authorized Judges/Commissioners²: 8/1.0 | Delinquent Revenue Collected: \$1,102,022 |
| Combined Gross Recovery Rate³: 6% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 3% | Total Amount Adjusted⁴: \$1,138,455 |
| | Ending Balance⁵: \$35,568,788 |

Program Overview

The collection of delinquent court-ordered debt transitioned from the County of El Dorado to the Superior Court of El Dorado County, effective June 30, 2017, terminating the existing written Memorandum of Understanding (MOU) for delinquent collections. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program;
- Contract with a private debt collector;
- Meets 22 of the 25 recommended collections best practices, with the following best practices not currently being met: 1, 2, and 9 (see Attachment 3); and
- Engages 11 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$1,102,022 in revenue, from 2,315 cases.
- The total number of delinquent cases established, referred or transferred is 41,956; of these, 13,838 are newly established.
- The administrative cost to collect the debt was \$430,040.
- The ending balance of \$35,568,788 represents 31,732 cases with outstanding delinquent court-ordered debt.

According to the El Dorado collection program, they cannot provide some of the new information required due to case management system limitations, as the system cannot track the type of collections activities used on each case and each defendant. The program used a pro-rata calculation to determine costs of collections for each reporting period, based on total revenue collected for each reporting period. The year-to-date activities report provided by the private agency was limited to the number of letters mailed and inbound/outbound telephone calls. The court is working with the private collections agency to provide additional information in the next reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

Superior Court of El Dorado County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | \$6,027,651 |
| | Delinquent gross revenue collected | \$676,511 | \$425,511 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 1,530 | 785 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$278,134 | \$860,321 |
| | Debt discharged from accountability | - | |
| Item 8 | Percentage of debt defaulted on* | 84% | 76% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$973,376 | 1,998 | \$371,323 |
| Category 2: Written notice(s) | \$153,919 | 317 | \$58,717 |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$1,127,295 | 2,315 | \$430,040 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

Superior Court of El Dorado County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 1,990 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the decrease in percentages is also attributed to the transfer of accounts from the county to a private agency which required additional time to locate and establish contact with all debtors. Also, a new contract with the Franchise Tax Board had to be executed, which stopped collections for the reporting period. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 19% | 4% | 6% |
| Success Rate | 14% | 1% | 3% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

Superior Court of El Dorado County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$2,992,336 | \$2,880,604 | \$2,827,772 | \$2,690,949 | \$2,362,213 | \$1,102,022 |
| Year-over-Year Percent Change | 6.4% | -3.7% | -1.8% | -4.8% | -12.2% | -53.3% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Fresno and Superior Court of Fresno County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 1,007,229 | Nondelinquent Revenue: \$148,772 |
| Authorized Judges/Commissioners²: 43/6.0 | Delinquent Revenue Collected: \$8,516,614 |
| Combined Gross Recovery Rate³: 3% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 2% | Total Amount Adjusted⁴: \$2,733,058 |
| | Ending Balance⁵: \$399,330,412 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Fresno County and the County of Fresno. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with two private debt collectors;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 10 and 18 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$8,516,614 in revenue, from 33,495 cases.
- The total number of delinquent cases established, referred or transferred is 708,132; of these, 29,649 are newly established.
- The administrative cost to collect the debt was \$1,914,689.
- The ending balance of \$399,330,412 represents 228,502 cases with outstanding delinquent court-ordered debt.

According to the Fresno collection program, due to the new reporting requirements and system limitations some information may not be as accurate as it has been in the past. Due to the timeframe, the program was unable to reprogram systems to gather all of the information required at this time. The data provided at this time is limited to the Franchise Tax Board and the DMV. Also, one of the collections vendors and the county program was unable to provide the number of cases-ending balance. The program is working with vendors and systems with the hope of providing the required information in the next reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Fresno and Superior Court of Fresno County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$98,649 | \$50,123 |
| | Delinquent gross revenue collected | \$1,471,038 | \$7,045,576 |
| Item 2 | Number of cases associated with nondelinquent collections | 936 | 851 |
| | Number of cases associated with delinquent collections | 8,886 | 24,609 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$88,270 | \$2,644,788 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 48% | 39% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$2,128,129 | 5,772 | \$536,843 |
| Category 2: Written notice(s) | \$384,850 | 5,085 | \$96,998 |
| Category 3: Lobby/counter | \$732,512 | 2,886 | \$185,726 |
| Category 4: Skip tracing | \$266,953 | 347 | \$65,421 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$1,969,767 | 10,997 | \$52,570 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$55,886 | 1,076 | \$155 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$2,974,524 | 7,297 | \$908,066 |
| Category 9: Wage/bank garnishments and liens | \$3,993 | 35 | \$1,170 |
| Total: | \$8,516,614 | 33,495 | \$1,846,949 |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Fresno and Superior Court of Fresno County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 9 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the private agencies continue to make strides in collecting on older prior-year cases, in addition to the new cases being referred. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 6% | 3% | 3% |
| Success Rate | 5% | 2% | 2% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$16,637,854 | \$17,715,448 | \$23,941,709 | \$23,869,375 | \$18,779,024 | \$8,516,614 |
| Year-over-Year Percent Change | -9.8% | 6.5% | 35.1% | -0.3% | -21.3% | -54.6% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Fresno and Superior Court of Fresno County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Glenn and Superior Court of Glenn County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 28,796 | Nondelinquent Revenue: \$0 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$1,856,595 |
| Combined Gross Recovery Rate³: 6% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$81,797 |
| | Ending Balance⁵: \$27,898,935 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Glenn County and the County of Glenn. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Shasta County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with following best practice not currently being met: 4 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$1,856,595 in revenue from 7,785 cases.
- The total number of delinquent cases established, referred, or transferred is 26,300; of these, 8,304 are newly established.
- The administrative cost to collect the debt was \$524,140.
- The ending balance of \$27,898,935 represents 20,015 cases with outstanding delinquent court-ordered debt.

According to the Glenn collection program, the Glenn Superior Court Collections engages in categories 1, 2, 3, 4, and 7 simultaneously, as needed, as soon as a case is taken over by the department. For this reason, dividing money collected between these categories would be artificial and unrepresentative of the collections process. In order to separate administrative cost and money collected by collections activity, only one category could be utilized at a time, which would cause delays and make the department less efficient. Their current case management

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Glenn and Superior Court of Glenn County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

system further limits their ability to divide payments into these categories, though a new case management system may be able to improve data tracking. Therefore, all collections were reported under category 3, Lobby/Counter. The Intrabranh Program, through Shasta Collections, takes over cases after several consecutive months of missed payments and is able to track them between categories 5, 6, and 8 and thus split their collections between those categories. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | - |
| | Delinquent gross revenue collected | \$1,302,818 | \$553,777 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 5,763 | 2,022 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$220,987 | \$-139,190 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Glenn and Superior Court of Glenn County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 2,499 | - |
| Category 2: Written notice(s) | - | 19,103 | - |
| Category 3: Lobby/counter | \$894,488 | 2,242 | \$164,605 |
| Category 4: Skip tracing | - | 8,597 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$260,268 | 1,458 | - |
| Category 6: FTB-IIC (Interagency Collection Program) | \$107,056 | 7,491 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$15,505 | 43 | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$1,277,317 | 41,433 | \$164,605 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 2,242 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The appearance of a decrease in GRR and SR is due to a substantial change in the formula used to calculate these figures. The new template utilizes the prior period ending inventory in place of "Referrals," which is inconsistent with the formula used to set the performance benchmarks and

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Glenn and Superior Court of Glenn County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

the formula used in all prior periods. The formula uses the figures “Collections”, “Adjustments”, “Discharges”, and “Referrals” by definition. For this reason, the current year GRR and SR cannot be compared to either the benchmark or the performance measures in prior periods.

During this period, the program did not discharge any uncollectible debt, which further reduced the percentages. The elimination of the driver’s license holds for failure-to-pay and paired with the amnesty program, the department’s ability to collect has been significantly reduced. The program’s GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 19% | 2% | 6% |
| Success Rate | 16% | 3% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$2,420,072 | \$2,197,103 | \$2,201,586 | \$2,303,178 | \$2,484,198 | \$1,856,595 |
| Year-over-Year Percent Change | 53.6% | -9.2% | 0.2% | 4.6% | 7.9% | -25.3% |

Endnotes:

¹Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

²Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Humboldt and Superior Court of Humboldt County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 136,002 | Nondelinquent Revenue: \$2,223,156 |
| Authorized Judges/Commissioners²: 7/1.0 | Delinquent Revenue Collected: \$6,245,005 |
| Combined Gross Recovery Rate³: 11% | Total Amount Discharged: \$5,816,156 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$1,417,064 |
| | Ending Balance⁵: \$109,167,523 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Humboldt County and the County of Humboldt. The court and county do not have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 1 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$6,245,005 in revenue from 50,890 cases.
- The total number of delinquent cases established, referred, or transferred is 204,476; of these, 20,362 are newly established.
- The administrative cost to collect the debt was \$1,018,997.
- The ending balance of \$109,167,523 represents 194,907 cases with outstanding delinquent court-ordered debt.

According to the Humboldt collection program, the case management system was not designed to capture and report all data as separated in the CRT. Therefore, the court’s nondelinquent collection amounts reported are not separated by current or prior periods in the system reports. However, the data is within reasonable proximity to what was reported, and the total amount collected ties exactly to the system reports. All amounts collected by the court are reported as nondelinquent collections. The court is requesting that the new case management system be configured to report this data. The county program does not have reporting setup for the

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Humboldt and Superior Court of Humboldt County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

additional information requested. Currently, data is compiled from the spreadsheets used for tracking information. The county will setup reports needed for the additional categories in their new collection program. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$2,194,181 | \$28,975 |
| | Delinquent gross revenue collected | \$5,081,843 | \$1,163,162 |
| Item 2 | Number of cases associated with nondelinquent collections | 8,124 | 264 |
| | Number of cases associated with delinquent collections | 26,214 | 24,676 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$441,288 | \$975,776 |
| | Debt discharged from accountability | - | \$5,816,156 |
| Item 8 | Percentage of debt defaulted on* | 31% | 38% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Humboldt and Superior Court of Humboldt County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | - | - | - |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program reports changing third party vendors during the reporting period. The delay between vendors took nearly a year, which impacted collections. The program's GRR and SR by period are as follows:

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Humboldt and Superior Court of Humboldt County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 36% | 7% | 11% |
| Success Rate | 34% | 1% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$5,816,156 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$4,444,163 | \$5,504,630 | \$6,784,979 | \$6,136,932 | \$2,974,159 | \$6,245,005 |
| Year-over-Year Percent Change | -11.8% | 23.9% | 23.3% | -9.6% | -51.5% | 110.0% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Imperial and Superior Court of Imperial County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 190,624 | Nondelinquent Revenue: \$5,891,100 |
| Authorized Judges/Commissioners²: 10/0.3 | Delinquent Revenue Collected: \$3,654,368 |
| Combined Gross Recovery Rate³: 5% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$50,145 |
| | Ending Balance⁵: \$64,454,724 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Imperial County and the County of Imperial. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 10 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$3,654,368 in revenue, from 10,703 cases.
- The total number of delinquent cases established, referred or transferred is 90,881; of these, 13,173 are newly established.
- The administrative cost to collect the debt was \$728,200.
- The ending balance of \$64,454,724 represents 84,471 cases with outstanding delinquent court-ordered debt.

According to the Imperial collection program, the information provided is incomplete due to the transition to a new case management system during the reporting period (November 2017) and limitations within the new and old software. Due to these changes the program cannot reconcile data with external collection agencies and is therefore unable to generate reports to provide the required information. The program is in the process of reconciling all cases with the external collection agencies and is requesting the creation of reports from Journal Technologies to obtain the information required to submit an accurate and complete report in the next reporting period.

The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Imperial and Superior Court of Imperial County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$5,891,100 | - |
| | Delinquent gross revenue collected | \$3,654,368 | - |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 2,732 | 7,971 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$1,922 | \$48,223 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 39% | 25% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 7 | - |
| Category 2: Written notice(s) | - | 4,593 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$464,892 | 5,389 | \$69,734 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$43,577 | 117 | \$871 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$709,460 | 2,111 | \$61,419 |
| Category 9: Wage/bank garnishments and liens | \$380,854 | 4,557 | \$57,128 |
| Total: | \$1,598,783 | 16,774 | \$189,152 |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Imperial and Superior Court of Imperial County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 43% | 0% | 5% |
| Success Rate | 43% | 0% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$4,827,628 | \$4,590,164 | \$5,203,739 | \$4,628,412 | \$4,108,209 | \$3,654,368 |
| Year-over-Year Percent Change | -9.1% | -4.9% | 13.4% | -11.1% | -11.2% | -11.0% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Imperial and Superior Court of Imperial County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Inyo and Superior Court of Inyo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

County Population¹: 18,577

Authorized Judges/Commissioners²: 2/0.3

Combined Gross Recovery Rate³: 19%

Combined Success Rate³: 7%

Nondelinquent Revenue: \$3,759,296

Delinquent Revenue Collected: \$563,391

Total Amount Discharged: \$1,309,705

Total Amount Adjusted⁴: \$46,580

Ending Balance⁵: \$7,988,131

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Inyo County and the County of Inyo. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, and 11 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$563,391 in revenue;
- The total number of delinquent cases established, referred or transferred is 12,045; of these, 2,248 are newly established.
- The administrative cost to collect the debt was \$101,308.
- The ending balance of \$7,988,131 represents 10,658 cases with outstanding delinquent court-ordered debt.

According to the Inyo collection program, the provided information is currently incomplete due to systems limitations. Programming changes and/or customized data reports from case management system vendor are needed in various areas to accurately report the requested data. The program will submit quote requests to begin this process in the near future, but does not have an estimated timeframe for when this will be achievable. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Inyo and Superior Court of Inyo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$3,759,296 | - |
| | Delinquent gross revenue collected | \$461,769 | \$101,622 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | - | - |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$32,606 | \$13,974 |
| | Debt discharged from accountability | - | \$1,309,705 |
| Item 8 | Percentage of debt defaulted on* | -% | -% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | 5,186 | \$3,709 |
| Category 3: Lobby/counter | \$414,073 | - | \$79,412 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$116,183 | 6,018 | \$10,290 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$3,951 | 18 | \$31 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$29,184 | 4,395 | \$7,866 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$563,391 | 15,617 | \$101,308 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Inyo and Superior Court of Inyo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, current rates are further skewed by the systems inability to separate requested data between current year established delinquent cases and cases that became delinquent in prior years. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 29% | 17% | 19% |
| Success Rate | 27% | 1% | 7% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$1,309,705 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Inyo and Superior Court of Inyo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$623,982 | \$603,024 | \$625,038 | \$588,720 | \$586,438 | \$563,391 |
| Year-over-Year Percent Change | 3.5% | -3.4% | 3.7% | -5.8% | -0.4% | -3.9% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Kern and Superior Court of Kern County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 905,801 | Nondelinquent Revenue: \$27,327,676 |
| Authorized Judges/Commissioners²: 36/7.0 | Delinquent Revenue Collected: \$15,794,968 |
| Combined Gross Recovery Rate³: 11% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 9% | Total Amount Adjusted⁴: \$4,632,474 |
| | Ending Balance⁵: \$158,496,184 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Kern County and the County of Kern. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with two private debt collectors;
- Meets 19 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 10, 12, 14, 23, and 25 (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$15,794,968 in revenue from 112,644 cases.
- The total number of delinquent cases established, referred, or transferred is 247,035; of these, 47,371 are newly established.
- The administrative cost to collect the debt was \$4,303,613.
- The ending balance of \$158,496,184 represents 204,942 cases with outstanding delinquent court-ordered debt.

According to the Kern collection program, they are working with a programmer to obtain some of the required data. The program’s data is not easily segregated or retrieved by inventory period. At this time, it is unlikely that the program can provide accurate collection and cost data information by collection activity. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Kern and Superior Court of Kern County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$12,694,872 | \$14,632,804 |
| | Delinquent gross revenue collected | \$7,409,806 | \$8,385,162 |
| Item 2 | Number of cases associated with nondelinquent collections | 116,311 | - |
| | Number of cases associated with delinquent collections | 51,375 | 61,269 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$3,782,245 | \$850,229 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 31% | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | - | - | - |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Kern and Superior Court of Kern County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, their GRR for the current year has decreased due to the calculations that are now separated by inventory periods. The program looks forward to comparing the rates next year with the same calculations. There was a 24% in new A/R, and an increase in adjustments this year, with only a slight decrease in A/R payments. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 36% | 6% | 11% |
| Success Rate | 27% | 6% | 9% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Kern and Superior Court of Kern County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$22,479,342 | \$22,769,311 | \$23,957,293 | \$21,359,045 | \$22,702,065 | \$15,794,968 |
| Year-over-Year Percent Change | -7.4% | 1.3% | 5.2% | -10.8% | 6.3% | -30.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Kings and Superior Court of Kings County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 151,662 | Nondelinquent Revenue: \$4,444,223 |
| Authorized Judges/Commissioners²: 7/1.6 | Delinquent Revenue Collected: \$1,792,936 |
| Combined Gross Recovery Rate³: 6% | Total Amount Discharged: \$1,774,665 |
| Combined Success Rate³: 3% | Total Amount Adjusted⁴: \$675,516 |
| | Ending Balance⁵: \$65,678,053 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Kings County and the County of Kings. The court and county do not have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program;
- Contracts with a private debt collector;
- Meets 20 of the 25 recommended collections best practices, with the following best practices not currently being met: 1, 2, 9, 10, and 14 (see Attachment 3); and
- Engages 12 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$1,792,936 in revenue from 4,314 cases.
- The total number of delinquent cases established, referred, or transferred is 86,030; of these, 21,667 are newly established.
- The administrative cost to collect the debt was \$271,604.
- The ending balance of \$65,678,053 represents 85,945 cases with outstanding delinquent court-ordered debt.

According to the Kings collection program, the County Probation Department’s case management system does not allow for data to be extracted to meet the State Collection Report’s requirements. The county is also unable to provide data on victim restitution reimbursements. In addition, since the county is unable to extract from their case management system and separate out the total from the collection agency, they are not able to report an accurate number. The court’s case management system is also unable to provide data for prior year inventory. The court does not have an internal collections program. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Kings and Superior Court of Kings County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$4,444,223 | - |
| | Delinquent gross revenue collected | \$654,207 | \$1,138,729 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 1,705 | 2,609 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$45,804 | \$629,712 |
| | Debt discharged from accountability | - | \$1,774,665 |
| Item 8 | Percentage of debt defaulted on* | 14% | 24% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$1,447,673 | 3,914 | \$248,088 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$1,447,673 | 3,914 | \$248,088 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Kings and Superior Court of Kings County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 4% | 7% | 6% |
| Success Rate | 3% | 2% | 3% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$1,774,665 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$3,257,315 | \$3,884,185 | \$2,228,906 | \$1,285,927 | \$1,253,220 | \$1,792,936 |
| Year-over-Year Percent Change | 45.7% | 19.2% | -42.6% | -42.3% | -2.5% | 43.1% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Kings and Superior Court of Kings County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Lake and Superior Court of Lake County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 65,081 | Nondelinquent Revenue: \$1,604,586 |
| Authorized Judges/Commissioners²: 4/0.7 | Delinquent Revenue Collected: \$2,715,977 |
| Combined Gross Recovery Rate³: 7% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$373,071 |
| | Ending Balance⁵: \$39,479,553 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Lake County and the County of Lake. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 9 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$2,715,977 in revenue, from 26,609 cases.
- The total number of delinquent cases established, referred or transferred is 87,212; of these, 45,051 are newly established.
- The administrative cost to collect the debt was \$315,167.
- The ending balance of \$39,479,553 represents 45,051 cases with outstanding delinquent court-ordered debt.

According to the Lake collection program, due to current staff changes the collections department was initially unprepared for the extent of information necessary to complete the annual report. Ultimately, the program was able to provide the information required by pulling multiple reports together. Going forward, the reports will be pulled on a monthly basis and held in a file until year end to expedite the reporting process. Based on information provided by the county, the reported ending balance reconcile to the accounting system. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Lake and Superior Court of Lake County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$775,618 | \$828,968 |
| | Delinquent gross revenue collected | \$1,217,061 | \$1,498,916 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 12,192 | 14,417 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$-241,711 | \$614,782 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 74% | 100% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | \$1,602,143 | 7,807 | \$119,575 |
| Category 3: Lobby/counter | - | - | \$34,050 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$404,935 | 3,002 | \$61,108 |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | \$10,858 | 3,651 | - |
| Category 8: Private debt collectors | \$129,106 | 1,236 | \$19,430 |
| Category 9: Wage/bank garnishments and liens | \$568,935 | 9,801 | \$81,004 |
| Total: | \$2,715,977 | 25,497 | \$315,167 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Lake and Superior Court of Lake County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 22,113 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the collections program, the percentage decrease may also be due to delinquent accounts not being transferred to the private vendor for about three years. All delinquent accounts have now been forwarded to the private vendor to pursue collection efforts. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 28% | 5% | 7% |
| Success Rate | 33% | 4% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$1,646,392 | \$1,422,301 | \$1,364,743 | \$1,363,284 | \$1,615,098 | \$2,715,977 |
| Year-over-Year Percent Change | -8.0% | -13.6% | -4.0% | -0.1% | 18.5% | 68.2% |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Lake and Superior Court of Lake County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Lassen and Superior Court of Lassen County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 30,911 | Nondelinquent Revenue: \$0 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$705,443 |
| Combined Gross Recovery Rate³: 3% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 3% | Total Amount Adjusted⁴: \$95,645 |
| | Ending Balance⁵: \$24,825,596 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Lassen County and the County of Lassen. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Shasta County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) program;
- Contracts with a private debt collector;
- Meets 21 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 4, 10, and 16 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$705,443 in revenue from 673 cases.
- The total number of delinquent cases established, referred, or transferred is 23,716; of these, 3,114 are newly established.
- The administrative cost to collect the debt was \$175,092.
- The ending balance of \$24,825,596 represents 12,715 cases with outstanding delinquent court-ordered debt.

According to the Lassen collection program, their case management system is unable to provide some of the required data at this time. In addition, they are unable to break down payment information on current vs. prior year cases, as well as track payment plans. The program’s IT department is working on a program to facilitate obtaining the required data in the future. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Lassen and Superior Court of Lassen County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | - |
| | Delinquent gross revenue collected | \$695,849 | \$9,594 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 566 | 107 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$95,645 | - |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 2,127 | - |
| Category 2: Written notice(s) | - | 3,604 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | 3,419 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$36,901 | 410 | - |
| Category 6: FTB-IIC (Interagency Collection Program) | \$89,577 | 7,553 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$9,876 | 17 | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$136,354 | 17,130 | - |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Lassen and Superior Court of Lassen County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The Lassen collection program's GRR and SR decreased due to the large amount of cases that were transferred to the intrabranch program. In addition, there was a decrease in collections. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 13% | 0% | 3% |
| Success Rate | 11% | 0% | 3% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$679,191 | \$952,078 | \$824,525 | \$674,459 | \$871,424 | \$705,443 |
| Year-over-Year Percent Change | -29.9% | 40.2% | -13.4% | -18.2% | 29.2% | -19.0% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Lassen and Superior Court of Lassen County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Los Angeles and Superior Court of Los Angeles County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 10,283,729 | Nondelinquent Revenue: \$275,092,758 |
| Authorized Judges/Commissioners²: 499/81 | Delinquent Revenue Collected: \$70,159,409 |
| Combined Gross Recovery Rate³: 5% | Total Amount Discharged: \$9,878,306 |
| Combined Success Rate³: 2% | Total Amount Adjusted⁴: \$91,196,456 |
| | Ending Balance⁵: \$3,450,213,224 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Los Angeles County and the County of Los Angeles. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with two private debt collectors;
- Meets 22 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 4, and 21 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$70,159,409 in revenue, from 162,297 cases.
- The total number of delinquent cases established, referred or transferred is 3,254,776; of these, 306,353 are newly established.
- The administrative cost to collect the debt was \$14,983,603.
- The ending balance of \$3,450,213,224 represents 3,002,002 cases with outstanding delinquent court-ordered debt.

According to the Los Angeles collection program managed and run by the Superior Court, due to current system limitations and the extensive programming efforts that will be required to capture the new required data elements, the court submitted data to the extent possible. The court’s private vendors are able to provide some of the required information pursuant to Government Code section 68514 in the revised template. The following elements from the revised template are currently under review by the court for programming efforts:

Columns D and O – Number of cases with payments received for current and prior period

Columns E and P – Gross Revenue Collected for current and prior period

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Los Angeles and Superior Court of Los Angeles County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Columns F and Q – Cost of Collections for current and prior period

Columns G and R – Adjustments for current and prior period

Columns J and U – Value of cases on installment agreements for current and prior period

Columns K and V – Default Balance on installment agreements for current and prior period

The FTB-COD program provided a worksheet with some of the elements to complete the collections template. Specifically, current and prior year case inventory, payment inventory, and installment agreements. Columns J, K, U and V (installment agreement & default balance) are not available during this reporting period. The FTB-IIC program is a manual process and the program is established with new accounts each process year. All prior year inventory is returned/purged at the end of the process year. Therefore, only information for the current year is provided.

The court is currently exploring the reports available in the court's new case management system for those accounts that are in delinquent status prior to the referral to collections. (i.e., accounts that are in the courts inventory and are in delinquent status pending the referral phase to the collection vendor). Also, the California Tyler Users Group (CATUG) - Financial Working Group has discussed the new reporting requirements with Tyler Technologies (case management system vendor) and they are in the process of developing reports that can be used statewide to provide the required information. The court provided Tyler with a detailed list of the reports utilized to complete the template and is currently under review.

In addition to utilizing reports developed by Tyler Technologies to address the new reporting requirements, State funding should be provided for any costs associated with any additional system modifications needed to obtain the required elements that are not readily available given this is a statewide mandate. Otherwise the cost of any customization and programming done by the court's technology department will become a cost of collections and offset against collection receipts.

The court and county will continue to work with their respective IT departments to explore the current systems to obtain the required information that was not available for this reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Los Angeles and Superior Court of Los Angeles County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$272,098,822 | \$2,993,936 |
| | Delinquent gross revenue collected | \$65,621,453 | \$4,537,956 |
| Item 2 | Number of cases associated with nondelinquent collections | 1,652 | 4,329 |
| | Number of cases associated with delinquent collections | 50,288 | 112,009 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$10,200,174 | \$80,996,282 |
| | Debt discharged from accountability | - | \$9,878,306 |
| Item 8 | Percentage of debt defaulted on* | 2% | 4% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|---|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact* | - | - | - |
| Category 2: Written notice(s)* | - | - | - |
| Category 3: Lobby/counter* | - | - | - |
| Category 4: Skip tracing* | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$2,439,209 | 58,227 | \$255,283 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$3,994,550 | 90,454 | \$5,075 |
| Category 7: Driver's license hold/suspension for failure to appear* | - | - | - |
| Category 8: Private debt collectors | \$58,542,962 | 2,404,201 | \$5,222,091 |
| Category 9: Wage/bank garnishments and liens* | - | - | - |
| Total: | \$64,976,721 | 2,552,882 | \$5,482,449 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Los Angeles and Superior Court of Los Angeles County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program. The court/county collected \$5,182,688 in delinquent debt that is not reflected in the above chart as the amount collected cannot be tied to a specific activity at this time.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease is also attributed to the decline in delinquent court-ordered debt collected as a result of the inability to suspend driver's licenses on failure to pay cases and the ability for defendants to request ability-to-pay hearings as long as they have an outstanding balance. The data elements that were unavailable for the reporting period impacted the overall gross recovery and success rates. Due to current system limitations, the program cannot distinguish between current and prior year's gross revenue collected, which skews the gross recovery and success rates as reflected on the revised template. In addition, the cost of collections cannot be separated between current and prior periods. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 22% | 3% | 5% |
| Success Rate | 19% | 0% | 2% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Los Angeles and Superior Court of Los Angeles County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$9,878,306 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|---------------|---------------|---------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$113,310,005 | \$110,802,306 | \$117,962,800 | \$99,444,196 | \$78,601,237 | \$70,159,409 |
| Year-over-Year Percent Change | 8.4% | -2.2% | 6.5% | -15.7% | -21.0% | -10.7% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Madera and Superior Court of Madera County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 158,894 | Nondelinquent Revenue: \$0 |
| Authorized Judges/Commissioners²: 9/0.6 | Delinquent Revenue Collected: \$2,904,665 |
| Combined Gross Recovery Rate³: 7% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 3% | Total Amount Adjusted⁴: \$3,466,553 |
| | Ending Balance⁵: \$88,344,426 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Madera County and the County of Madera. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with two private debt collectors;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$2,904,665 in revenue from 546 cases.
- The total number of delinquent cases established, referred, or transferred is 143,865; of these, 9,009 are newly established.
- The administrative cost to collect the debt was \$116,883.
- The ending balance of \$88,344,426 represents 122,184 cases with outstanding delinquent court-ordered debt.

According to the Madera collection program, the county’s Probation Revenue division could not provide information on the number of cases with payments received. In addition, the case management system does not show accurate information for defaulted payment plans. With limited staffing, the program has no procedures in place for discharge from accountability. The program is currently creating workflows to pull the required information in the future. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Madera and Superior Court of Madera County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | - |
| | Delinquent gross revenue collected | \$1,339,566 | \$1,565,099 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 127 | 419 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$3,397,862 | \$68,691 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 5% | 15% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$259,352 | 546 | \$48,680 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$259,352 | 546 | \$48,680 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Madera and Superior Court of Madera County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 50% | 2% | 7% |
| Success Rate | 22% | 2% | 3% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$2,574,248 | \$2,661,512 | \$1,773,552 | \$1,801,080 | \$1,847,046 | \$2,904,665 |
| Year-over-Year Percent Change | 56.3% | 3.4% | -33.4% | 1.6% | 2.6% | 57.3% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Madera and Superior Court of Madera County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Marin and Superior Court of Marin County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 263,886 | Nondelinquent Revenue: \$18,092,458 |
| Authorized Judges/Commissioners²: 12/0.3 | Delinquent Revenue Collected: \$5,967,429 |
| Combined Gross Recovery Rate³: 11% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 18% | Total Amount Adjusted⁴: \$-2,704,544 |
| | Ending Balance⁵: \$26,421,548 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Marin County and the County of Marin. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 10 and 19 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$5,967,429 in revenue from 9,851 cases.
- The total number of delinquent cases established, referred, or transferred is 33,745; of these, 5,832 are newly established.
- The administrative cost to collect the debt was \$1,951,163.
- The ending balance of \$26,421,548 represents 29,748 cases with outstanding delinquent court-ordered debt.

According to the Marin collection program, many of the data required are not available in their case management system. Information that are reported is based on best estimates. In addition, some data was completed using information provided by the FTB-COD and the private collection vendor. However, information cannot be verified against the collection program’s records for accuracy. The program plans to work with their case management system vendor to determine how they might provide the requested data in the future. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Marin and Superior Court of Marin County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$9,438,839 | \$8,653,619 |
| | Delinquent gross revenue collected | \$2,982,348 | \$2,985,081 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 4,981 | 4,870 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$399,497 | \$-3,104,041 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 41% | 49% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | \$10,730 |
| Category 2: Written notice(s) | \$7,249 | 186 | \$16,882 |
| Category 3: Lobby/counter | - | - | \$13,848 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$161,713 | 3,455 | \$43,688 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$16,128 | 64 | \$645 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$14,111 | 123 | \$13,327 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$199,201 | 3,828 | \$99,120 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Marin and Superior Court of Marin County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage for the prior period and combined inventory were impacted by the adjustments made for a more realistic value of cases-ending balance. The program's decrease in the GRR and SR may be attributed to the implementation of AB 103, which would repeal the authority of the court to notify the DMV of a failure to pay a fine or bail, thereby deleting the requirement for the department to suspend a person's driver's license upon receipt of the notice, as well as the ability-to-pay determinations for infraction offenses. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 70% | 0% | 11% |
| Success Rate | 68% | 11% | 18% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Marin and Superior Court of Marin County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$3,483,868 | \$3,210,862 | \$3,032,685 | \$2,679,025 | \$2,985,081 | \$5,967,429 |
| Year-over-Year Percent Change | 1.0% | -7.8% | -5.5% | -11.7% | 11.4% | 99.9% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Mariposa and Superior Court of Mariposa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

County Population¹: 18,129

Authorized Judges/Commissioners²: 2/0.3

Combined Gross Recovery Rate³: 13%

Combined Success Rate³: 7%

Nondelinquent Revenue: \$962,004

Delinquent Revenue Collected: \$660,849

Total Amount Discharged: \$95,863

Total Amount Adjusted⁴: \$523,891

Ending Balance⁵: \$8,397,175

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Mariposa County and the County of Mariposa. The court and county have a verbal Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages 12 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$660,849 in revenue, from 2,127 cases.
- The total number of delinquent cases established, referred or transferred is 5,566; of these 60 are newly established.
- The administrative cost to collect the debt was \$407,841.
- The ending balance of \$8,397,175 represents 5,705 cases with outstanding delinquent court-ordered debt.

According to the Mariposa collection program, the new required information cannot be provided for this reporting period due to case management and accounting system limitations. The value of cases for installment agreements is not currently available. For collections activities, the data reported was calculated based on a percentage of the number of payments received and the effort made to collect. For Item 8, the section was left blank because the program does not collect that specific data. The county will have to manually create a data collection system to collect and organize the data required by Government Code section 68514. Every effort will be made to develop this collection program so the county can collect and report the data requested in the future. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Mariposa and Superior Court of Mariposa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$486,097 | \$475,907 |
| | Delinquent gross revenue collected | \$660,849 | - |
| Item 2 | Number of cases associated with nondelinquent collections | 1,477 | - |
| | Number of cases associated with delinquent collections | 1,661 | 466 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$152,990 | \$370,901 |
| | Debt discharged from accountability | \$27,542 | \$68,321 |
| Item 8 | Percentage of debt defaulted on* | -% | -% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$5,213 | 45 | \$2,540 |
| Category 2: Written notice(s) | \$356,796 | 2,952 | \$163,466 |
| Category 3: Lobby/counter | \$35,451 | - | \$7,619 |
| Category 4: Skip tracing | \$9,416 | 5 | \$10,159 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$228,605 | 1,929 | \$17,778 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$25,368 | 54 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$660,849 | 4,985 | \$201,562 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Mariposa and Superior Court of Mariposa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 291 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease is also attributed to an error in the number of cases in FTB-COD, and have made the corrections to both the current period and prior period inventories. The value of cases was not found to be inaccurate, just the number of cases. For the county, the online and credit card payment options have contributed to the increase in payments received, and the success of the Revenue and Recovery Program. The FTB-IIC collections program was implemented by the court in 2017 and will be implemented by the county in 2018. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 54% | 5% | 13% |
| Success Rate | 48% | 0% | 7% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$95,863 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Mariposa and Superior Court of Mariposa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$501,340 | \$601,948 | \$933,683 | \$937,300 | \$671,403 | \$660,849 |
| Year-over-Year Percent Change | 91.2% | 20.1% | 55.1% | 0.4% | -28.4% | -1.6% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Mendocino and Superior Court of Mendocino County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 89,299 | Nondelinquent Revenue: \$4,158,498 |
| Authorized Judges/Commissioners²: 8/0.4 | Delinquent Revenue Collected: \$3,657,618 |
| Combined Gross Recovery Rate³: 10% | Total Amount Discharged: \$1,266,350 |
| Combined Success Rate³: 9% | Total Amount Adjusted⁴: \$-836,598 |
| | Ending Balance⁵: \$37,965,177 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Mendocino County and the County of Mendocino. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 4 and 13 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$3,657,618 in revenue from an undetermined number of cases.
- The total number of delinquent cases established, referred, or transferred is 39,993; of these, 6,944 are newly established.
- The administrative cost to collect the debt was \$507,761.
- The ending balance of \$37,965,177 represents 33,789 cases with outstanding delinquent court-ordered debt.

According to the Mendocino collection program, they are unable to separate the current from the prior reporting period. At this time, all information is reported in the current reporting period with the exception of the discharge values. The program is also unable to provide information for the total amount collected per collection activity, number of cases by activity, number of individuals associated with those cases, and administrative cost per collection activity. In addition, the victim restitution and franchise tax board data were not included, as the program was not able to tie it in with their case management system’s inventory. The balance of

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Mendocino and Superior Court of Mendocino County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

outstanding victim restitution and interest included in the ending balance for 2017–18 is \$2,708,686. The FTB-COD payments totaled \$903,057, and tax-intercept was \$307,626, both of which were for the current and prior reporting period cases. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$4,158,498 | - |
| | Delinquent gross revenue collected | \$3,657,618 | - |
| Item 2 | Number of cases associated with nondelinquent collections | 10,957 | - |
| | Number of cases associated with delinquent collections | - | - |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$-836,598 | - |
| | Debt discharged from accountability | - | \$1,266,350 |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Mendocino and Superior Court of Mendocino County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | - | - | - |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Mendocino and Superior Court of Mendocino County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The program’s GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 50% | 3% | 10% |
| Success Rate | 57% | 0% | 9% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$1,266,350 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$3,452,879 | \$3,579,627 | \$3,500,597 | \$3,285,220 | \$3,423,197 | \$3,657,618 |
| Year-over-Year Percent Change | -14.1% | 3.7% | -2.2% | -6.2% | 4.2% | 6.8% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Merced and Superior Court of Merced County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 279,977 | Nondelinquent Revenue: \$23,396,675 |
| Authorized Judges/Commissioners²: 10/2.0 | Delinquent Revenue Collected: \$12,343,212 |
| Combined Gross Recovery Rate³: 12% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 11% | Total Amount Adjusted⁴: \$1,494,921 |
| | Ending Balance⁵: \$101,512,941 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Merced County and the County of Merced. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Ventura County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program; and
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 9 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$12,343,212 in revenue, from 34,665 cases.
- The total number of delinquent cases established, referred or transferred is 130,983; of these, 7,464 are newly established.
- The administrative cost to collect the debt was \$3,642,918.
- The ending balance of \$101,512,941 represents 126,069 cases with outstanding delinquent court-ordered debt.

According to the Merced collection program, with the additional reporting requirements, the court will need to reach out to their case management system vendor to have a custom report developed to meet the specific needs on this annual report. While the report includes some of the additional information, the court is unable to fully capture all identified data elements at this time, including the number of cases associated with nondelinquent revenue. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Merced and Superior Court of Merced County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$9,805,261 | \$13,591,414 |
| | Delinquent gross revenue collected | \$2,299,756 | \$10,043,457 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 15 | 34,650 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$939 | \$1,493,982 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 4% | 21% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | \$3,085,169 | - | \$321,344 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$952,198 | - | \$192,655 |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$461,123 | 999 | \$77,916 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$4,498,490 | 999 | \$591,915 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Merced and Superior Court of Merced County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the Merced collections program a reminder, Merced Superior Court assumed all court-ordered debt accounts from Merced County Revenue and Reimbursement July 1, 2015. Again, this transition has required the court an extensive amount of time to research and locate debtors that have been uncollectable. Merced County continues to have one of the highest unemployment rates and the general population have low income rates. These factors make it challenging for the court to effectively collect on old outstanding debt. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 32% | 11% | 12% |
| Success Rate | 32% | 9% | 11% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Merced and Superior Court of Merced County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|--------------|
| Delinquent Revenue Collected | \$5,777,266 | \$6,766,742 | \$6,036,886 | \$4,365,356 | \$3,399,743 | \$12,343,212 |
| Year-over-Year Percent Change | -12.9% | 17.1% | -10.8% | -27.7% | -22.1% | 263.1% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Modoc and Superior Court of Modoc County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 9,612 | Nondelinquent Revenue: \$183,886 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$165,582 |
| Combined Gross Recovery Rate³: 33% | Total Amount Discharged: \$414,920 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$567,617 |
| | Ending Balance⁵: \$1,241,149 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Modoc County and the County of Modoc. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 2 (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$165,582 in revenue from 175 cases.
- The total number of delinquent cases established, referred, or transferred is 3,595; of these, 510 are newly established.
- The administrative cost to collect the debt was \$622,650.
- The ending balance of \$1,241,149 represents 1,478 cases with outstanding delinquent court-ordered debt.

According to the Modoc collection program, some of the required information could not be provided because of the limitations of their case management system. The program has completed the report to the best of their ability. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Modoc and Superior Court of Modoc County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$183,886 | - |
| | Delinquent gross revenue collected | \$165,582 | - |
| Item 2 | Number of cases associated with nondelinquent collections | 153 | - |
| | Number of cases associated with delinquent collections | 169 | 6 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$39,731 | \$527,886 |
| | Debt discharged from accountability | - | \$414,920 |
| Item 8 | Percentage of debt defaulted on* | - | 8% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$5,045 | 7 | \$853 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$5,045 | 7 | \$853 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Modoc and Superior Court of Modoc County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's decrease in the SR was due to less collections. The program has been working with their private vendor on the effectiveness and efficiency of their collection processes. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 33% | 32% | 33% |
| Success Rate | 29% | 0% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$414,920 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Modoc and Superior Court of Modoc County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$115,435 | \$160,606 | \$124,968 | \$120,747 | \$134,501 | \$165,582 |
| Year-over-Year Percent Change | -22.9% | 39.1% | -22.2% | -3.4% | 11.4% | 23.1% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Mono and Superior Court of Mono County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 13,822 | Nondelinquent Revenue: \$4,954,562 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$650,559 |
| Combined Gross Recovery Rate³: 39% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 36% | Total Amount Adjusted⁴: \$79,529 |
| | Ending Balance⁵: \$1,141,527 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Mono County and the County of Mono. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program;
- Contracts with a private debt collector;
- Meets 21 of the 25 recommended collections best practices, with the following best practices not currently being met: 9, 10, 19, and 21 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$650,559 in revenue from 1,533 cases.
- The total number of delinquent cases established, referred, or transferred is 2,872; of these, 1,344 are newly established.
- The administrative cost to collect the debt was \$95,570.
- The ending balance of \$1,141,527 represents 1,913 cases with outstanding delinquent court-ordered debt.

According to the Mono collection program, the court’s current case management system makes it difficult and time/labor intensive to collect data for some of the items that are required to be reported. The court manually collected data information. Going forward, the program will continue manually tracking information to have it readily available for the next fiscal year. However, since it is manually tracked, it may not be completely accurate. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Mono and Superior Court of Mono County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$2,846,538 | \$2,108,024 |
| | Delinquent gross revenue collected | \$300,497 | \$350,062 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 660 | 873 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$29,687 | \$49,842 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 30% | 25% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | \$140,000 | 1,531 | \$26,782 |
| Category 3: Lobby/counter | \$24,884 | 690 | \$1,116 |
| Category 4: Skip tracing | \$13,803 | 142 | \$16,738 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$22,288 | 351 | \$2,191 |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | \$143,310 | 946 | - |
| Category 8: Private debt collectors | \$71,555 | 751 | \$2,406 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$415,840 | 4,411 | \$49,233 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Mono and Superior Court of Mono County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's case management system may not accurately capture the data completely. Turnover, lack of staffing/training, and manual tracking are attributed to not having complete and accurate data that is reflected on the CRT. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 38% | 40% | 39% |
| Success Rate | 35% | 37% | 36% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$205,128 | \$52,689 | \$301,521 | \$329,948 | \$350,062 | \$650,559 |
| Year-over-Year Percent Change | -5.7% | -74.3% | 472.3% | 9.4% | 6.1% | 85.8% |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Mono and Superior Court of Mono County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Monterey and Superior Court of Monterey County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 443,281 | Nondelinquent Revenue: \$9,124,623 |
| Authorized Judges/Commissioners²: 19/2.2 | Delinquent Revenue Collected: \$9,885,186 |
| Combined Gross Recovery Rate³: 5% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$-502,164 |
| | Ending Balance⁵: \$184,808,985 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Monterey County and the County of Monterey. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 19 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$9,885,186 in revenue, from 2,012 cases.
- The total number of delinquent cases established, referred or transferred is 325,459; of these, 26,220 are newly established.
- The administrative cost to collect the debt was \$3,148,700.
- The ending balance of \$184,808,985 represents 308,738 cases with outstanding delinquent court-ordered debt.

According to the Monterey collection program, they have provided information to the extent possible. The number of cases associated with nondelinquent revenue, 21,340 cases with payments totaling \$6,970,340, is currently only available from the court, but not the county (\$2,154,283 nondelinquent revenue). Other prior period data is also unavailable. The program anticipates being able to report additional data in the future. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Monterey and Superior Court of Monterey County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$9,124,623 | - |
| | Delinquent gross revenue collected | \$3,956,613 | \$5,928,573 |
| Item 2 | Number of cases associated with nondelinquent collections | 21,340 | - |
| | Number of cases associated with delinquent collections | 1,413 | 599 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$-502,164 | - |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 56% | 44% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$6,208,731 | 57,591 | \$2,578,349 |
| Category 2: Written notice(s) | - | 69,179 | \$45,769 |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | 2,600 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$753,127 | 13,994 | \$105,897 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$270,578 | 855 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$523,330 | 2,012 | \$99,272 |
| Category 9: Wage/bank garnishments and liens | \$2,129,420 | 58,542 | \$319,413 |
| Total: | \$9,885,186 | 204,773 | \$3,148,700 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Monterey and Superior Court of Monterey County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the reduction of 1,819 in account assignments may be attributable to the implementation of a new court case management system, which impacted the electronic interface used to transfer collection accounts between the court and county. Collections were impacted by the reduction in assignments and the elimination of the court's authority to place holds on debtor's driver's licenses for failure to pay traffic fines under Assembly Bill 103. Also, Senate Bill 190 repealed the county's authority to assess fees against the families of minors in the juvenile delinquency system. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 20% | 3% | 5% |
| Success Rate | 23% | 3% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

Year to year comparison review of the program's GRR and SR is unavailable this year due to the new reporting format. However, using the previous metric calculation method, the collaborative collection program's gross recovery rate would have been 55% and the success rate of 56% which would have been in-line with if not slightly improving on the program's performance measures prior to the amnesty program covering 2015-16 and 2016-17.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Monterey and Superior Court of Monterey County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|-------------|
| Delinquent Revenue Collected | \$12,265,681 | \$11,291,518 | \$11,959,504 | \$11,250,426 | \$11,036,093 | \$9,885,186 |
| Year-over-Year Percent Change | -2.2% | -7.9% | 5.9% | -5.9% | -1.9% | -10.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Napa and Superior Court of Napa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 141,294 | Nondelinquent Revenue: \$2,942,687 |
| Authorized Judges/Commissioners²: 6/2.0 | Delinquent Revenue Collected: \$2,929,406 |
| Combined Gross Recovery Rate³: 5% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$273,590 |
| | Ending Balance⁵: \$58,430,567 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Napa County and the County of Napa. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 20 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, 10, 12, 19, and 22 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$2,929,406 in revenue, from 4,621 cases.
- The total number of delinquent cases established, referred or transferred is 66,761; of these, 6,051 are newly established.
- The administrative cost to collect the debt was \$366,178.
- The ending balance of \$58,430,567 represents 63,623 cases with outstanding delinquent court-ordered debt.

According to the Napa collection program, the required information under Government Code section 68514 has been provided to the extent possible. For the number of cases associated with nondelinquent collections, the figure reported is the number of payments and not the number of cases. All forthwith payments collected directly by the court are shown as current year, as the court is currently unable to separate the cases from prior years. The amount collected from the FTB-COD and IIC programs was provided, as well as the total amount collected by the private collection agency. At this time, the court is unable to complete most of the new reporting requirements related to the collections activities, more specifically, unable to relate the amount collected to the collection activity that generated the payment. For the current year payment activity, the collections agency mailed 15,379 letters and made 24,052 phone calls which

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Napa and Superior Court of Napa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

generated 9,366 payments. For the data on delinquent accounts, the data represents the number of defendants paid, not the number of cases. Since defendants cases are 'bundled' in the collections systems, the counts are by “bundle”, not by case. The private agency is working with their IT staff to see how much information can be extracted from their system for the new requirements, and what kind of programming efforts will be required to make system changes to get the information going forward. There are no definitive time estimates for programming completion at this time. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$2,763,528 | \$179,159 |
| | Delinquent gross revenue collected | \$1,179,611 | \$1,749,795 |
| Item 2 | Number of cases associated with nondelinquent collections | 9,926 | 387 |
| | Number of cases associated with delinquent collections | 875 | 3,746 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$35,803 | \$237,787 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 38% | 32% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Napa and Superior Court of Napa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|---|-----------------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$114 | 1 | \$17 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$879,735 | 2,471 | \$109,967 |
| Category 7: Driver's license hold/suspension for failure to appear | \$- | - | - |
| Category 8: Private debt collectors | \$2,049,537 | - | - |
| Category 9: Wage/bank garnishments and liens | \$- | - | - |
| Total: | \$2,929,386 | 2,472 | \$109,984 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of - individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Napa and Superior Court of Napa County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The program’s GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 25% | 4% | 5% |
| Success Rate | 24% | 3% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$4,055,589 | \$3,718,312 | \$3,909,139 | \$3,661,785 | \$3,551,388 | \$2,929,406 |
| Year-over-Year Percent Change | 6.1% | -8.3% | 5.1% | -6.3% | -3.0% | -17.5% |

Footnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Nevada and Superior Court of Nevada County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 99,155 | Nondelinquent Revenue: \$3,407,301 |
| Authorized Judges/Commissioners²: 6/1.6 | Delinquent Revenue Collected: \$806,643 |
| Combined Gross Recovery Rate³: 3% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 3% | Total Amount Adjusted⁴: \$220,192 |
| | Ending Balance⁵: \$29,666,628 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Nevada County and the County of Nevada. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with two private debt collectors;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$806,643 in revenue from 1,307 cases.
- The total number of delinquent cases established, referred, or transferred is 42,961; of these, 2,595 are newly established.
- The administrative cost to collect the debt was \$108,732.
- The ending balance of \$29,666,628 represents 42,252 cases with outstanding delinquent court-ordered debt.

According to the Nevada collection program, the county does not have the ability to separate payments made on cases established in prior periods. All revenue for cases established in the prior period is reported in the current period. The county will continue to explore and determine their ability to report all the required information. The court does not have the ability to separate nondelinquent payments made on cases established in prior periods. All nondelinquent revenue for cases established in the prior period is reported in the current period. At present, the court does not have the ability to report the amount collected per collection activity. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Nevada and Superior Court of Nevada County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$3,407,301 | - |
| | Delinquent gross revenue collected | \$157,362 | \$649,281 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 267 | 1,040 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$33,937 | \$186,255 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 6% | 13% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$132,476 | 131 | \$2,225 |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$653,036 | 1,307 | \$101,225 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$785,512 | 1,438 | \$103,450 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Nevada and Superior Court of Nevada County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR has been affected by the direct result of the new reporting requirements. The court does not have the ability to separate nondelinquent payments made on cases established in prior periods. All nondelinquent revenue for cases established in the prior period is reported in the current period section. The county does not have the ability to separate payments made on cases established in prior periods. All revenue for cases established in prior period is reported in the current period section. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 9% | 3% | 3% |
| Success Rate | 8% | 2% | 3% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Nevada and Superior Court of Nevada County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-----------|-----------|
| Delinquent Revenue Collected | \$1,385,103 | \$1,484,832 | \$1,439,816 | \$1,050,760 | \$881,067 | \$806,643 |
| Year-over-Year Percent Change | 19.0% | 7.2% | -3.0% | -27.0% | -16.1% | -8.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Orange and Superior Court of Orange County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

**County Population¹: 3,221,103 Authorized
Judges/Commissioners²: 124/20.0
Combined Gross Recovery Rate³: 19%
Combined Success Rate³: 13%**

**Nondelinquent Revenue: \$61,280,899
Delinquent Revenue Collected: \$54,254,498
Total Amount Discharged: \$0
Total Amount Adjusted⁴: \$28,582,972
Ending Balance⁵: \$364,362,273**

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Orange County and the County of Orange. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Ventura County to provide collections services as part of an Intrabranch Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with two private debt collectors;
- Meets 23 of the 25 recommended collections best practices, with the following best practices are currently not being met: 10, and 21 (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$54,254,498 in revenue, from 119,497 cases.
- The total number of delinquent cases established, referred or transferred is 654,879; of these, 125,171 are newly established.
- The administrative cost to collect the debt was \$6,154,182.
- The ending balance of \$364,362,273 represents 545,195 cases with outstanding delinquent court-ordered debt.

According to the Orange collection program, certain criteria such as number of days a payment was made after a known activity in case management system had to be determined and set in the queries so that payments can be associated with specific activities. Not all activities are tracked individually in system and costs are not tracked by activity. It is difficult to know what actually generated a payment, but some broad assumptions are being made. Many cases receive multiple activities which is why this reporting by categories may not be completely accurate. The program will continue to review and refine the method developed to track data and to work with partners to meet the reporting requirements of over the next reporting period. The following table

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Orange and Superior Court of Orange County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$47,211,729 | \$14,069,170 |
| | Delinquent gross revenue collected | \$22,445,342 | \$31,809,156 |
| Item 2 | Number of cases associated with nondelinquent collections | 165,193 | 25,306 |
| | Number of cases associated with delinquent collections | 46,997 | 72,500 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$20,374,203 | \$8,208,769 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 40% | 12% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$2,289,647 | 9,611 | \$826,205 |
| Category 2: Written notice(s) | \$13,579,562 | 61,977 | \$246,280 |
| Category 3: Lobby/counter | \$15,369,877 | 55,114 | \$3,891,241 |
| Category 4: Skip tracing | \$118,260 | 386 | \$29,278 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$5,412,596 | 11,723 | \$802,643 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$565,773 | 2,348 | \$2,621 |
| Category 7: Driver's license hold/suspension for failure to appear | \$1,700,737 | 2,533 | \$2,531 |
| Category 8: Private debt collectors | \$2,117,148 | 2,633 | \$203,765 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$41,153,599 | 146,325 | \$6,004,564 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Orange and Superior Court of Orange County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 117,547 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease may be also be attributed the fact that program does not discharge any debt and is unable to include dismissals or alternative sentencing in the adjustment column as these are not tracked in the system. The variance in data may be due to separation of the data between current year and prior year. Assumptions had to be made on our part on the allocation of some of the items to current and to prior thereby resulting in approximations. Additional time is needed to further analyze and understand the significant variance from the previous reports. The high percentage for the current period is due to county system limitations that prevented the separation of data by period. The current period section reflects gross collections, costs, adjustments, and installment agreement values across both periods, current and prior period inventory. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 57% | 11% | 19% |
| Success Rate | 41% | 9% | 13% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Orange and Superior Court of Orange County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$40,111,587 | \$42,748,500 | \$41,483,796 | \$35,336,768 | \$34,512,029 | \$54,254,498 |
| Year-over-Year Percent Change | -0.8% | 6.6% | -3.0% | -14.8% | -2.3% | 57.2% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Placer and Superior Court of Placer County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 389,532 | Nondelinquent Revenue: N/A |
| Authorized Judges/Commissioners²: 10/4.0 | Delinquent Revenue Collected: \$8,914,154 |
| Combined Gross Recovery Rate³: 22% | Total Amount Discharged: \$20,347,366 |
| Combined Success Rate³: 8% | Total Amount Adjusted⁴: \$-1,168,359 |
| | Ending Balance⁵: \$97,649,233 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Placer County and the County of Placer. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 11 (see Attachment 3); and
- Engages 13 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$8,914,154 in revenue from 21,545 cases.
- The total number of delinquent cases established, referred, or transferred is 189,361; of these, 26,270 are newly established.
- The administrative cost to collect the debt was \$2,529,265.
- The ending balance of \$97,649,233 represents 166,964 cases with outstanding delinquent court-ordered debt.

According to the Placer collection program, the court’s case management system lacks the reporting capabilities to fulfill the requested data requirements for nondelinquent collections. The program will contact their vendor to determine if a reporting mechanism can be devised to obtain the necessary data required to complete the report. The county is currently working on implementing a recording mechanism to obtain the requested information for future reports. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Placer and Superior Court of Placer County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | - |
| | Delinquent gross revenue collected | \$2,613,158 | \$6,300,996 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 5,355 | 16,190 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$-1,168,359 | - |
| | Debt discharged from accountability | - | \$20,347,366 |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$2,503,713 | 9,550 | \$28,067 |
| Category 2: Written notice(s) | \$2,589,664 | 11,993 | \$45,753 |
| Category 3: Lobby/counter | - | 293,986 | \$13,596 |
| Category 4: Skip tracing | - | - | \$12,500 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$2,759,981 | 4,214 | \$413,997 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$1,494,275 | 5,065 | \$10,130 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$168,998 | 416 | \$27,332 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$9,516,631 | 325,224 | \$551,375 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Placer and Superior Court of Placer County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 58,201 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's shift in the GRR and SR is due to the change in the collection criteria. The county attributes the increase in total collections due to several factors such as doing a letter campaign on delinquent accounts mailed prior to submission to the FTB-IIC program, which resulted in an increase in collections. In addition, the collaboration between the county and court, to refine their collection processes, also contributed to the increase. The court and county collaborated in the discharge of accountability of over \$20 million in uncollectible court-ordered debt. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 15% | 23% | 22% |
| Success Rate | 24% | 7% | 8% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$20,347,366 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Placer and Superior Court of Placer County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$8,716,165 | \$7,907,294 | \$8,022,169 | \$8,177,156 | \$8,828,368 | \$8,914,154 |
| Year-over-Year Percent Change | -2.5% | -9.3% | 1.5% | 1.9% | 8.0% | 1.0% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Plumas and Superior Court of Plumas County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

County Population¹: 19,773

Authorized Judges/Commissioners²: 2/0.3

Combined Gross Recovery Rate³: 18%

Combined Success Rate³: 10%

Nondelinquent Revenue: \$1,128,809

Delinquent Revenue Collected: \$867,350

Total Amount Discharged: \$596,102

Total Amount Adjusted⁴: \$223,209

Ending Balance⁵: \$7,528,566

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Plumas County and the County of Plumas. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Ventura County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 20 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 4, 5, 14, and 21 (see Attachment 3); and
- Engages 13 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$867,350 in revenue, from 601 cases.
- The total number of delinquent cases established, referred or transferred is 11,025; of these, 6,958 are newly established.
- The administrative cost to collect the debt was \$103,032.
- The ending balance of \$7,528,566 represents 7,124 cases with outstanding delinquent court-ordered debt.

According to the Plumas collection program, due to case management and accounting system limitations portions of the data required is not available at this time. The program has reported data to the extent possible; reports that breakout delinquent and current accounts are not currently available. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Plumas and Superior Court of Plumas County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$616,351 | \$512,458 |
| | Delinquent gross revenue collected | \$409,404 | \$457,946 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 234 | 367 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$76,916 | \$146,293 |
| | Debt discharged from accountability | \$596,102 | - |
| Item 8 | Percentage of debt defaulted on* | -% | -% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | \$4,985 |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$52,943 | - | \$7,941 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$85,731 | - | \$490 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$969 | - | \$330 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$139,643 | - | \$13,746 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Plumas and Superior Court of Plumas County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage change may also be due to the \$596,102 discharged from accountability, which includes debt from both current and prior periods. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 21% | 15% | 18% |
| Success Rate | 9% | 12% | 10% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$596,102 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$452,947 | \$488,894 | \$446,500 | \$632,103 | \$462,308 | \$867,350 |
| Year-over-Year Percent Change | -20.4% | 7.9% | -8.7% | 41.6% | -26.9% | 87.6% |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Plumas and Superior Court of Plumas County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Footnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Riverside and Superior Court of Riverside County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 2,415,955 | Nondelinquent Revenue: \$46,057,894 |
| Authorized Judges/Commissioners²: 62/14.0 | Delinquent Revenue Collected: \$53,167,754 |
| Combined Gross Recovery Rate³: 15% | Total Amount Discharged: \$24,544,098 |
| Combined Success Rate³: 10% | Total Amount Adjusted⁴: \$10,603,612 |
| | Ending Balance⁵: \$486,701,512 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Riverside County and the County of Riverside. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and the Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with three private debt collectors;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 25 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$53,167,754 in revenue, from 129,806 cases.
- The total number of delinquent cases established, referred or transferred is 657,814; of these, 95,173 are newly established.
- The administrative cost to collect the debt was \$9,439,085.
- The ending balance of \$486,701,512 represents 459,154 cases with outstanding delinquent court-ordered debt.

According to the Riverside collections program, the program was able to provide the vast majority of the new information required by Government Code section 68514. However, the court does not currently have the programming in place to track balances due at the time a payment arrangement is made; the default data provided is a snapshot based on what is owing on payment arrangements at the end of the fiscal year. The court is reviewing this process to track information in the future. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Riverside and Superior Court of Riverside County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$46,057,894 | - |
| | Delinquent gross revenue collected | \$16,958,962 | \$36,208,792 |
| Item 2 | Number of cases associated with nondelinquent collections | 191,111 | - |
| | Number of cases associated with delinquent collections | 54,922 | 74,884 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$3,452,168 | \$7,151,444 |
| | Debt discharged from accountability | - | \$24,544,098 |
| Item 8 | Percentage of debt defaulted on* | 43% | 42% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$7,656,075 | 42,127 | \$4,286,430 |
| Category 2: Written notice(s) | \$6,347,492 | 31,355 | \$393,171 |
| Category 3: Lobby/counter | \$21,923,672 | 89,080 | \$1,411,620 |
| Category 4: Skip tracing | \$1,292,743 | 6,844 | \$1,775,201 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$1,790,886 | 4,002 | \$305,504 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$8,183,174 | 26,468 | \$22,785 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$3,241,901 | 7,236 | \$641,153 |
| Category 9: Wage/bank garnishments and liens | \$2,731,811 | 3,446 | \$603,221 |
| Total: | \$53,167,754 | 210,558 | \$9,439,085 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Riverside and Superior Court of Riverside County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 110,574 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 22% | 14% | 15% |
| Success Rate | 19% | 8% | 10% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$24,544,098 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$55,939,383 | \$64,199,121 | \$63,722,561 | \$57,258,970 | \$57,153,356 | \$53,167,754 |
| Year-over-Year Percent Change | 6.9% | 14.8% | -0.7% | -10.1% | -0.2% | -7.0% |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Riverside and Superior Court of Riverside County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sacramento and Superior Court of Sacramento County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 1,529,501 | Nondelinquent Revenue: \$33,566,695 |
| Authorized Judges/Commissioners²: 63/3.0 | Delinquent Revenue Collected: \$20,055,470 |
| Combined Gross Recovery Rate³: 20% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$63,709,426 |
| | Ending Balance⁵: \$334,715,528 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Sacramento County and the County of Sacramento. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 22 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, 14, and 25 (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$20,055,470 in revenue, from 92,583 cases.
- The total number of delinquent cases established, referred or transferred is 557,065; of these, 150,476 are newly established.
- The administrative cost to collect the debt was \$9,742,800.
- The ending balance of \$334,715,528 represents 430,487 cases with outstanding delinquent court-ordered debt.

According to the Sacramento collection program, the court, county, and private vendor are unable to provide all new data components of the requested categories related to collection activities, at this time. The court is in the process of developing and implementing three new case management system (CMS) in traffic, family law, and criminal. These in-process CMS builds do not include the ability to capture the entirety of new data categories, nor does the court currently have manual processes to collect such data. The court is looking at possible CMS build changes to accommodate the new information requirements. This will take time, staff resources, and additional funding which are very limited. The court hopes to implement solutions for capturing these new data categories within the next few fiscal years. This report includes all the prior year’s basic information, but many of the new categories (count by activity) are not available.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sacramento and Superior Court of Sacramento County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The county and private vendor are assessing the reprogramming needs that will allow the new data to be collected within their respective automated systems, in order to provide the new information required in future reports. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$32,630,949 | \$935,746 |
| | Delinquent gross revenue collected | \$4,282,490 | \$15,772,980 |
| Item 2 | Number of cases associated with nondelinquent collections | 6,771 | 3,104 |
| | Number of cases associated with delinquent collections | 34,239 | 58,344 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$2,774,531 | \$60,934,895 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | -% | 3% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$4,567,327 | 10,741 | \$801,573 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$4,567,327 | 10,741 | \$801,573 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Sacramento and Superior Court of Sacramento County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, there is not enough data available to make a proper assessment of the success of the program. Multiple changes to collection processes over the last several years including the latest amnesty program and the removal of driver's license suspensions have drastically changed the amount of delinquent debt that is collected. The removal of license suspensions on failure to pay cases has continued the severe reduction of civil assessment collections, a trend that has continued over the last 3-4 years, beginning with the amnesty programs. The court has seen reductions to civil assessment collections from year to year over the last four fiscal years by \$450,000, \$980,000, \$1.2 million, and \$1.4 million respectively; nearly \$4 million total reduction over the last four fiscal years. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 7% | 24% | 20% |
| Success Rate | 4% | 6% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sacramento and Superior Court of Sacramento County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$31,262,364 | \$32,140,445 | \$30,608,000 | \$29,429,423 | \$25,150,771 | \$20,055,470 |
| Year-over-Year Percent Change | 7.0% | 2.8% | -4.8% | -3.9% | -14.5% | -20.3% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of San Benito and Superior Court of San Benito County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 57,088 | Nondelinquent Revenue: \$2,670,673 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$282,337 |
| Combined Gross Recovery Rate³: 8% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$195,275 |
| | Ending Balance⁵: \$5,269,494 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of San Benito County and the County of San Benito. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program;
- Contracts with a private debt collector;
- Meets 13 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 5, 7, 9, 10, 12, 13, 14, 18, 19, 20, and 21 (see Attachment 3); and
- Engages 13 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$282,337 in revenue from 3,725 cases.
- The total number of delinquent cases established, referred, or transferred is 14,241; of these, 85 are newly established.
- The administrative cost to collect the debt was \$43,974.
- The ending balance of \$5,269,494 represents 14,241 cases with outstanding delinquent court-ordered debt.

According to the San Benito collection program, the court’s reporting capabilities are limited by a number of factors. The court’s Financial Manager position has been vacant for more than nine months, and the remaining staff has limited expertise running the types of queries needed to obtain the new data. In addition, the court’s case management system consultant was unable to assist the court in time to meet the deadline for reporting the new information. The court is currently working on migrating to a new case management system, which is anticipated to go live in March 2020. After the migration is complete, the court will continue referring cases to the

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Benito and Superior Court of San Benito County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Franchise Tax Board. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$1,773,473 | \$897,200 |
| | Delinquent gross revenue collected | \$25,096 | \$257,241 |
| Item 2 | Number of cases associated with nondelinquent collections | 3,765 | 3,028 |
| | Number of cases associated with delinquent collections | 333 | 3,392 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | - | \$195,275 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | \$52,413 | 707 | \$283 |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$24,461 | 329 | \$3,669 |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | \$7,062 | 291 | \$1,482 |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | \$186,973 | 2,369 | - |
| Total: | \$270,909 | 3,696 | \$5,434 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of San Benito and Superior Court of San Benito County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 707 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 27% | 8% | 8% |
| Success Rate | 27% | 5% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Benito and Superior Court of San Benito County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$310,622 | \$290,284 | \$342,591 | \$311,659 | \$325,437 | \$282,337 |
| Year-over-Year Percent Change | -23.9% | -6.5% | 18.0% | -9.0% | 4.4% | -13.2% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

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County of San Bernardino and Superior Court of San Bernardino County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 2,174,938 | Nondelinquent Revenue: \$32,070,071 |
| Authorized Judges/Commissioners²: 71/15.0 | Delinquent Revenue Collected: \$28,140,135 |
| Combined Gross Recovery Rate³: 8% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 7% | Total Amount Adjusted⁴: \$7,571,578 |
| | Ending Balance⁵: \$387,276,102 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of San Bernardino County and the County of San Bernardino. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Meets 19 of the 25 recommended collections best practices, with 10, 21 and 22 not currently being met, and 14, 23, and 25 are not applicable (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$28,140,135 in revenue, from 71,738 cases.
- The total number of delinquent cases established, referred or transferred is 484,877; of these, 40,712 are newly established.
- The administrative cost to collect the debt was \$5,435,250.
- The ending balance of \$387,276,102 represents 551,008 cases with outstanding delinquent court-ordered debt.

According to the San Bernardino collection program, while most of the data was available many hours were expended to sort the available data into the categories necessary for this report. The costs per collection activity were allocated based on a percentage of the total revenue in each category. The court could not produce a report from Odyssey that provided the amount of nondelinquent collections related to the Current Period vs. Prior Periods Inventory. Due to the volume of payments and amount of time required to develop such a report, a large portion of nondelinquent revenue collected was reported in the Current Period section. The program expects to provide additional information in the next reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Bernardino and Superior Court of San Bernardino County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$31,288,685 | \$781,386 |
| | Delinquent gross revenue collected | \$3,440,012 | \$24,700,123 |
| Item 2 | Number of cases associated with nondelinquent collections | 187,358 | 2,374 |
| | Number of cases associated with delinquent collections | 7,970 | 63,768 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$-1,197,237 | \$8,768,816 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 5% | 20% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$5,094,555 | 10,185 | \$1,364,065 |
| Category 2: Written notice(s) | \$5,094,555 | 10,184 | \$1,364,065 |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$996,141 | 3,381 | \$266,716 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$6,316,779 | 26,258 | \$1,691,314 |
| Category 7: Driver's license hold/suspension for failure to appear | \$7,840,377 | 21,306 | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | \$2,797,728 | 5,525 | \$749,090 |
| Total: | \$28,140,135 | 76,839 | \$5,435,250 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

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County of San Bernardino and Superior Court of San Bernardino County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease is also attributed to the decrease in revenue collected from prior fiscal year. The program’s GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 7% | 9% | 8% |
| Success Rate | 10% | 6% | 7% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$35,908,079 | \$31,155,744 | \$29,018,809 | \$27,961,604 | \$35,872,679 | \$28,140,135 |
| Year-over-Year Percent Change | 6.4% | -13.2% | -6.9% | -3.6% | 28.3% | -21.6% |

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County of San Bernardino and Superior Court of San Bernardino County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

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County of San Diego and Superior Court of San Diego County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 3,337,456 | Nondelinquent Revenue: \$61,742,735 |
| Authorized Judges/Commissioners²: 134/20 | Delinquent Revenue Collected: \$49,012,527 |
| Combined Gross Recovery Rate³: 8% | Total Amount Discharged: \$11,163,414 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$24,693,544 |
| | Ending Balance⁵: \$1,005,051,973 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of San Diego County and the County of San Diego. The court and county have a written memorandum of understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018. ⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages all 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$49,012,527 in revenue, from 602,966 cases.
- The total number of delinquent cases established, referred or transferred is 1,619,336; of these, 596,815 are newly established.
- The administrative cost to collect the debt was \$7,820,780.
- The ending balance of \$1,005,051,973 represents 1,606,310 cases with outstanding delinquent court-ordered debt.

According to the San Diego collection program, the required information under Government Code section 68514 has been provided to the extent possible. The court engages in all nine Categories. The private vendor performs activities under Categories 1, 4, 5, and 6 for the court. The information under categories 5, 6, and 8 was provided by the private vendor. To meet the new reporting requirements for Categories 2, 3, and 7, the Court’s IT Department assisted in developing ad hoc reports. Category 2, Item 5 on the total amount collected cannot be determined independently from Category 3, Item 5. Sending delinquent notices is a collection activity that precedes the actual receipt of payments for delinquent debt. The court reported the total amount of collections in Category 3, Item 5 to avoid duplication. Category 3, Item 5 also include collections from DMV for failures to pay. Category 3, Item 6b on the total number of

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County of San Diego and Superior Court of San Diego County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

individuals associated with cases include the number of individuals established for Categories 5, 6, 7, and 8. The court's nondelinquent collections cannot be segregated into Current and Prior Period. The court is on a cash basis accounting and does not track collections based on a case inventory. The court reported all nondelinquent collections under the current period. The number of cases with collections is not also available for reporting. The court's collections from DMV are also accounted on cash basis. The court does not maintain an active inventory of cases reportable to DMV. This fiscal year, only the payments for failure to pay (FTP) are reported under the Prior Period. This was made possible due to the effectivity date of AB103. For failure to appear (FTA), segregation of payments for current and prior periods is not possible at this time. The FTB-IIC is administered by the court's private vendor. Unlike the FTB-COD program, cases submitted to FTB under the FTB-IIC are refreshed every year. Therefore, the number and value of cases established are only reported under the current period. Collections under Other Program include FTB-IIC and DMV payments.

Courts and counties are required to report on total delinquent and nondelinquent revenues collected with the corresponding number of cases associated with these collections. The county has provided this information as accurately as can be extracted from their case management system. The county has worked with the case management system's vendor to create enhanced reports to assist in reconciliation and meet reporting requirements. This has improved reporting on delinquent vs. nondelinquent data. On the required reporting of the total amount of fines and fees dismissed, discharged, or satisfied by means other than payment: The county has reported the discharge of 11,163,414 of delinquent debt pursuant to Government code section 25257. The required data by specific collection activities (Items 4-7) are beyond the capabilities of the county's current case management system. This data cannot be compiled automatically via system generated reports and will require labor intensive tracking which will deter from actual collection activities. The county was able to provide data related to FTB-COD since that information is readily available on the annual FTB report. For this reason, the total gross revenue collected and the cost of collections do not reconcile with the totals in the Contact and Information Sheet. The required reporting on percentage of fines or fees that are defaulted on is not available for FTB-COD, as the FTB was unable to provide default balances on installment agreements. Likewise, the county's case management system was unable to produce reports timely to report this data. Lastly, the government code requires a separation of current year and prior year data on referrals, collections, and cost-all of which have been provided.

The County experienced a substantial reduction in referrals and collections on Juvenile delinquency accounts due to SB 190 which went into effect on January 1st, 2018. The referrals for Juvenile delinquency accounts alone saw a 63% decline. Total annual referrals declined by 33%. However, annual delinquent collections were only adversely impacted by 1.5 % or \$83,983. Despite reductions in referrals and collections, annual delinquent collections as a percentage of annual referrals increased from 42.07% in 2016-17 (5,497,817/13,066,227) to 61.95% (5,413,834/8,738,647) an improvement of 47.25% (19.88/42.07).

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County of San Diego and Superior Court of San Diego County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$60,573,815 | \$1,168,920 |
| | Delinquent gross revenue collected | \$17,135,154 | \$31,877,372 |
| Item 2 | Number of cases associated with nondelinquent collections | 884 | 3,510 |
| | Number of cases associated with delinquent collections | 124,834 | 478,132 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$9,464,924 | \$15,228,620 |
| | Debt discharged from accountability | - | \$11,163,414 |
| Item 8 | Percentage of debt defaulted on* | 14% | 6% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases. These percentages are based on Court only. Data corresponding to County was unavailable.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | | 43,527 | |
| Category 3: Lobby/counter | \$7,746,224 | 44,072 | \$365,594 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$11,188,459 | 26,622 | \$2,684,326 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$4,559,037 | 298,481 | \$689,493 |
| Category 7: Driver's license hold/suspension for failure to appear | \$1,934,633 | 2,856 | \$2,856 |
| Category 8: Private debt collectors | \$19,756,366 | 127,411 | \$3,586,462 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$45,184,719 | 542,969 | \$7,328,731 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of San Diego and Superior Court of San Diego County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 102,697 individuals associated with Categories 1-3.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

However, pursuant to the new reporting requirement, the prior year and combined GRR and SR take the total value of cases referred as a baseline for calculating the percentages- regardless of installment plans on the referred cases. Since this method does not distinguish between the Total Accounts Receivable inventory and Available Accounts Receivable, it will continue to result in undervalued GRR and SR. The calculated rates will not accurately portray the success of collections on Accounts Receivable that are billable and collectable. To most accurately reflect performance, the monthly installment amount should be the basis of evaluation/measurement in the formulas, not the total dollar value of the cases/referral. Better reflecting GRR and SR based on available AR may be an opportunity to further enhance the formula and provide for more accurate measurement of a program's performance.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease is also attributed to the decline in court-ordered delinquent debt collected and amount discharged from accountability, offset by the high value of cases established due to the inclusion of case referrals to the FTB-IIC program, which were not reported in previous years. Discharged amounts have been completely included in the Prior Period rate calculations since any debt discharged is older than one year per legislation. Therefore, the discharges that would have been included in the calculations for GRR and SR based on last year's guidelines are no longer accounted for in current year rates. This has significantly dropped both rates this year. Also, the combined GRR and SR is a much lower value than it has ever been due to the definition of referrals, which is the "total delinquent

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County of San Diego and Superior Court of San Diego County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

account inventory” now included in the calculation of the two rates (as opposed to previous reporting which included only referral activity for the fiscal year). This may be a more accurate representation of GRR and SR since the comparison of collections, adjustments and discharges to referrals (total delinquent inventory) is now reflective of the same reporting period. However, this would make reaching the established GRR benchmark of 34% and the SR of 31% unrealistic- especially for combined rates. The county would like more clarification from the Judicial Council for updated benchmarks based on the new guidelines. The program’s GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 7% | 8% | 8% |
| Success Rate | 5% | 5% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$11,163,414 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$52,635,647 | \$56,269,763 | \$60,156,530 | \$60,448,787 | \$53,981,719 | \$49,012,527 |
| Year-over-Year Percent Change | | 6.9% | 6.9% | 0.5% | -10.7% | -9.2% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch.722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of San Francisco and Superior Court of San Francisco County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 883,963 | Nondelinquent Revenue: \$13,944,725 |
| Authorized Judges/Commissioners²: 52/3.9 | Delinquent Revenue Collected: \$10,816,861 |
| Combined Gross Recovery Rate³: 7% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$2,873,612 |
| | Ending Balance⁵: \$170,910,948 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of San Francisco County and the County of San Francisco. The court and county are updating the Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contract with a private debt collector;
- Meets 20 of the 25 recommended collections best practices, with the following best practices not currently being met: 1, 2, 5, 17, and 19 (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$10,816,861 in revenue, from 17,670 cases.
- The total number of delinquent cases established, referred or transferred is 199,830; of these, 35,155 are newly established.
- The administrative cost to collect the debt was \$3,159,435.
- The ending balance of \$170,910,948 represents 189,398 cases with outstanding delinquent court-ordered debt.

According to the San Francisco collection program, the court was able to begin the automation of collections referrals of traffic accounts in their case management system (C-Track) and continues to work on resolving programming issues in the new case management system and with the interfaces to ensure for more robust collections services. In June 2017, the courts’ traffic division implemented the ability-to-pay determination process, effective June 2017, which created further reductions in outstanding debt amounts on traffic cases. The San Francisco Court is a pilot court in the "Online Ability-to-Pay Determination Tool" project, which will allow reductions for fines and fees/penalties/civil assessments. Fiscal year 2017-18 has shown a dramatic decrease in infraction citations being issued by law enforcement in San Francisco, which may continue for

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County of San Francisco and Superior Court of San Francisco County Collections
Program

Summary of Fiscal Year 2017–18 Collections Reporting Template

the foreseeable future and impact future revenue collection efforts. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$13,650,737 | \$293,988 |
| | Delinquent gross revenue collected | \$4,439,536 | \$6,377,325 |
| Item 2 | Number of cases associated with nondelinquent collections | 238 | 274 |
| | Number of cases associated with delinquent collections | 1,556 | 16,114 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$1,618,062 | \$1,255,550 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 13% | 11% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$1,378,232 | 112,637 | \$89,585 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$4,543,049 | 30,952 | \$933,918 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$1,152,528 | 158,446 | \$192,258 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$7,073,809 | 302,035 | \$1,215,761 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of San Francisco and Superior Court of San Francisco County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 88,104 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 20% | 5% | 7% |
| Success Rate | 16% | 4% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$11,467,300 | \$14,410,913 | \$16,143,653 | \$12,747,960 | \$12,538,723 | \$10,816,861 |
| Year-over-Year Percent Change | -6.7% | 25.7% | 12.0% | -21.0% | -1.6% | -13.7% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Francisco and Superior Court of San Francisco County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

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County of San Joaquin and Superior Court of San Joaquin County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 758,744 | Nondelinquent Revenue: \$15,164,659 |
| Authorized Judges/Commissioners²: 29/4.0 | Delinquent Revenue Collected: \$19,380,496 |
| Combined Gross Recovery Rate³: 23% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 14% | Total Amount Adjusted⁴: \$14,921,743 |
| | Ending Balance⁵: \$117,891,258 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of San Joaquin County and the County of San Joaquin. The court and county do not have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contract with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 1, 8, and 9 (see Attachment 3); and
- Engages 11 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$19,380,496 in revenue, from 21,902 cases.
- The total number of delinquent cases established, referred or transferred is 122,321; of these, 37,918 are newly established.
- The administrative cost to collect the debt was \$326,770.
- The ending balance of \$117,891,258 represents 288,912 cases with outstanding delinquent court-ordered debt.

According to the Superior Court of San Joaquin collection program, the third-party collection agency was only able to provide limited information for the reporting period but will continue to find ways to provide the court with information required under Government Code section 68514. The program expects to be able to provide more detail on their collection activities in the next reporting period. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Joaquin and Superior Court of San Joaquin County Collections Program
 Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$2,531,391 | \$12,633,268 |
| | Delinquent gross revenue collected | \$8,188,889 | \$11,191,607 |
| Item 2 | Number of cases associated with nondelinquent collections | 5,686 | 19,387 |
| | Number of cases associated with delinquent collections | 21,902 | - |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$16,187,871 | \$-1,266,128 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | -% | -% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 729,911 | - |
| Category 2: Written notice(s) | - | 54,553 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver’s license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$11,191,607 | - | \$326,770 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$11,191,607 | 784,464 | \$326,770 |

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of San Joaquin and Superior Court of San Joaquin County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 63% | 9% | 23% |
| Success Rate | 36% | 10% | 14% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Joaquin and Superior Court of San Joaquin County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|-------------|-------------|-------------|--------------|
| Delinquent Revenue Collected | \$10,784,189 | \$11,147,174 | \$2,322,269 | \$6,226,675 | \$4,987,870 | \$19,380,496 |
| Year-over-Year Percent Change | 8.9% | 3.4% | -79.2% | 168.1% | -19.9% | 288.6% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of San Luis Obispo and Superior Court of San Luis Obispo County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 280,101 | Nondelinquent Revenue: \$25,394,406 |
| Authorized Judges/Commissioners²: 13/2.0 | Delinquent Revenue Collected: \$6,611,754 |
| Combined Gross Recovery Rate³: 4% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 3% | Total Amount Adjusted⁴: \$989,502 |
| | Ending Balance⁵: \$135,517,936 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of San Luis Obispo County and the County of San Luis Obispo. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, and 14 (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$6,611,754 in revenue from 20,981 cases.
- The total number of delinquent cases established, referred, or transferred is 118,749; of these, 35,291 are newly established.
- The administrative cost to collect the debt was \$1,494,003.
- The ending balance of \$135,517,936 represents 36,968 cases with outstanding delinquent court-ordered debt.

According to the San Luis Obispo collection program, the court was not able to provide all the data requested in the new reporting format. The court plans to continue looking at how their case management system can obtain the required data elements. The goal is to retroactively obtain as much of the requested data as possible. Currently, the county collection program could not capture the newly required information. They will contact their vendor to see if they are able to add the State’s new collections reporting requirements into their program. The following table

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County of San Luis Obispo and Superior Court of San Luis Obispo County Collections
Program

Summary of Fiscal Year 2017–18 Collections Reporting Template

captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$13,547,981 | \$11,846,425 |
| | Delinquent gross revenue collected | \$4,558,801 | \$2,052,953 |
| Item 2 | Number of cases associated with nondelinquent collections | 39,176 | - |
| | Number of cases associated with delinquent collections | 9,523 | 11,458 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$303,480 | \$686,022 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 8% | 97% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

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County of San Luis Obispo and Superior Court of San Luis Obispo County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|--|---|-----------------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$2,615,758 | 4,119 | \$441,911 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$2,615,758 | 4,119 | \$441,911 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 100,000 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The collection program has been more aggressive in their collection processing, resulting in delinquent cases being moved more quickly from collection to a private agency and from the

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County of San Luis Obispo and Superior Court of San Luis Obispo County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

county to the FTB-COD and FTB-IIC program. The increased speed of the referrals is noticeable in the large number of adjustments. In addition, there was no noticeable increase in collections due to the previous amnesty program. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 10% | 2% | 4% |
| Success Rate | 10% | 1% | 3% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$6,409,470 | \$6,112,632 | \$5,523,511 | \$6,761,142 | \$5,150,510 | \$6,611,754 |
| Year-over-Year Percent Change | 40.1% | -4.6% | -9.6% | 22.4% | -23.8% | 28.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

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County of San Mateo and Superior Court of San Mateo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 774,155 | Nondelinquent Revenue: \$819,976 |
| Authorized Judges/Commissioners²: 26/7.0 | Delinquent Revenue Collected: \$7,606,394 |
| Combined Gross Recovery Rate³: 27% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 8% | Total Amount Adjusted⁴: \$24,499,268 |
| | Ending Balance⁵: \$86,482,150 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of San Mateo County and the County of San Mateo. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$7,606,394 in revenue from 16,393 cases.
- The total number of delinquent cases established, referred, or transferred is 136,849; of these, 34,319 are newly established.
- The administrative cost to collect the debt was \$933,693.
- The ending balance of \$86,482,150 represents 125,515 cases with outstanding delinquent court-ordered debt.

According to the San Mateo collection program, the private agency and the FTB-COD was not able to provide installment agreement information by current and prior years. It has taken a massive effort by the court and county to provide the new information in the time allowed. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Mateo and Superior Court of San Mateo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$754,455 | \$65,521 |
| | Delinquent gross revenue collected | \$2,194,725 | \$5,411,669 |
| Item 2 | Number of cases associated with nondelinquent collections | 1,187 | 179 |
| | Number of cases associated with delinquent collections | 4,553 | 11,840 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$22,628 | \$24,476,640 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 66% | 45% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$870,600 | 14,242 | \$240,100 |
| Category 2: Written notice(s) | \$434,700 | 54,885 | \$140,000 |
| Category 3: Lobby/counter | \$1,829,288 | 1,699 | \$100,000 |
| Category 4: Skip tracing | \$997,658 | 42,071 | \$274,393 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$931,975 | 3,221 | \$146,000 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$1,062,228 | 1,483 | \$12,000 |
| Category 7: Driver's license hold/suspension for failure to appear | \$1,409,378 | 9,655 | \$8,200 |
| Category 8: Private debt collectors | \$53,802 | 165 | \$9,000 |
| Category 9: Wage/bank garnishments and liens | \$16,765 | 38 | \$4,000 |
| Total: | \$7,606,394 | 127,459 | \$933,693 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of San Mateo and Superior Court of San Mateo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 38,949 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's decrease in their GRR and SR is attributed to the increase in the referral amounts. The increase was due to enhanced and expanded implementation of the court's case management system. Aligning the program and private agency's ending balance figures have left open balances on accounts that have been recalled or reduced due to the previous amnesty program and other adjustments. The program will continue to work with the private agency in updating account totals and statuses. The referral amount is expected to stabilize in the coming year, which will result in a return to a reasonable GRR and SR. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 9% | 32% | 27% |
| Success Rate | 9% | 8% | 8% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of San Mateo and Superior Court of San Mateo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|--------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$9,311,679 | \$8,850,191 | \$10,167,501 | \$9,436,114 | \$7,876,726 | \$7,606,394 |
| Year-over-Year Percent Change | -3.4% | -5.0% | 14.9% | -7.2% | -16.5% | -3.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Santa Barbara and Superior Court of Santa Barbara County Collections
Program

Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 453,457 | Nondelinquent Revenue: \$15,984,993 |
| Authorized Judges/Commissioners²: 21/3.0 | Delinquent Revenue Collected: \$10,078,239 |
| Combined Gross Recovery Rate³: 19% | Total Amount Discharged: \$666,057 |
| Combined Success Rate³: 9% | Total Amount Adjusted⁴: \$13,035,031 |
| | Ending Balance⁵: \$99,270,692 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Santa Barbara County and the County of Santa Barbara. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 4 (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$10,078,239 in revenue, from 31,569 cases.
- The total number of delinquent cases established, referred or transferred is 173,269; of these, 38,007 are newly established.
- The administrative cost to collect the debt was \$1,310,994.
- The ending balance of \$99,270,692 from an undetermined number of cases.

According to the Santa Barbara collection program, the court's new case management system does not have a report that will pull the new information required under Government Code section 68514. The court has requested assistance from its case management system vendor with configuring the additional statistics. The program does not have an estimated time for when this will be completed. The county has not been able to accurately determine information on account balances or number of accounts. The periods in the collections system do not close, resulting in data being applied retroactively. This results in an uncertainty of data accuracy. The county is working with the software vendor and with internal IT staff to determine how to generate accurate data for reporting on the accounts that the county collects. However, the county does

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Santa Barbara and Superior Court of Santa Barbara County Collections
Program

Summary of Fiscal Year 2017–18 Collections Reporting Template

not have an estimated time by which this will be achieved. The actual amounts collected and costs of collections ties to the financial system and is periodically audited, as a result the county has confidence in these numbers and has reported accordingly. The county does have data related to the number, types of accounts, and changes at the FTB, but were not able to pull data from the system in time to complete the report. The number and value of cases was not provided by the county; although the system can run a report it will generate data as of year- end (June 30, 2018.) The challenge is that the system does not close periods, if that same report is run again a month from now it will likely show different data. Part of the programing being worked on is a report to show the transactions that posted after the fiscal year end but impacted the year end value and number of accounts, this will help determine the actual ending balance. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$15,984,993 | \$- |
| | Delinquent gross revenue collected | \$7,924,000 | \$2,154,239 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 8,595 | 22,974 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$12,990,053 | \$44,979 |
| | Debt discharged from accountability | \$302,805 | \$363,252 |
| Item 8 | Percentage of debt defaulted on* | 2% | 8% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Santa Barbara and Superior Court of Santa Barbara County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|---|-----------------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$758,939 | 82,326 | \$100,955 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$758,939 | 82,326 | \$100,955 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

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County of Santa Barbara and Superior Court of Santa Barbara County Collections
Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

According to the program, the high percentages calculated for the current period are due to systems limitations that prevented the separation of data by period; total gross revenue collected and adjustments are reported in the current period. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 79% | 3% | 19% |
| Success Rate | 59% | 2% | 9% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$666,057 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$9,014,994 | \$9,178,617 | \$10,012,392 | \$10,009,019 | \$8,132,238 | \$10,078,239 |
| Year-over-Year Percent Change | -39.5% | 1.8% | 9.1% | 0.0% | -18.8% | 23.9% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Santa Clara and Superior Court of Santa Clara County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 1,956,598 | Nondelinquent Revenue: \$35,212,798 |
| Authorized Judges/Commissioners²: 79/5.0 | Delinquent Revenue Collected: \$34,767,895 |
| Combined Gross Recovery Rate³: 32% | Total Amount Discharged: \$62,396,236 |
| Combined Success Rate³: 9% | Total Amount Adjusted⁴: \$76,778,666 |
| | Ending Balance⁵: \$361,619,713 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Santa Clara County and the County of Santa Clara. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018. ⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, and 13 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$34,767,895 in revenue, partially from 12,586 cases reported by third party vendors.
- The total number of delinquent cases established, referred or transferred is 803,544; of these, 86,520 are newly established.
- The administrative cost to collect the debt was \$5,531,066.
- The ending balance of \$361,619,713 represents 563,165 cases with outstanding delinquent court-ordered debt.

According to the Santa Clara collection program, the annual collections report was completed to the extent possible. The report reflects the transfer of responsibility for traffic collections from the county to the court, effective June 2018, and the recall of the traffic accounts inventory including an adjustment of \$52 million for 84,000 accounts. The new data elements, Item 4 through 7, are consolidated in the county's collection system, based on activity, and only include collections data from the private vendor and its referrals to the FTB. Many of the activities described are performed simultaneously or within close proximity, which makes it difficult to know what action or effort caused the amount collected or its associated cost. The county plans to acquire a new collections system with enhanced reporting capabilities. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Santa Clara and Superior Court of Santa Clara County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$31,871,654 | \$3,341,144 |
| | Delinquent gross revenue collected | \$14,612,775 | \$20,155,120 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 1,207 | 11,379 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$11,266,293 | \$65,512,373 |
| | Debt discharged from accountability | \$194,458 | \$62,201,778 |
| Item 8 | Percentage of debt defaulted on* | 14% | 45% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$3,632,608 | 7,664 | \$540,894 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$515,807 | 15,365 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$2,183,171 | 10,474 | \$295,331 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$6,331,586 | 33,503 | \$836,225 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Santa Clara and Superior Court of Santa Clara County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease may also be attributed to factors such as reporting, decrease in referrals, account recalls and adjustments. The county will be validating the new methodology for future reporting. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 45% | 31% | 32% |
| Success Rate | 32% | 6% | 9% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$62,396,236 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Santa Clara and Superior Court of Santa Clara County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$40,541,302 | \$33,200,311 | \$32,246,238 | \$31,826,357 | \$42,312,475 | \$34,767,895 |
| Year-over-Year Percent Change | 3.5% | -18.1% | -2.9% | -1.3% | 32.9% | -17.8% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Santa Cruz and Superior Court of Santa Cruz County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 276,864 | Nondelinquent Revenue: \$5,774,039 |
| Authorized Judges/Commissioners²: 12/1.5 | Delinquent Revenue Collected: \$3,294,970 |
| Combined Gross Recovery Rate³: 3% | Total Amount Discharged: \$390,006 |
| Combined Success Rate³: 3% | Total Amount Adjusted⁴: \$6,268 |
| | Ending Balance⁵: \$114,386,786 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Santa Cruz County and the County of Santa Cruz. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 21 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 4, 14, and 18 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$3,294,970 in revenue, from 8,354 cases.
- The total number of delinquent cases established, referred or transferred is 202,500; of these, 87,291 are newly established.
- The administrative cost to collect the debt was \$425,265.
- The ending balance of \$114,386,786 represents 129,458 cases with outstanding delinquent court-ordered debt.

According to the Santa Cruz collection program, the private vendor is able to distinguish current year vs. prior year cost of collections, but the court and county costs are distributed among all cases and the programs do not have the ability to break those out; costs were split proportionately based on the collection amounts. The gross revenue for nondelinquent collections includes new current year cases as well as cases established in prior years. The outside agency is not able to distinguish payments received as a result of phone calls from payments received as a result of letters or other collections components. There is no obvious way in which their system will be able to capture this data in the future. For accounts referred to FTB-IIC program it is not possible to provide an accurate number of cases; these accounts are updated multiple times per year and the same account may be sent in multiple files as payments may be received by the agency.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Santa Cruz and Superior Court of Santa Cruz County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

These same cases may also be referred to the FTB-COD program and worked within the agency, so at any point during the year the same cases may appear within different categories. The number reported for total number of cases is the number sent to FTB for the mass load in November and the prior year number is from the 2016-17 mass upload. The program is working on creating new reports within the court case management system to comply with the new reporting requirements. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$5,774,039 | - |
| | Delinquent gross revenue collected | \$603,302 | \$2,691,668 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 1,348 | 7,006 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$1,281 | \$4,987 |
| | Debt discharged from accountability | \$257,450 | \$132,556 |
| Item 8 | Percentage of debt defaulted on* | 11% | 6% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Santa Cruz and Superior Court of Santa Cruz County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|---|-----------------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$1,311,302 | 20,615 | \$194,865 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$477,389 | 68,834 | \$31,258 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$1,506,279 | - | \$135,209 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$3,294,970 | 89,449 | \$361,332 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease may also be attributed to the fact that the court did not refer to collections any accounts for the first six months of the fiscal year, due to case management system issues. The program's GRR and SR by period are as follows:

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Santa Cruz and Superior Court of Santa Cruz County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 3% | 3% | 3% |
| Success Rate | 2% | 3% | 3% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$390,006 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$5,269,944 | \$4,232,199 | \$4,339,010 | \$3,450,448 | \$2,972,175 | \$3,294,970 |
| Year-over-Year Percent Change | 7.6% | -19.7% | 2.5% | -20.5% | -13.9% | 10.9% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Shasta and Superior Court of Shasta County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 178,271 | Nondelinquent Revenue: \$4,055,809 |
| Authorized Judges/Commissioners²: 10/2.0 | Delinquent Revenue Collected: \$6,149,592 |
| Combined Gross Recovery Rate³: 15% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$13,292,755 |
| | Ending Balance⁵: \$108,005,702 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Shasta County and the County of Shasta. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 22 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, 10, and 16 (see Attachment 3); and
- Engages 13 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$6,149,592 in revenue from 8,143 cases.
- The total number of delinquent cases established, referred, or transferred is 149,805; of these, 21,147 are newly established.
- The administrative cost to collect the debt was \$1,252,343.
- The ending balance of \$108,005,702 represents 126,195 cases with outstanding delinquent court-ordered debt.

According to the Shasta collection program, the case management system is unable to provide some of the required data. The program is unable to break down payment information on current vs. prior year cases, as well as track payment plans. Currently, Shasta’s IT department is working on a program to facilitate the required information. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Shasta and Superior Court of Shasta County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$4,055,809 | - |
| | Delinquent gross revenue collected | \$5,824,233 | \$325,359 |
| Item 2 | Number of cases associated with nondelinquent collections | 7,128 | - |
| | Number of cases associated with delinquent collections | 5,441 | 2,702 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$13,292,755 | - |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 18,787 | - |
| Category 2: Written notice(s) | - | 25,249 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | 14,943 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | \$826,450 | 33,192 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | 3,046 | - |
| Category 8: Private debt collectors | \$53,756 | - | - |
| Category 9: Wage/bank garnishments and liens | - | 9 | - |
| Total: | \$880,206 | 95,226 | - |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Shasta and Superior Court of Shasta County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program continues its philosophy of doing due diligence in using all avenues available in pursuing the collection on each case used by their court's collection division. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 75% | 0% | 15% |
| Success Rate | 48% | 0% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$5,378,687 | \$5,556,876 | \$5,680,895 | \$5,777,816 | \$7,499,718 | \$6,149,592 |
| Year-over-Year Percent Change | -2.0% | 3.3% | 2.2% | 1.7% | 29.8% | -18.0% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Shasta and Superior Court of Shasta County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sierra and Superior Court of Sierra County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|--|
| County Population¹: 3,207 | Nondelinquent Revenue: \$130,843 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$120,982 |
| Combined Gross Recovery Rate³: 14% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 10% | Total Amount Adjusted⁴: \$60,070 |
| | Ending Balance⁵: \$1,072,040 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Sierra County and the County of Sierra. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Shasta County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 21 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 4, 10, and 16 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$120,982 in revenue from 250 cases.
- The total number of delinquent cases established, referred, or transferred is 2,050; of these, 314 are newly established.
- The administrative cost to collect the debt was \$32,001.
- The ending balance of \$1,072,040 represents 1,772 cases with outstanding delinquent court-ordered debt.

According to the Sierra collection program, their case management system is unable to provide some of the required data at this time. In addition, the program is unable to break down payment information on current vs. prior year cases, as well as track payment plans. The program’s IT department is currently working on a program to facilitate the data required. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sierra and Superior Court of Sierra County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$130,843 | - |
| | Delinquent gross revenue collected | \$102,116 | \$18,866 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 166 | 84 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$59,131 | \$939 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 267 | - |
| Category 2: Written notice(s) | - | 523 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | 387 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$8,180 | 36 | - |
| Category 6: FTB-IIC (Interagency Collection Program) | \$8,777 | 925 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$60 | 1 | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$17,017 | 2,139 | - |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Sierra and Superior Court of Sierra County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program continues its court and Shasta's intrabranch's collection philosophy of doing due diligence in using all avenues available to them in pursuing the collection on each case. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 83% | 2% | 14% |
| Success Rate | 76% | 2% | 10% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Delinquent Revenue Collected | \$143,578 | \$142,916 | \$135,918 | \$128,431 | \$115,939 | \$120,982 |
| Year-over-Year Percent Change | 120.0% | -0.5% | -4.9% | -5.5% | -9.7% | 4.3% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sierra and Superior Court of Sierra County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Siskiyou and Superior Court of Siskiyou County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 44,612 | Nondelinquent Revenue: \$5,734,138 |
| Authorized Judges/Commissioners²: 4/1.0 | Delinquent Revenue Collected: \$2,104,458 |
| Combined Gross Recovery Rate³: 19% | Total Amount Discharged: \$4,749,502 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$1,384,494 |
| | Ending Balance⁵: \$35,358,931 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Siskiyou County and the County of Siskiyou. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Interagency Intercept Collections (FTB-IIC) program;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 8 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$2,104,458 in revenue from 0 cases.
- The total number of delinquent cases established, referred, or transferred is 44,686; of these, 3,503 are newly established.
- The administrative cost to collect the debt was \$425,913.
- The ending balance of \$35,358,931 represents 47,499 cases with outstanding delinquent court-ordered debt.

According to the Siskiyou collection program, they are unable to provide accurate and reliable data because of their continued work on their new case management system. At this time, the program is not able to provide the data information for the following areas: quantifying the dollar amount, number of cases, number of individuals, and total administrative costs by specific activities. The program’s case management system will need to be reconfigured to incorporate the new data requirements, which will delay the time frame in having a configured report. As resources and staffing allows, the program will continue to work with their development team to produce the information requested. The report contains information reported by the court only.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Siskiyou and Superior Court of Siskiyou County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$3,219,892 | \$2,514,246 |
| | Delinquent gross revenue collected | \$1,033,152 | \$1,071,306 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | - | - |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$642,483 | \$742,011 |
| | Debt discharged from accountability | - | \$4,749,502 |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | - | - | - |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Siskiyou and Superior Court of Siskiyou County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

At this time, the program cannot provide any comments in regards to the GRR and SR due to data changes and inaccuracies. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 43% | 17% | 19% |
| Success Rate | 32% | 3% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$4,749,502 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Siskiyou and Superior Court of Siskiyou County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$2,086,089 | \$1,973,320 | \$1,912,631 | \$1,382,382 | \$1,071,306 | \$2,104,458 |
| Year-over-Year Percent Change | -5.3% | -5.4% | -3.1% | -27.7% | -22.5% | 96.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Solano and Superior Court of Solano County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 439,793 | Nondelinquent Revenue: \$7,917,902 |
| Authorized Judges/Commissioners²: 20/3.0 | Delinquent Revenue Collected: \$5,272,896 |
| Combined Gross Recovery Rate³: 15% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 4% | Total Amount Adjusted⁴: \$15,881,877 |
| | Ending Balance⁵: \$117,767,086 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Solano County and the County of Solano. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 22 of the 25 recommended collections best practices, with the following best practices not currently being met: 5, 21, and 23 (see Attachment 3); and
- Engages 12 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$5,272,896 in revenue from 39,437 cases.
- The total number of delinquent cases established, referred, or transferred is 215,700; of these, 17,650 are newly established.
- The administrative cost to collect the debt was \$455,988.
- The ending balance of \$117,767,086 represents 139,459 cases with outstanding delinquent court-ordered debt.

According to the Solano collection program, the county collection program is not able to provide all the new data required due to case management system limitations. The county amount reported in the gross revenue collected (current period) section is a combination of collections from 2017–18 on cases that were established in both the current and prior periods. However, the system is unable to separate the totals by period. No amount was reported in the gross revenue collected in the prior period section. In addition, the program’s private collection vendor could not capture the performance information by collection activity. The agency is working on a process to capture the required detailed performance activity for future reporting. The following

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Solano and Superior Court of Solano County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$7,917,902 | - |
| | Delinquent gross revenue collected | \$1,518,608 | \$3,754,288 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 2,065 | 37,372 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$500,278 | \$15,381,599 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 19% | 21% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | - | - | - |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Solano and Superior Court of Solano County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR for the fiscal year decreased significantly due to the changes in the CRT reporting and the method in calculating the rates. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 13% | 16% | 15% |
| Success Rate | 10% | 3% | 4% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Solano and Superior Court of Solano County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$7,273,371 | \$7,295,212 | \$7,442,185 | \$5,561,846 | \$4,954,246 | \$5,272,896 |
| Year-over-Year Percent Change | -10.2% | 0.3% | 2.0% | -25.3% | -10.9% | 6.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Sonoma and Superior Court of Sonoma County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 503,332 | Nondelinquent Revenue: \$27,639,893 |
| Authorized Judges/Commissioners²: 20/3.0 | Delinquent Revenue Collected: \$8,764,077 |
| Combined Gross Recovery Rate³: 16% | Total Amount Discharged: \$1,050,333 |
| Combined Success Rate³: 14% | Total Amount Adjusted⁴: \$226,210 |
| | Ending Balance⁵: \$53,287,466 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Sonoma County and the County of Sonoma. The court and county do not have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 2 (see Attachment 3); and
- Engages 13 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$8,764,077 in revenue from 17,408 cases.
- The total number of delinquent cases established, referred, or transferred is 78,999; of these, 11,640 are newly established.
- The administrative cost to collect the debt was \$3,502,355.
- The ending balance of \$53,287,466 represents 8,347 cases with outstanding delinquent court-ordered debt.

According to the Sonoma collection program, with the extensive amount of new data required, the court has not been able to provide all the information. The program is currently working to try and extract the data needed from their case management system. In addition, current period delinquent gross revenue collected has dropped compared to the previous fiscal year due to the court’s implementation of a new criminal case management system. The court did not send any criminal cases to collections for ten months of 2017–18. The County has improved their procedures and communication. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sonoma and Superior Court of Sonoma County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$11,742,654 | \$15,897,239 |
| | Delinquent gross revenue collected | \$6,543,453 | \$2,220,624 |
| Item 2 | Number of cases associated with nondelinquent collections | 362 | 1,729 |
| | Number of cases associated with delinquent collections | 13,060 | 4,348 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$58,084 | \$168,126 |
| | Debt discharged from accountability | - | \$1,050,333 |
| Item 8 | Percentage of debt defaulted on* | 39% | 21% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$667,622 | 2,255 | \$1,188,620 |
| Category 2: Written notice(s) | \$1,007,561 | 3,889 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | \$1,404,000 | 4,800 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$2,901,167 | 7,753 | \$415,683 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$87,062 | 1,941 | - |
| Category 7: Driver's license hold/suspension for failure to appear | \$1,482,693 | 2,979 | - |
| Category 8: Private debt collectors | \$179,736 | 2,498 | \$21,392 |
| Category 9: Wage/bank garnishments and liens | \$1,728,472 | 29,237 | - |
| Total: | \$9,458,313 | 55,352 | \$1,625,695 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Sonoma and Superior Court of Sonoma County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 13 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and the SR are inflated due to the number of cases in the fiscal year that were returned from the FTB-COD. The cases that were returned from FTB-COD were cases related to prior periods and the program cannot be broken out as to which prior periods they belong to. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 109% | 6% | 16% |
| Success Rate | 109% | 4% | 14% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$1,050,333 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sonoma and Superior Court of Sonoma County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$7,643,967 | \$9,290,110 | \$8,828,556 | \$7,242,251 | \$9,321,290 | \$8,764,077 |
| Year-over-Year Percent Change | -9.7% | 21.5% | -5.0% | -18.0% | 28.7% | -6.0% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Stanislaus and Superior Court of Stanislaus County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 555,624 | Nondelinquent Revenue: \$1,310,751 |
| Authorized Judges/Commissioners²: 21/3.0 | Delinquent Revenue Collected: \$6,079,007 |
| Combined Gross Recovery Rate³: 11% | Total Amount Discharged: \$187,098 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$8,698,040 |
| | Ending Balance⁵: \$124,366,912 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Stanislaus County and the County of Stanislaus. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$6,079,007 in revenue from 89,526 cases.
- The total number of delinquent cases established, referred, or transferred is 249,709; of which 30,127 are newly established.
- The administrative cost to collect the debt was \$1,582,281.
- The ending balance of \$124,366,912 represents 226,140 cases with outstanding delinquent court-ordered debt.

According to the Stanislaus collection program, the court collections program recently transitioned to a new case management system and is currently working on the collections component. The court will be creating reports according to the data that is needed in order to comply with the coming years’ report. In addition, the court’s ending balances from prior years consisted of amnesty cases that have been transferred to collections. For the current period, private agency data consists of collections for 2017–18 regardless of when the case was deemed delinquent. In regards to the FTB information, they do not carry over the prior year’s ending balance. The program utilized the template provided by the FTB for this year’s ending

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Stanislaus and Superior Court of Stanislaus County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

balance, which also required some adjustments. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$1,310,751 | - |
| | Delinquent gross revenue collected | \$1,542,636 | \$4,536,372 |
| Item 2 | Number of cases associated with nondelinquent collections | 15,210 | - |
| | Number of cases associated with delinquent collections | 22,193 | 67,333 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$5,270,992 | \$3,427,048 |
| | Debt discharged from accountability | - | \$187,098 |
| Item 8 | Percentage of debt defaulted on* | 25% | 39% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 161,250 | - |
| Category 2: Written notice(s) | - | 18,631 | - |
| Category 3: Lobby/counter | \$2,488,512 | - | \$973,031 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$756,355 | 14,241 | \$113,453 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$981,643 | - | \$6,165 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | \$342,172 | - | - |
| Total: | \$4,568,682 | 194,122 | \$1,092,649 |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Stanislaus and Superior Court of Stanislaus County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 12,973 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's SR was affected because of the way the information is being reported in 2017–18. The rates are now broken down to current and prior periods as compared to previous fiscal years where all collections were considered for the reporting year, regardless of the age of the case. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 39% | 7% | 11% |
| Success Rate | 13% | 4% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$187,098 for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Stanislaus and Superior Court of Stanislaus County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$6,635,824 | \$6,391,560 | \$6,277,758 | \$6,354,043 | \$6,562,280 | \$6,079,007 |
| Year-over-Year Percent Change | -4.8% | -3.7% | -1.8% | 1.2% | 3.3% | -7.4% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Sutter and Superior Court of Sutter County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 97,238 | Nondelinquent Revenue: \$3,531,073 |
| Authorized Judges/Commissioners²: 5/0.3 | Delinquent Revenue Collected: \$2,845,395 |
| Combined Gross Recovery Rate³: 11% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 10% | Total Amount Adjusted⁴: \$483,567 |
| | Ending Balance⁵: \$26,888,485 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Sutter County and the County of Sutter. The court and county have a written memorandum of understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Meets 19 of the 25 recommended collections best practices, with the following best practices not currently being met: 2, 12, 14, 22, 23, and 25 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$2,845,395 in revenue, from 8,515 cases.
- The total number of delinquent cases established, referred or transferred is 46,253; of these, 12,993 are newly established.
- The administrative cost to collect the debt was \$660,752.
- The ending balance of \$26,888,485 represents 35,546 cases with outstanding delinquent court-ordered debt.

According to the Sutter collection program, the court is in the process of determining how to extract the new information from case management system and is therefore unable to provide the new information at this time. The court will request assistance from Tyler Technologies and anticipates being able to provide some, if not all, of the new information next fiscal year. The county also had a difficult time retrieving the information for the new template. Their collections system (CUBS) is not set up to separate totals requested in the template and had to manually create reports. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sutter and Superior Court of Sutter County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$1,902,867 | \$1,628,206 |
| | Delinquent gross revenue collected | \$1,567,596 | \$1,277,799 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 955 | 7,560 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | \$129,803 | \$353,764 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | -% | -% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount collected by activity | Item 6: Number of cases by activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$31,968 | 888 | \$4,795 |
| Category 6: FTB-IIC (Interagency Collection Program) | - | - | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$31,968 | 888 | \$4,795 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Sutter and Superior Court of Sutter County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

According to the program, the percentage decrease is also attributable to case management system interface issues, preventing the referral of cases to the FTB-COD program in the reporting period. The court continues to work on resolving these issues and will request assistance from Tyler Technologies. The court expects to start case referrals to the FTB-COD in 2018-19. The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 16% | 8% | 11% |
| Success Rate | 15% | 7% | 10% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Sutter and Superior Court of Sutter County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$2,216,723 | \$1,855,003 | \$2,060,341 | \$2,303,066 | \$1,144,846 | \$2,845,395 |
| Year-over-Year Percent Change | -21.4% | -16.3% | 11.1% | 11.8% | -50.3% | 148.5% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tehama and Superior Court of Tehama County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 64,039 | Nondelinquent Revenue: \$0 |
| Authorized Judges/Commissioners²: 4/0.3 | Delinquent Revenue Collected: \$782,101 |
| Combined Gross Recovery Rate³: 7% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$210,072 |
| | Ending Balance⁵: \$13,202,001 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Tehama County and the County of Tehama. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Shasta County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) program;
- Contracts with a private debt collector;
- Meets 22 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, 10, and 16 (see Attachment 3); and
- Engages 16 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$782,101 in revenue from 1,865 cases.
- The total number of delinquent cases established, referred, or transferred is 12,503; of these, 2,757 are newly established.
- The administrative cost to collect the debt was \$176,407.
- The ending balance of \$13,202,001 represents 9,522 cases with outstanding delinquent court-ordered debt.

According to the Tehama collection program, their case management system is unable to provide the missing data for the following: total amount collected per collection activity; total number of cases by activity; total number of individuals associated with those cases; and total administrative cost per collection activity. In addition, the program was unable to break down payment information on current vs. prior year cases, as well as track payment plans. The program’s IT department is currently working on a program to facilitate the data required. The

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tehama and Superior Court of Tehama County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | - | - |
| | Delinquent gross revenue collected | \$741,814 | \$40,287 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 1,468 | 397 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$210,072 | - |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 2,960 | - |
| Category 2: Written notice(s) | - | 6,461 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | 9,720 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$154,951 | 1,527 | - |
| Category 6: FTB-IIC (Interagency Collection Program) | \$129,668 | 5,385 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$15,367 | 26 | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$299,986 | 26,079 | - |

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Tehama and Superior Court of Tehama County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR decreased significantly due to the reduction in the amount of collections (primarily due to the prior amnesty program), as well as not being able to place holds on driver's licenses for failure-to-pay. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 27% | 0% | 7% |
| Success Rate | 22% | 0% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tehama and Superior Court of Tehama County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-------------|-----------|-------------|-----------|-----------|
| Delinquent Revenue Collected | \$278,950 | \$1,556,174 | \$890,453 | \$1,059,689 | \$752,308 | \$782,101 |
| Year-over-Year Percent Change | -41.5% | 457.9% | -42.8% | 19.0% | -29.0% | 4.0% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Trinity and Superior Court of Trinity County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 13,635 | Nondelinquent Revenue: \$507,509 |
| Authorized Judges/Commissioners²: 2/0.3 | Delinquent Revenue Collected: \$582,428 |
| Combined Gross Recovery Rate³: 6% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 4% | Total Amount Adjusted⁴: \$272,000 |
| | Ending Balance⁵: \$12,270,449 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Trinity County and the County of Trinity. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Meets 21 of the 25 recommended collections best practices, with the following best practices not currently being met: 4, 14, 23, and 25 (see Attachment 3); and
- Engages 11 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$582,428 in revenue from 1,558 cases.
- The total number of delinquent cases established, referred, or transferred is 8,523; of these, 997 are newly established.
- The administrative cost to collect the debt was \$400,071.
- The ending balance of \$12,270,449 represents 8,020 cases with outstanding delinquent court-ordered debt.

According to the Trinity collection program, they do not have the software capabilities of gathering all of the required information at this time. During the second half of the fiscal year, the program began utilizing a database that will gather more detailed information for future years. The county did not perform a discharge of accountability this fiscal year. In addition, the program does not utilize the following: court-delinquent collections program, private collections agency, and the intrabranh collections program. The program does not have a tracking mechanism within their current software to track all revenue losses. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Trinity and Superior Court of Trinity County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$284,547 | \$222,962 |
| | Delinquent gross revenue collected | \$499,373 | \$83,055 |
| Item 2 | Number of cases associated with nondelinquent collections | 1,073 | 786 |
| | Number of cases associated with delinquent collections | 679 | 879 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$188,877 | \$83,123 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 67% | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$16,788 | 1,186 | \$2,518 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$55,707 | 2,033 | \$267 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$72,495 | 3,219 | \$2,785 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Trinity and Superior Court of Trinity County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 43% | 1% | 6% |
| Success Rate | 36% | 1% | 4% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Delinquent Revenue Collected | \$328,957 | \$324,474 | \$332,004 | \$483,515 | \$532,545 | \$582,428 |
| Year-over-Year Percent Change | -14.1% | -1.4% | 2.3% | 45.6% | 10.1% | 9.4% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Trinity and Superior Court of Trinity County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tulare and Superior Court of Tulare County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 475,834 | Nondelinquent Revenue: \$24,618,798 |
| Authorized Judges/Commissioners²: 20/3.0 | Delinquent Revenue Collected: \$9,655,167 |
| Combined Gross Recovery Rate³: 6% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 5% | Total Amount Adjusted⁴: \$2,012,539 |
| | Ending Balance⁵: \$195,531,381 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Tulare County and the County of Tulare. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program;
- Contracts with a private debt collector;
- Meets all 25 of the recommended collections best practices (see Attachment 3); and
- Engages 15 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$9,655,167 in revenue from 73,196 cases.
- The total number of delinquent cases established, referred, or transferred is 308,117; of these, 36,647 are newly established.
- The administrative cost to collect the debt was \$2,357,792.
- The ending balance of \$195,531,381 represents 54,440 cases with outstanding delinquent court-ordered debt.

According to the Tulare collection program, they had created reports to capture the required data for areas such as the value of payment plans and ending balances for cases assigned to court collections. In addition, they collect data by reviewing daily transactions. The court plans to continue creating reports to satisfy the requirements without relying on reviewing data manually. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tulare and Superior Court of Tulare County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$10,868,274 | \$13,750,524 |
| | Delinquent gross revenue collected | \$3,310,668 | \$6,344,499 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 37,616 | 35,580 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$456,776 | \$1,555,763 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | 6% | 24% |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$623,677 | 1,458 | \$147,721 |
| Category 2: Written notice(s) | \$917,614 | 7,392 | \$347,175 |
| Category 3: Lobby/counter | \$1,087,754 | 4,068 | \$650,172 |
| Category 4: Skip tracing | \$731,643 | 1,876 | \$358,916 |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$4,534,974 | 93,000 | \$683,370 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$84,442 | 1,103 | \$793 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$1,675,066 | 3,519 | \$169,645 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$9,655,170 | 112,416 | \$2,357,792 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Tulare and Superior Court of Tulare County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 22,139 individuals associated with those cases.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The court has a large volume of cases that are eligible for discharge of accountability. These uncollectible cases are negatively impacting the court's GRR and SR. This fiscal year, Tulare will assign these cases to Ventura Superior Court and to a collection agency to attempt to recover some of the debt. The program anticipates that this will improve the GRR and SR. The program's GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|-----------------------|----------------------|-----------------------|
| Gross Recovery Rate | 11% | 5% | 6% |
| Success Rate | 10% | 4% | 5% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tulare and Superior Court of Tulare County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|-------------|--------------|--------------|--------------|-------------|
| Delinquent Revenue Collected | \$11,005,123 | \$9,940,351 | \$12,765,303 | \$10,419,699 | \$10,882,917 | \$9,655,167 |
| Year-over-Year Percent Change | 4.7% | -9.7% | 28.4% | -18.4% | 4.4% | -11.3% |

Endnotes:

¹Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

²Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tuolumne and Superior Court of Tuolumne County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 54,740 | Nondelinquent Revenue: \$145,086 |
| Authorized Judges/Commissioners²: 4/0.8 | Delinquent Revenue Collected: \$2,285,548 |
| Combined Gross Recovery Rate³: 7% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$107,864 |
| | Ending Balance⁵: \$34,352,246 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Tuolumne County and the County of Tuolumne. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶

The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 2 and 4 (see Attachment 3); and
- Engages 12 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$2,285,548 in revenue from 8,639 cases.
- The total number of delinquent cases established, referred, or transferred is 36,557; of these, 6,183 are newly established.
- The administrative cost to collect the debt was \$332,809.
- The ending balance of \$34,352,246 represents 33,010 cases with outstanding delinquent court-ordered debt.

According to the Tuolumne collection program, the case management system is limited in providing most of the new reporting information required. The program had reached out to their collections software company to see if there are any available reports, but none exists. The program will continue searching for ways to find additional information, as well as create new reports for future reporting periods. The program can track the number of phone calls made and letters/statements sent. However, they are unable to tie it back to the current and/or delinquent cases and the associated collections received based on those actions. In addition, they collect for other agencies. But when a debtor has multiple accounts across different agencies, the system is unable to separate which accounts are court-related. Their program was able to increase

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tuolumne and Superior Court of Tuolumne County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

collections by streamlining processes such as payment plans, ability to pay reviews, using updated forms, and moving office locations for easier/expedited access. The program was able to increase their collections and reduce their administrative costs while maintaining lower staffing levels. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$145,086 | - |
| | Delinquent gross revenue collected | \$2,162,375 | \$123,173 |
| Item 2 | Number of cases associated with nondelinquent collections | 299 | - |
| | Number of cases associated with delinquent collections | 5,717 | 2,922 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$107,864 | - |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Tuolumne and Superior Court of Tuolumne County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$159,565 | 3,785 | \$23,935 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$230,244 | 660 | \$1,146 |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | - | - | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$389,809 | 4,445 | \$25,081 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

Due to limitations of their collections software reporting, the program is unable to separate current period to prior period account collections. All figures were placed in the current period, as it has been reported in the past. The GRR and SR decreased compared to the previous year,

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County of Tuolumne and Superior Court of Tuolumne County Collections Program
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but collections have increased while administrative costs have decreased. The program’s GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 36% | 0% | 7% |
| Success Rate | 34% | 0% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$1,448,567 | \$1,451,698 | \$1,683,860 | \$1,597,028 | \$1,956,993 | \$2,285,548 |
| Year-over-Year Percent Change | -6.1% | 0.2% | 16.0% | -5.2% | 22.5% | 16.8% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Ventura and Superior Court of Ventura County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|--|
| County Population¹: 859,073 | Nondelinquent Revenue: \$16,482,564 |
| Authorized Judges/Commissioners²: 29/4.0 | Delinquent Revenue Collected: \$27,593,147 |
| Combined Gross Recovery Rate³: 32% | Total Amount Discharged: \$16,425,350 |
| Combined Success Rate³: 18% | Total Amount Adjusted⁴: \$15,368,436 |
| | Ending Balance⁵: \$126,641,766 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Ventura County and the County of Ventura. The court and county have a written memorandum of understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) program and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 2 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$27,593,147 in revenue, from 77,455 cases.
- The total number of delinquent cases established, referred or transferred is 293,769; of these, 40,304 are newly established.
- The administrative cost to collect the debt was \$5,518,629.
- The ending balance of \$126,641,766 represents 229,729 cases with outstanding delinquent court-ordered debt.

According to the Ventura collection program, they were able to report on all additional reporting requirements. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Ventura and Superior Court of Ventura County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$15,937,933 | \$544,631 |
| | Delinquent gross revenue collected | \$12,779,185 | \$14,813,962 |
| Item 2 | Number of cases associated with nondelinquent collections | 56,533 | 890 |
| | Number of cases associated with delinquent collections | 36,294 | 41,161 |
| Item 3 | Court ordered adjustment (satisfied by means other than payment) | - | \$15,368,436 |
| | Debt discharged from accountability | - | \$16,425,350 |
| Item 8 | Percentage of debt defaulted on* | 68% | 92% |

*Using the cases that are on installment agreements as the measurement; the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | \$18,440,179 | 127,982 | \$3,688,036 |
| Category 2: Written notice(s) | \$664,844 | 141,104 | \$132,969 |
| Category 3: Lobby/counter | \$3,483,904 | 24,641 | \$696,781 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$741,872 | 2,324 | \$148,374 |
| Category 6: FTB-IIC (Interagency Collection Program) | \$2,190,131 | 6,718 | \$438,026 |
| Category 7: Driver's license hold/suspension for failure to appear | \$320,956 | 540 | \$64,191 |
| Category 8: Private debt collectors | \$1,751,261 | 6,570 | \$350,252 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$27,593,147 | 309,879 | \$5,518,629 |

*On the two tables above; a dash (-) represents data that is currently unavailable and cannot be provided by the program. The collections activity under category 4 is included in Categories 1 and 2 since another activity must occur after skip tracing is done. The collections activity under Category 9 is performed by a third party vendor and is included in Category 5.

This report contains information jointly reported by the court and county in the Judicial Council's Collections Reporting Template, under Penal Code section 1463.010.

County of Ventura and Superior Court of Ventura County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

As outlined in Government Code section 68514 (a)(6), the program reported the total number of cases by collection activity in the table above and a total of 64,475 individuals associated with those cases.

The new reporting requirements under Government Code section 68514 (b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the programs performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR by period are as follows:

| Metric: | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 46% | 29% | 32% |
| Success Rate | 46% | 12% | 18% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program's total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$16,425,350 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Delinquent Revenue Collected | \$28,025,053 | \$28,885,715 | \$28,301,091 | \$27,608,599 | \$26,943,729 | \$27,593,147 |
| Year-over-Year Percent Change | -6.7% | 3.1% | -2.0% | -2.4% | -2.4% | 2.4% |

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Ventura and Superior Court of Ventura County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017 and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

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County of Yolo and Superior Court of Yolo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|--|---|
| County Population¹: 221,270 | Nondelinquent Revenue: \$217,181 |
| Authorized Judges/Commissioners²: 11/0.4 | Delinquent Revenue Collected: \$5,893,714 |
| Combined Gross Recovery Rate³: 15% | Total Amount Discharged: \$201,933 |
| Combined Success Rate³: 8% | Total Amount Adjusted⁴: \$5,566,456 |
| | Ending Balance⁵: \$66,633,523 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Yolo County and the County of Yolo. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 23 of the 25 recommended collections best practices, with the following best practices not currently being met: 2 and 4 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$5,893,714 in revenue from 35,516 cases.
- The total number of delinquent cases established, referred, or transferred is 53,347; of these, 15,174 are newly established.
- The administrative cost to collect the debt was \$817,348.
- The ending balance of \$66,633,523 represents 44,275 cases with outstanding delinquent court-ordered debt.

According to the Yolo collection program, the case management system is not designed to separately report the payments collected by the court for the categories of telephone contact, written notice, and lobby/counter. All payments received, as a result of those collection activities, are reported within Category 3 (lobby/counter). The case management system is also not designed to separately report the payments collected by the private agency for the categories of skip tracing or wage/bank garnishments and liens. All payments received, as a result of those collection activities, are reported within Category 8 (private agency). In addition, delinquent court-ordered debt newly transferred from the Court to the private agency contains debt

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Yolo and Superior Court of Yolo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

previously reported in the court’s beginning balance; hence, the beginning balance for the court has been reduced by the amount of debt recently transferred to the private agency. The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$85,885 | \$131,296 |
| | Delinquent gross revenue collected | \$348,429 | \$5,545,285 |
| Item 2 | Number of cases associated with nondelinquent collections | 505 | 740 |
| | Number of cases associated with delinquent collections | 3,839 | 31,677 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$1,249,514 | \$4,316,942 |
| | Debt discharged from accountability | - | \$201,933 |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s *Collections Reporting Template*, under Penal Code section 1463.010.

County of Yolo and Superior Court of Yolo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | - | - |
| Category 2: Written notice(s) | - | - | - |
| Category 3: Lobby/counter | \$5,910,591 | 18,184 | \$402,125 |
| Category 4: Skip tracing | - | - | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | - | - | - |
| Category 6: FTB-IIC (Interagency Collection Program) | \$968,815 | 2,406 | \$159,722 |
| Category 7: Driver's license hold/suspension for failure to appear | \$6,272 | 9 | \$427 |
| Category 8: Private debt collectors | \$1,311,744 | 2,311 | \$216,258 |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$8,197,422 | 22,910 | \$778,532 |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above and a total of 18,439 individuals associated with those cases.

The new reporting requirements under Government Code 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's collection of delinquent fines declined over the prior year because their case management system is not able to report the separate collections categories of current vs. prior period inventory. The payments and adjustments on all delinquent debt, whether the case was

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County of Yolo and Superior Court of Yolo County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

newly established or from prior period inventory, is being reported in the category for prior period inventory. The program’s GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 7% | 18% | 15% |
| Success Rate | 2% | 11% | 8% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. As authorized by Government Code sections 25257 through 25259.95, the program discharged delinquent cases deemed uncollectible, with a total value of \$201,933 for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$6,188,595 | \$6,229,260 | \$6,094,828 | \$6,072,003 | \$8,278,627 | \$5,893,714 |
| Year-over-Year Percent Change | -9.6% | 0.7% | -2.2% | -0.4% | 36.3% | -28.8% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Yuba and Superior Court of Yuba County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| | |
|---|---|
| County Population¹: 74,727 | Nondelinquent Revenue: \$4,431,185 |
| Authorized Judges/Commissioners²: 5/0.3 | Delinquent Revenue Collected: \$2,301,528 |
| Combined Gross Recovery Rate³: 8% | Total Amount Discharged: \$0 |
| Combined Success Rate³: 6% | Total Amount Adjusted⁴: \$443,318 |
| | Ending Balance⁵: \$33,204,259 |

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Yuba County and the County of Yuba. The court and county have a written Memorandum of Understanding (MOU) for their collections program. This report also includes additional or revised collections information, as required under [Government Code section 68514](#), that was unavailable for inclusion in the report submitted to the Legislature in October 2018.⁶ The program includes the following activities as reported in the *Collections Reporting Template*:

- An MOU with the Superior Court of Shasta County to provide collections services as part of an Intrabranh Collections Services Program;
- Contracts with the Franchise Tax Board’s Court-Ordered Debt (FTB-COD) and Interagency Intercept Collections (FTB-IIC) programs;
- Contracts with a private debt collector;
- Meets 24 of the 25 recommended collections best practices, with the following best practice not currently being met: 4 (see Attachment 3); and
- Engages 14 of the 16 collection activity components.

Performance

Based on the financial data reported, the program collected the following:

- The program collected a combined total of \$2,301,528 in revenue from 6,959 cases.
- The total number of delinquent cases established, referred, or transferred is 38,259; of these, 1,562 are newly established.
- The administrative cost to collect the debt was \$626,386.
- The ending balance of \$33,204,259 represents 24,809 cases with outstanding delinquent court-ordered debt.

According to the Yuba collection program, not all data in the Contact & Other Information section is provided as the case management system is unable to provide the information at this time. On the Annual Financial Report section, the program was unable to break down payment information on current vs. prior period cases with their current system; therefore, all collections for private agency and intrabranh program are provided. The program’s IT department is working with the case management system to obtain access to this data. The program’s current

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County of Yuba and Superior Court of Yuba County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

case management system does not track payment plans, so they have no way to complete some of the missing data. In addition, they were able to ascertain a rough estimate the number of cases only, and not the value for the current period.

The court is unable to provide all of the required collections data at this time due to CMS reporting limitations. They are working with IT, the CMS vendor, and department supervisors to not only improve the ability to capture this information but to put into practice procedures that will create an avenue for the data to be captured. Although the court have provided a majority of the data, the sources of the collections activity (phone contact, statements, etc.) are beyond their reporting capabilities—even with improved processes put into place. In addition, an error occurred with their CMS that wiped out all collections status in October of last year and their normal reporting capabilities have been limited. The court is not able to separate adjustments or account values for nondelinquent and delinquent cases. Any additional blank cells are due to CMS limitations.

The following table captures collections information in response to Items 1, 2, 3, and 8 of Government Code section 68514.

| Government Code Section 68514 Data Elements | | Current Period | Prior Periods |
|---|--|----------------|---------------|
| Item 1 | Total nondelinquent gross revenue collected | \$2,227,211 | \$2,203,974 |
| | Delinquent gross revenue collected | \$1,762,320 | \$539,207 |
| Item 2 | Number of cases associated with nondelinquent collections | - | - |
| | Number of cases associated with delinquent collections | 5,410 | 1,549 |
| Item 3 | Court-ordered adjustment (satisfied by means other than payment) | \$325,254 | \$118,064 |
| | Debt discharged from accountability | - | - |
| Item 8 | Percentage of debt defaulted on* | - | - |

* Using the cases that are on installment agreements as the measurement, the percent is calculated by dividing the total default balance by the total value of cases.

The table below lists data related to the collections activities used by the programs pursuant to [Penal Code section 1463.007](#) (responsive to Item 4 of Gov. Code, § 68514), including the amount collected, number of cases, and administrative costs by activity in response to Items 5, 6, and 7 of Government Code section 68514.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

County of Yuba and Superior Court of Yuba County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

| Category Description | Item 5: Item Amount Collected by Activity | Item 6: Number of Cases by Activity | Item 7: Administrative Cost |
|--|---|-------------------------------------|-----------------------------|
| Category 1: Telephone contact | - | 2,353 | - |
| Category 2: Written notice(s) | - | 2,840 | - |
| Category 3: Lobby/counter | - | - | - |
| Category 4: Skip tracing | - | 3,295 | - |
| Category 5: FTB-COD (Court-Ordered Debt Program) | \$209,204 | 972 | - |
| Category 6: FTB-IIC (Interagency Collection Program) | \$255,196 | 12,256 | - |
| Category 7: Driver's license hold/suspension for failure to appear | - | - | - |
| Category 8: Private debt collectors | \$13,721 | 567 | - |
| Category 9: Wage/bank garnishments and liens | - | - | - |
| Total: | \$478,121 | 22,283 | - |

* On the two tables above, a dash (-) represents data that is currently unavailable and cannot be provided by the program.

As outlined in Government Code section 68514(a)(6), the program reported the total number of cases by collection activity in the table above, but the number of individuals associated with those cases is currently unavailable.

The new reporting requirements under Government Code section 68514(b) impacted the Gross Recovery Rate (GRR) and Success Rate (SR) calculations. As revised, the GRR and SR calculations for both current and prior periods include the gross revenue collected, adjusted, and discharged divided by the value of cases (value of debt established, referred, or transferred) for that period only.

Previously, each metric calculated the total gross revenue collected, adjusted, and discharged in the reporting period regardless of when the debt was established, divided by only the current period value of debt established, referred, or transferred. This resulted in overstated collection rates. Therefore, the program's performance for this reporting period cannot be compared to previous years. The individual calculations provide a more valid collections rate by period, demonstrated by the significantly lower rate for prior periods, which includes long-standing, hard to collect debt.⁵

The program's GRR and SR is 104%. The program believes this to be overstated due to their inability to provide adjustments because of current limitations with their case management

This report contains information jointly reported by the court and county in the Judicial Council's *Collections Reporting Template*, under Penal Code section 1463.010.

County of Yuba and Superior Court of Yuba County Collections Program
Summary of Fiscal Year 2017–18 Collections Reporting Template

system. At this time, the program was not able to ascertain the number and value of cases established in the current period. The program’s GRR and SR by period are as follows:

| Metric | Current Period | Prior Periods | Combined Total |
|---------------------|----------------|---------------|----------------|
| Gross Recovery Rate | 104% | 2% | 8% |
| Success Rate | 104% | 2% | 6% |

Note: The benchmarks for GRR of 34 percent and SR of 31 percent were established in 2009 and may need to be revisited based on the new criteria in Government Code section 68514.

The table below shows the program’s total delinquent revenue collected and the percentage increase or decrease from year to year for the past six fiscal years. The program did not discharge delinquent debt from accountability for the reporting period.

| | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
|-------------------------------|-------------|-----------|-------------|-------------|-------------|-------------|
| Delinquent Revenue Collected | \$3,212,162 | \$906,142 | \$2,729,257 | \$2,222,039 | \$1,102,280 | \$2,301,528 |
| Year-over-Year Percent Change | -4.9% | -71.8% | 201.2% | -18.6% | -50.4% | 108.8% |

Endnotes:

¹ Population data from State of California, Department of Finance, E-1 State and County Population Estimates, January 1, 2017, and 2018.

² Excludes unfunded judgeships authorized under AB 159 (Stats. 2007, ch. 722). Positions as of June 30, 2018.

³ The GRR and SR calculations for the current and prior periods include the amount collected, adjusted, and discharged, and the related value of debt established, referred, or transferred for that period only.

⁴ An adjustment is defined as any change in the total amount of debt due after the initial determination of the amount of outstanding delinquent debt. Noncash adjustments include the suspension or dismissal of all or a portion of a bail or fine amount, alternative payments such as community service in lieu of a fine, and amounts discharged from accountability. Cash adjustments include fees added for payment by insufficient funds checks, or a correction to the initial assessment amount.

⁵ Ending Balance is the value of outstanding delinquent fines, fees, forfeitures, penalties, and assessments, and may include victim restitution and other justice related reimbursements if the reporting program could not separate those balances.

⁶ The full report on the *Revenue Collected for 2017–18, as Required by Government Code Section 68514* is available at www.courts.ca.gov/7466.htm.

This report contains information jointly reported by the court and county in the Judicial Council’s Collections Reporting Template, under Penal Code section 1463.010.

Instructions for Completing the Collections Reporting Template

1. About the Collections Reporting Template

Under Penal Code section [1463.010](#), each superior court and county shall jointly submit information to the Judicial Council in a reporting template on or before September 1, on an annual basis. The Judicial Council is required to review the effectiveness of the cooperative superior court and county collection programs and report to the Legislature about which court or county is following best practices, the performance of each collection program, and any changes to improve performance of collection programs on a statewide basis.

Effective June 27, 2017, Assembly Bill 103 (Stats. 2017, ch. 17) added section [68514](#) to the Government Code requiring the Judicial Council to annually report on revenue collections from criminal fines and fees related to infractions and misdemeanors for each court and county, beginning October 1, 2018. These new data elements are in addition to the information reported annually on the Collections Reporting Template (CRT).

The following worksheets have been revised to include the data elements required by GC68514 and must be completed and submitted by the dates indicated below to the Judicial Council as part of the CRT:

- Contact and Other Information
- Program Report
- Performance Report
- Annual Financial Report

2. Due Date

The Collections Reporting Template is due annually on or before September 1, for information required under Penal Code section 1463.010.

To the extent possible, submit data in response to Items 1 to 8 of GC68514 on or before July 16. As necessary, any revised or additional data related to GC68514 may be included in the September CRT, with an explanation in the Performance Report. The Judicial Council will submit a GC68514 supplemental report to the Legislature in December.

3. Reporting Period

The Collections Reporting Template should be completed for the period of July 1 through June 30.

4. What Should Be Reported

The following should be reported in the Collections Reporting Template:

- All delinquent court-ordered fines, fees, forfeitures, penalties, and assessments, victim restitution, and other criminal justice reimbursements imposed by law or court order in criminal (infraction, misdemeanor, and felony) cases, including juvenile delinquency cases.

- All revenues generated by each collection program (e.g., court, county, private agency, Franchise Tax Board (FTB), intra-branch, or other program) and the number of cases associated with those collections.
- All revenues generated from non-delinquent cases and the number of cases associated with those collections.
- All court-ordered debt due to the state, county, city, local government entities, and other parties for which the court or county is collecting either directly or through a collection agency, the Franchise Tax Board, or Intra-branch program.
- The value and number of new cases established, referred, and/or transferred during the reporting period, as well as the ending value and number of cases from prior period inventory.

Fees collected in non-criminal cases (e.g., civil, probate, family, mental health, and juvenile dependency) should not be reported in the template.

5. **Worksheet 1: Contact and Other Information**

This worksheet captures contact information and data in response to Items 4, 5, 6, and 7 of the reporting requirements under Government Code 68514 (highlighted in green). Required data corresponding to Items 1, 2 and 8 is captured in the Annual Financial Report. Refer to sections that follow for instructions on how to complete the Contact and Other Information worksheet.

Penal Code section [1463.007](#) requires that each program engage 10 of 16 collections activities. The collections program may collectively meet the requirement. For purposes of this report, the collection activities were grouped into nine (9) categories. (See the Category Key).

The **Category** column identifies the number assigned to each activity. Each activity utilized in the collection of delinquent court-ordered debt should be reported by Category. See the Categories tab for a non-exhaustive list of tasks/activities.

Item 4: In this column, check each activity that is met by the collections program (e.g., court, county, private agency, FTB, and intra-branch program). This complies with the reporting requirement for a description of the collection activities used pursuant to Section 1463.007 of the Penal Code.

Item 5: In this column, for each case, track and record payment(s) received per collection activity and report the total amount collected in the corresponding Category at the end of the fiscal year.

NOTE: The total in Item 5, Row 22, should reconcile with the Gross Revenue Collected, Column Z, Row 26, of the Annual Financial Report.

Item 6: For purposes of this report, item 6 is interpreted as requesting information on each case plus a unique person (one individual).

In Column Item 6a, track and record each case by activity that the program engages (utilizes) as part of the collection effort and report the total number of cases by Category at the end of the fiscal year.

In Column Item 6b, track and record one (1) individual in Category 3 regardless of the number of associated case(s) in 6a, and report the total number of individuals at the end of the fiscal year.

NOTE: Since a program may utilize one or more of the 16 activities during the collections process, the number of cases by activity in 6a will always be greater than the associated number of individuals reported in 6b.

Item 7: In this column, for each case, track and record total administrative costs per collection activity and report total costs in the corresponding Category, as a negative (-) entry, at the end of the fiscal year.

For purposes of this report, administrative cost is interpreted to mean “operating costs” as defined in the [Guidelines and Standards for Cost Recovery](#). Operating costs should be calculated and recovered using the *Guidelines* approved methodologies.

NOTE: The total in Row 22, Item 7, must reconcile with Cost of Collections, Column AA, Row 26, of the Annual Financial Report.

**Wondering how to report data on CRT?
See Step-by-Step Process on page 13**

6. Worksheet 2: Program Report

Programs should provide a description of any changes to collections during the reporting period, including a description of the extent to which Judicial Council–approved Collections Best Practices are being met and any obstacles or problems that prevent the program from meeting the best practices. In the bottom section, indicate areas (by checkmark) in which training, assistance, or additional information is necessary. If additional space is required, please submit the information as an attachment in Microsoft Word format.

7. Worksheet 3: Performance Report

Programs should provide a summary of the collection program’s performance during the reporting period, including the extent of the program’s reporting capabilities in terms of providing the new information required by GC68514. If data cannot be provided at this time or if the reported data differs from these Instructions, please describe the submitted data and any plans for providing this information in the future.

If additional space is required, please submit the information as an attachment in Microsoft Word format.

8. Worksheet 4: Annual Financial Report

The Annual Financial Report worksheet captures the total revenue collected and the number of cases associated with those collections, court-ordered adjustments, discharged debt, and cost of collections. Data in response to Items 1, 2, 3 and 8 of the reporting requirements under GC68514 are captured in this worksheet.

NOTE: this worksheet is protected and data entry is permitted only in unshaded cells. Refer to sections that follow for instructions on how to complete the Annual Financial Report worksheet.

CURRENT PERIOD: Fines, Fees, Forfeitures, Penalties, and Assessments

For each collections program, (e.g., court, county, private agency, FTB, or an intra-branch program) enter all transactions on newly established, referred, or transferred cases that occurred during the reporting period.

- In row 3, report only non-delinquent gross revenue collected (e.g., traffic bail forfeitures, forthwith payments, accounts receivable, and payment plans for non-delinquent debt) and the number of cases associated with those collections.
- In rows 4–8, report the number and value of cases newly established, referred, and/or transferred during the reporting period, gross revenue collected and the number of cases associated with those collections, cost of collections, adjustments, or discharges posted during the reporting period on delinquent cases only.
- In row 9, enter amounts that cannot be broken out or attributed to a single collection program. These amounts would include revenue collected by the Franchise Tax Board’s Interagency Intercept Collection (FTB-IIC) program or the Department of Motor Vehicles.

Column B: Number of Cases Established/ Referred/ Transferred

Enter the total net number of new cases established, referred, or transferred to each respective collection program within the reporting period. Cases that were previously established, but never referred or transferred to collections, are considered new cases and should be reported in Col. B.

Example: If an individual has two delinquent cases: Case 1 is a DUI. Case 2 includes two Vehicle Code violations, two (2) cases are reported in Col. B regardless of the number of violations.

For cases that are “bundled” into one case for referral to a collections program (i.e., the Franchise Tax Board), only one (1) case should be reported in Col. B.

Column C: Value of Cases Established/ Referred/ Transferred

Enter the total net value of cases identified in Col. B that were *newly* established, referred, or transferred during the reporting period. Debt balances transferred or returned from one collection program to another should be included in Col. C. Debt established or referred to a program in prior reporting periods should be excluded, and reported in Col. N.

Column D: Number of Cases with Payment(s) Received

Enter the number of cases with payment(s) received (including payment(s) on an installment agreement) during the reporting period that are directly associated with the total delinquent revenues reported in Col. E. In row 3, include the number of cases associated with non-delinquent collections reported in Col. E.

NOTE: The number of cases with payments received (Col. D) cannot not be greater than the number of cases reported in Col. B.

Using example above: If at the end of the reporting period six installment payments are received on Case 1 and three on Case 2, the number of cases reported in Column D is two (2), regardless of the number of payments received.

Column E: Gross Revenue Collected

Enter the total amount of delinquent revenue collected by each collections program during the reporting period, including payment(s) from an accounts receivable or installment payment plan. As noted above, in row 3 include non-delinquent traffic bail forfeitures, forthwith payments, accounts receivable, and current payment plans.

Column F: Cost of Collections

Enter as a negative number the cost of collections allowable for recovery under Penal Code section 1463.007.

Column G: Adjustments

Enter the total dollar value of court-ordered debt satisfied by other means through an alternative sentence or non-cash adjustment that decreases or increases the outstanding debt amount. This includes court-ordered adjustments, such as suspensions and dismissals, and alternative payments such as community service or post sentence service of time in custody in lieu of fine, or other non-cash adjustments that occurred during the reporting period.

This total should be entered as a positive number if the net effect is to reduce the amount of debt outstanding or a negative (–) number if the net effect is to increase the amount of debt outstanding. For example, charges for a bad check would be entered as a negative (–) dollar amount, as this would increase the amount of debt outstanding.

Note: Data reported in Column G will be used to comply with Item 3 of GC68514, which requires data on the total amount of fines and fees dismissed, discharged, or satisfied by means other than payment.

Column H: Discharge from Accountability

Enter the total dollar value of discharged accounts, under Government Code sections 25257 through sections 25259.95 for newly established, referred, or transferred cases, which occurred during the reporting period. This should be entered as a positive number as the net effect is to reduce the amount of debt outstanding.

For example, if a \$600 debt being collected by the county is discharged, +\$600 would be entered in Col. H, row 5.

Column I: Change in Value

Column I is formula driven, no data entry required. The formula calculates the change in value of transactions reported in columns C, E, G and H, as follows: (Column I= C- E-G-H).

Column J: Value of Cases on Installment Agreements

In Column J, enter the value of all delinquent cases set-up on an installment agreement, by the court or collecting entity, for installment payment(s) on *newly* established delinquent court-ordered debt.

Column K: Default Balance Installment Agreements

In Column K, enter the balance of all delinquent cases set-up on an installment agreement where individual did not fulfill their payment obligation, (i.e., payment(s) have not been received as promised and the plan was not reinstated at the end of the fiscal year). Include only the value of installment plans where the individual failed to comply with the terms of the installment agreement.

A delinquent case that is set-up on an installment payment plan as part of the collections process is considered “*defaulted on*” if the individual fails to fulfill his/her payment obligation, per the terms of the agreement. The default balance should not include the unpaid balance of cases set-up on installment plans that are “current”, (i.e., installment payment(s) have been made according to the agreement terms.)

Column L: Percentage of Debt Defaulted On (Installment Agreements)

Column L is formula-driven, no data entry required. The formula calculates the percentage of court-ordered debt *defaulted on* by dividing the default balance by the original case value set-up on an installment agreement. (Col. K / Col. J)

**PRIOR PERIODS INVENTORY:
Fines, Fees, Forfeitures, Penalties, and Assessments**

In response to the new reporting requirement, the Annual Financial Report was revised to capture data by Current Period, Prior Periods Inventory, and Combined total.

Data reported in the Prior Periods Inventory will be used to comply with subdivision (b) of GC68514, which requires a section that lists information on fines and fees assessed in a year prior to the current reporting year that had outstanding balances in the current reporting year.

For each collections program, (e.g., court, county, private agency, FTB, or an intra-branch program), enter all transactions that occurred during the reporting period, as follows:

- In row 11 report only non-delinquent gross revenue collected from cases in inventory (e.g., traffic bail forfeitures, forthwith payments, accounts receivable, and payment plans for non-delinquent debt).
- In rows 12–16, report the number and value of cases referred or transferred, gross revenue collected, cost of collections, adjustments, and discharges from accountability on ALL cases in inventory.
- In row 17, enter amounts that cannot be broken out or attributed to a single collection program. These amounts would include revenue collected by the Franchise Tax Board’s Interagency Intercept Collection (FTB-IIC) program or the Department of Motor Vehicles.

Column M: Number of Cases Referred/Transferred (Ending Balance from Prior Year)

Enter the total number of cases referred or transferred to/from each respective collection program in prior reporting periods. Cases that were previously established, but never referred or transferred to collections, are considered *new* cases and should be reported in Col. B. This number should be the same as the ending number of cases reported in the prior year. Any variance should be reported and explained in the Performance Report worksheet.

Column N: Value of Cases Referred/Transferred (Ending Balance from Prior Year)

Enter the total net value of cases identified in Col. M that were referred or transferred in prior reporting periods. Debt balances transferred or returned from one collection program to another during the reporting period should be included in column N. This value represents the ending balance reported at the end of the prior reporting period. Any variance should be reported and explained in the Performance Report worksheet.

Column O: Number of Cases with Payment(s) Received

In row 11, include the number of cases associated with non-delinquent collections reported in Col. P. In rows 12-16, enter the number of cases with payments received (including cases on installment plans) during the reporting period from previously referred or transferred cases, which are associated with the gross revenue collected in Col. P.

NOTE: Data reported in Col. O will be used to comply with Items 1 and 2 of GC68514, which requires the number of cases associated with total non-delinquent and delinquent revenues collected.

Column P: Gross Revenue Collected During the Period

As noted above, in row 11, include non-delinquent traffic bail forfeitures, forthwith payments, accounts receivable, and current payment plans. In rows 12-16, enter the total amount of delinquent revenue collected, during the reporting period by each collection program from previously established, referred, or transferred cases.

Column Q: Cost of Collections

Enter as a negative number the cost of collections (operating costs) allowable for recovery under Penal Code section 1463.007.

Column R: Adjustments

Enter the total dollar value of court-ordered debt satisfied by other means through an alternative sentence or non-cash adjustment that decreases or increases the amount outstanding for individual debt item. This includes court-ordered adjustments, such as suspensions and dismissals, and alternative payments such as community service or post sentence service of time in custody in lieu of fine, or other non-cash adjustments that occurred during the reporting period.

This total should be entered as a positive number if the net effect is to reduce the amount of debt outstanding or a negative (–) number if the net effect is to increase the amount of debt outstanding. For example, charges for a bad check would be entered as a negative (–) dollar amount, as this would increase the amount of debt outstanding.

Column S: Discharge from Accountability

Enter the total dollar value of discharged accounts, under Government Code sections 25257 through sections 25259.95 for previously established, referred or transferred cases, which occurred during the reporting period. This should be entered as a positive number as the net effect is to reduce the amount of debt outstanding.

For example, if a \$600 debt being collected by the county is discharged, +\$600 would be entered in column S, row 13.

Column T: Change in value is formula driven, no data entry required. The formula calculates the change in value of transactions reported in columns N, P, R, S, as follows: (Column T= N- P- R - S).

Column U: Value of Cases on Installment Agmt. (Ending Balance from Prior Year)

Enter the value carried over from the prior year for all cases on an installment agreement that were defaulted on, (i.e., payment(s) were not received as promised and the plan was not reinstated at the end of the fiscal year). The value carried over should not include the unpaid balance of cases set-up on installment plans that are “current”, (i.e., installment payment(s) have been received according to the agreement terms.)

Column V: Default Balance Installment Agreement

Enter the default balance from all delinquent cases on an installment agreements carried over from the prior year with no payment(s) received in the reporting period.

Column W: Percentage of Debt Defaulted On (Installment Agreements)

Column W is formula-driven, no separate calculation or data entry required. The formula calculates the percentage of court-ordered debt *defaulted on* by dividing the default balance by the value carried-over from prior year. (Col. V / Col. U)

COMBINED: Beginning and Ending Balance Fines, Fees, Forfeitures, Penalties, and Assessments

The Combined Beginning and Ending Balances section includes the number and value of ALL cases; new and previously established. Except for Columns AE and AF, information from the Current and Prior Periods Inventory sections is captured by formula for each program, no separate calculation or entry is required.

Column X, Number of Cases—Beginning Balance

Column X calculates the total number of cases (new and inventory) at the beginning of the period. (Col. B + Col. M)

Column Y, Value of Cases—Beginning Balance

Column Y calculates the total value of cases (new and inventory) at the beginning of the period. (Col. C + Col. N)

Column Z: Gross Revenue Collected

Column Z calculates all payments received towards the satisfaction of delinquent court-ordered debt. (Col. E + P)

Column AA: Cost of Collections

Column AA calculates the combined total cost of collections which, pursuant to PC 1463.007, is allowable to offset revenue prior to distribution to other governmental entities. Cost of collections should be reported as a negative (-) number unless posting a reversal. (Col. F + Col. Q)

Columns AB: Adjustments

Column AB calculates the total amounts satisfied by other means through an alternative sentence or non-cash adjustment that decreased or increased the amount outstanding for individual debt items (Col. G + Col. R)

Column AC: Discharge from Accountability

Column AC calculates the total amount of debt deemed uncollectible that was discharged during the reporting period, per Government Code section 25257-25259.95 (Col. H + Col. S)

Column AD: Change in Value

Column AD calculates the value of transactions in columns Z, AB and AC
=SUM (Z + AB + AC)

Column AE: Number of Cases—Ending Balance

Enter the total number of cases at the end of the reporting period for each program.

Column AF, Value of Cases—Ending Balance

Enter the total net value of cases at the end of the reporting period for each program. The value of cases at end of period (Col. AF) balances to the value of cases at beginning of period

(Col. Y), minus the value reported in Column AD (which is the sum of Columns Z, AB and AC).

Column AG, Error Messages

This data field displays “Out of Balance” if the ending balance in Col.AF does not equal the beginning balance in Col. Y, minus the value of transactions reported in Col. AD.

- If the beginning balance for the County Collection Program in column Y, row 21 is \$10,000,000; and
- The gross revenue collected in Col. Z, row 21 is \$2,000,000; and
- The value of adjustments in Col. AB, row 21 is \$250,000, and
- The value of discharged debt in Col. AC, row 21 is \$250,000;
- Then the ending balance reported in Col. AF, row 21 should be \$8,500,000, because:

$$\$10,000,000 - \$2,000,000 - \$250,000 - \$250,000 = \$8, 500,000.$$

If the ending balance in Col. AF reconciles to the program’s case management and/or accounting system, but does not reconcile to the information input in columns Y, Z, AB, and AC, explain the “Error Message” in the Performance Report worksheet.

Collections Metrics for Fines, Fees, Forfeitures, Penalties, and

Columns AI, AJ and AK: Metrics

These are self-populating calculated fields and no entry is required. The numbers provide a quantitative explanation of the current, prior periods, and aggregate performance for the collection of delinquent court-ordered debt.

Victim Restitution and Other Justice-Related Reimbursements

This section was revised to combine two sections into one, the data reported is the same as the previous CRT version. This section captures the ending balances (number and value of cases) from prior year and values for the current reporting period.

In rows 29–35, enter transactions that occurred during the reporting period including restitution owed to a victim by court order under Penal Code section 1202.4(f) and other justice-related fees not reported in rows 3-9 and 11-17

Column AN: Number of Cases (Ending Balance from Prior Year)

The Ending Balance should include the number of cases of all delinquent outstanding debt (case inventory). In addition to victim restitution, debt balance may include other criminal justice-related fees not reported in rows 3-9 and 11-17.

Column AO: Value of Cases (Ending Balance from Prior Year)

The Ending Balance should include the value of cases of all delinquent outstanding debt (case inventory). In addition to victim restitution, debt balance may include other criminal justice–related fees not reported in rows 3-9 and 11-17.

Column AP: Number of Cases Established/ Referred/ Transferred in Period

Enter the total net number of newly established, referred, or transferred cases for the reporting period. Cases that were previously established, but never referred to collections, are considered *new* cases and should be reported in column AP.

Column AQ: Value of Cases Established/ Referred/ Transferred in the Reporting Period

Enter the total net value of new cases identified in Column AP that were established, referred, or transferred during the reporting period. Debt established and/or referred to a program in prior reporting periods should be included in column AO.

Column AR: Gross Revenue Collected

Enter the total amount of other justice–related fees collected by each collections program during the reporting period. As noted above, in row 29 include non-delinquent revenue collected.

Column AS: Adjustments

Enter the total dollar value of court-ordered debt satisfied by other means through an alternative sentence or non-cash adjustment that decreases or increases the amount outstanding for individual debt item. This includes court-ordered adjustments, such as suspensions and dismissals, and alternative payments such as community service or post sentence service of time in custody in lieu of fine, or other non-cash adjustments that occurred during the reporting period.

This total should be entered as a positive number if the net effect is to reduce the amount of debt outstanding or a negative (–) number if the net effect is to increase the amount of debt outstanding. For example, charges for a bad check would be entered as a negative (–) dollar amount, as this would increase the amount of debt outstanding.

Column AT: Gross Revenue Collected, Victim Restitution

Enter the total amount of restitution owed to a victim by court order under Penal Code section 1202.4(f) collected by each collections program during the reporting period. Report non-delinquent restitution collections in row 29.

Column AU: Change in Value

Column AU captures the value of column AQ less the amounts shown in columns AR, AS, and AT (this field is formula-driven, so no separate calculation or entry is required).

Column AV: Number of Cases Ending Balance

Include the number of cases of all delinquent outstanding debt (new and inventory).

Column AW: Value of Cases Ending Balance

The ending balance in column AW should equal the beginning balance in column AO plus the change in value reported in Column AU ($AU = AQ - AR - AS - AT$).

Column AX: Error Messages

These rows are blank unless errors are detected in the worksheet. If error messages are present, please correct the identified error or explain in Performance Report.

Quality Checklist

Confirm that the data reported complies with the stated specification. (See Quality Checklist Tab) For boxes left unchecked, please explain in the Program Report worksheet.

Signature Block

Print the names, dates, and job titles of as well as obtain the authorized signatures from the court representative *and* county representative on the Annual Financial Report worksheet.

9. Submitting the Completed Collections Reporting Template

- A. Print all completed worksheets in the Collections Reporting Template;
- B. Obtain the authorized court representative *and* county representative signatures;
- C. Mail the original signed report to:
Judicial Council of California
C/o Funds and Revenues Unit
2850 Gateway Oaks Drive, Suite 300
Sacramento, CA 95833
- D. E-mail all worksheets listed in section 1, in Excel format, to collections@jud.ca.gov

If You Have Questions If you have any questions about the Collections Reporting Template, please send them to collections@jud.ca.gov.

Case information: A citation is filed and court mails courtesy notice. Individual fails to appear in court or make a payment on the due date. The \$720 case, including a \$300 civil assessment, is established as delinquent. Individual fails to respond to two delinquency notices and three attempted telephone calls. Case is referred to a private vendor for collections (15% commission). Individual is located via skip tracing, agrees to an installment agreement. As signed, the individual agrees to a \$60.00, 12-month installment plan. Individual makes two installment payments during the reporting period. No activity or other payment arrangements on the record, the plan is not reinstated by collections program at year end. **At the end of the fiscal year, report data as follows on CRT:**

| Step by Step: | Worksheet: | Column/Category: | What to Input? |
|--|--|--|--|
| A citation is filed and court mails courtesy notice. | | | No entry needed. Case is not delinquent. |
| Individual fails to appear in court or make a payment on the due date. The \$720 case, including a \$300 civil assessment, is established as delinquent. | Annual Financial Report | Col. B, Row 6 Col. C, Row 6 | Report 1 Report \$720 |
| Individual fails to respond to two delinquency notices and three attempted telephone calls. In Item 6a: report one (1) in each Category regardless of the number of notices mailed or telephone calls attempted. | Contact and Other Information Sheet Annual Financial Report | Item 6a, Category 1 Item 6a, Category 2 Item 7, Category 1, 2 Column F, Row 4 | Report <u>one</u> (1) Report <u>one</u> (1) Report actual costs* Report actual costs* (Include staff salary, paper, postage, phone bill, etc.) |
| Case is referred to a private vendor for collections. (15% commission) In Item 6b: report <u>one</u> (1) in Category 3, regardless of the number of cases reported in 6a. | Contact and Other Information Sheet Annual Financial Report | Item 6a, Category 8 Item 6b, Category 3 Item 7, Category 8 Column F, Row 6 | Report one (1) Report one (1) Report -\$18 Report -\$18 |
| Individual is located via skip tracing, agrees to an installment agreement. | Contact and Other Information Sheet | | No entry needed. Skip tracing costs included in private vendor costs. |
| As signed, the individual agrees to a \$60.00, 12-month installment plan. Individual makes <u>two</u> installment payments, in the reporting period to the private vendor. | Contact and Other Information Sheet Annual Financial Report | Item 5, Category 8 Col. D, Row 6 Col. E, Row 6 Col. J, Row 6 | Report \$120 Report one (1) Report \$120 Report \$720 |
| No activity or other payment arrangements on the record, the plan is not reinstated by collections program at year end. | Annual Financial Report | Col. K, Row 6 | Report \$600 |

Collections Reporting Template Glossary

Accounts Receivable (A/R): An accounts receivable is a set of account receivables if paid in installments, pursuant to Penal Code section 1205(d) or that are not paid forthwith.

Adjustments: An adjustment is any change in the total of debt due after the initial determination of the amount of outstanding delinquent debt. Non-cash adjustments include the suspension of all or a portion of bail, fines, fees, penalties, forfeitures, or assessments. Alternative payments may include community service in lieu of a fine and post sentence service of time in custody in lieu of fine; dismissals include dismissing all or a portion of the debt. Cash adjustments include fees added for payment by an insufficient funds check (NSF) or a correction to the initial assessment amount. The imposition of a civil assessment is not considered an adjustment.

Alternative Sentence: This refers to a different option for resolving court-ordered debt, such as community service in lieu of bail or fines, designed for an individual who demonstrates an inability to pay.

Case: For the purposes of the Collections Reporting Template, a case is a set of official court documents filed in connection with an infraction, misdemeanor, or felony violation. A case may include multiple violations, but is filed as one case.

Community Service: This refers to the hours of service that are converted to a monetary value and applied to the fines, fees, forfeitures, penalties, and assessments and reduce the imposed amount.

Comprehensive Collection Program: A program that collects eligible delinquent court-ordered fines, fees, forfeitures, penalties, and assessments on infraction, misdemeanor, and felony cases, as authorized by Penal Code section 1463.007.

Continuance: A continuance is the postponement of a hearing, trial, or other scheduled court proceeding at the request of either or both parties in a court dispute, or by the judge. For purposes of the Collections Reporting Template, a continuance is the postponement, stay, or withholding of payment under certain conditions for a temporary period of time.

Cost of Collections: The costs of operating a collections program that are allowed to be offset against collected delinquent revenues prior to distribution under Penal Code section 1463.007.

County Collection Program: A collection program administered by the county.

Court Collection Program: A collection program administered by the local superior court.

Default: A default occurs when an individual fails to make a payment on the date specified by a court or as agreed to under the terms and conditions of an installment payment or accounts receivable (A/R) plan set by a court or collecting entity. For purposes of complying with GC68514, Item 8, a delinquent account that is set-up on an installment payment plan as part of the collections process is considered “defaulted on” if the individual fails to fulfill their payment obligation (i.e., payment(s) are not made as promised based on agreement terms) and the plan was not reinstated, at the end of the fiscal year.

Delinquent Account: A delinquent account results when an individual has not appeared in court as promised or has not complied with a court order for payment of fines, fees, penalties, forfeitures, and assessments. Once the debt becomes delinquent, it continues to be delinquent and may be subject to collection by a comprehensive collection program. An account is considered delinquent the day after the payment is due.

Discharged Account: An account that has been deemed uncollectible and discharged from accountability. The actual discharge is based on established criteria by an authorized body, pursuant to Government Code sections 25257–25259.95.

Dismissal: A judgment that disposes a matter in a case. For the purposes of the Collections Reporting Template, this term refers to a criminal action dropped without settling the involved issues. The initial court-ordered debt no longer exists.

Enhanced Collections: Enhanced collections are non-forthwith collection activities related to enhancing collection programs where costs are incurred and paid directly by or reimbursed by the county, and are not cost recoverable. These collections are also included in the Collections Reporting Template.

Forthwith Payments: Full payment of court-ordered fines, fees, forfeitures, penalties, and assessments on or before the due date. Installment and accounts receivable plans are not forthwith payments.

Franchise Tax Board Court-Ordered Debt (FTB-COD) Program: The Franchise Tax Board collection program authorized under Revenue and Taxation Code section 19280.

Franchise Tax Board Interagency Intercept Collections (FTB-IIC) Program: A program of the Franchise Tax Board authorized by Government Code section 12419.10(a)(1) to collect court-ordered fines, fees, forfeitures, assessments, and penalties from Franchise Tax Board refunds, unclaimed property, or California State Lottery winnings.

Gross Revenue Collected: Monies collected toward the satisfaction of a court-ordered debt by collection programs prior to any reductions.

Installment Payment: A scheduled payment agreed upon by the defendant and the court or county collection program, as established in Penal Code section 1205(d).

Intra-branch Program: An Intra-branch Program is a court or a county collection service provided under a written Memorandum of Understanding (MOU) to another court or county.

Net Revenue: Gross revenue collected less any reductions (i.e., allowable cost offsets pursuant to Penal Code section 1463.007).

Non-delinquent Collections: All non-delinquent revenue collected during the reporting period, including bail forfeitures, forthwith payments, and current payments made on accounts receivables and installment payment plans; recorded on row 3, column D of the Annual Financial Report worksheet.

Other Justice-Related Reimbursements: Monies owed to entities other than state, counties, cities, or local governments, such restitution to a victim.

“Other” Program: This refers to the “Other” row, row 9, of the Annual Financial Report worksheet and captures revenue that cannot be broken out or attributed to a single collecting entity (e.g., court, county, private agency, the FTB or an Intra-branch Program). Any amount reported on this row should be explained in the Program Report worksheet.

Penal Code section 1463.007: This statute specifies the criteria for a comprehensive collection program and allows the county and/or court to deduct, and deposit in the county treasury or trial court operations fund, the cost of operating a comprehensive collection program prior to distributing revenues to other governmental entities.

Private Agency: A private entity employed or contracted to collect court-ordered fines, fees, forfeitures, assessments, and penalties.

Referral: A referral is a newly established delinquent court-ordered debt submitted to a collection program during the reporting period.

Suspensions: Amounts that are reduced or eliminated as a result of a judicial order.

Value of Cases: The value of a case is the amount of court-ordered debt that is owed and is deemed collectible. For closed cases, the value is the sum of (gross) debt collected, dismissals, alternative payments, suspensions, and discharged accounts.

Victim Restitution: Victim restitution is an amount that is owed to a victim who incurs any economic loss as a result of a crime and that is payable directly from a defendant convicted of the crime as a condition of probation; see Penal Code section 1202.4(f). The restitution fine under Penal Code section 1202.4(b) is also court-ordered, but is not paid directly to the victim.

Attachment 2

Contact and Other Information Sheet

| | | |
|---|--------------|---|
| 1 | Court/County | Select court/county (see Contact Informa ▼) |
|---|--------------|---|

| | | |
|---|-------------------|--|
| 2 | Court Contact: | |
| | Telephone Number: | |
| | E-mail Address: | |

| | | |
|---|-------------------|--|
| 3 | County Contact: | |
| | Telephone Number: | |
| | E-mail Address: | |

| | | | |
|---|---|----|--|
| 4 | List collection agencies or programs used by order in which debt is referred: | 1. | |
| | | 2. | |
| | | 3. | |
| | | 4. | |
| | | 5. | |

| 5 | | Item 4 | Category | Item 5 | Item 6a | Item 6b | Item 7 |
|---|--|--|----------|--|-----------------------------------|---|---|
| Below is a description of the collections components (activities) authorized by Penal Code section 1463.007. As required by Government Code section 68514, for Items 4, 5, 6a, 6b and 7, input the requested information for each collection activity that the court/county program currently uses: | | Check each collections activity performed by program | | Total amount collected per collection activity | Total number of cases by activity | Total number of individuals associated with those cases | Total administrative cost per collection activity |
| 6 | a. Attempts telephone contact with delinquent debtors for whom the program has a telephone number to inform them of their delinquent status and payment options. | <input type="checkbox"/> | 1 | | | Enter data as part of Category 3, (activity c) | |
| 7 | b. Notifies delinquent debtors for whom the program has an address in writing of their outstanding obligation within 95 days of delinquency. | <input type="checkbox"/> | 2 | | | | |
| 8 | c. Generates internal monthly reports to track collections data, such as age of debt and delinquent amounts outstanding. | <input type="checkbox"/> | 3 | | | | |
| 9 | d. Uses Department of Motor Vehicles information to locate delinquent debtors. | <input type="checkbox"/> | 4 | | | | |
| 10 | e. Accepts payment of delinquent debt by credit card. | <input type="checkbox"/> | 3 | Enter data as part of Category 3, (activity c), Row 8 above. | | | |
| 11 | a. Sends delinquent debt to the Franchise Tax Board's Court-Ordered Debt Collections Program. | <input type="checkbox"/> | 5 | | | | |
| 12 | b. Sends delinquent debt to the Franchise Tax Board's Interagency Intercept Collections Program. | <input type="checkbox"/> | 6 | | | | |
| 13 | c. Initiates driver's license suspension or hold actions when appropriate for a failure to appear in court. | <input type="checkbox"/> | 7 | | | | |
| 14 | d. Contracts with one or more private debt collectors to collect delinquent debt. | <input type="checkbox"/> | 8 | | | | |
| 15 | e. Sends monthly bills or account statements to all delinquent debtors. | <input type="checkbox"/> | 2 | Enter data as part of Category 2 (activity b), Row 7 above. | | | |
| 16 | f. Contracts with local, regional, state, or national skip tracing or locator resources or services to locate delinquent debtors. | <input type="checkbox"/> | 4 | Enter data as part of Category 4, (activity d) in Row 9 above. | | | |
| 17 | g. Coordinates with the probation department to locate debtors who may be on formal or informal probation. | <input type="checkbox"/> | 4 | Enter data as part of Category 4, (activity d) in Row 9 above. | | | |
| 18 | h. Uses Employment Development Department employment and wage information to collect delinquent debt. | <input type="checkbox"/> | 4 | Enter data part of Category 4, (activity d) Row 9 above. | | | |
| 19 | i. Establishes wage and bank account garnishments where appropriate. | <input type="checkbox"/> | 9 | | | | |
| 20 | j. Places liens on real property owned by delinquent debtors when appropriate. | <input type="checkbox"/> | 9 | Enter data as part of Category 9, (activity i) Row 19 above. | | | |
| 21 | k. Uses an automated dialer or automatic call distribution system to manage telephone calls. | <input type="checkbox"/> | 1 | Enter data as part of Category 1, (activity a) Row 6 above. | | | |
| 22 | TOTAL: | | | \$0 | 0 | 0 | \$0 |

| | | |
|----|---|---|
| 23 | Does the court impose a civil assessment for failure to appear on infraction cases? | ▼ |
| 24 | Does the court impose civil assessment for failure to pay on infraction cases? | ▼ |
| 25 | Does the court impose a civil assessment for failure to pay on misdemeanor cases? | ▼ |
| 26 | Does the court impose a civil assessment for failure to pay on felony cases? | ▼ |
| 27 | Does the court impose a civil assessment on any other case type? If yes, explain in the Program Report worksheet. | ▼ |
| 28 | Collection program to which the majority of delinquent debt is initially referred. | ▼ |

| Category Key: (See Category tab for task/activities list) | | |
|---|-----------------|-------------------------------------|
| 1= Telephone Contact | 4= Skip tracing | 7= DL Hold |
| 2= Written Notice(s) | 5= FTB-COD | 8= Private agency |
| 3= Lobby/counter | 6= FTB-IIC | 9= Wage/bank garnishments and Liens |

Attachment 2

Program Report

Select court/county (see Contact Information worksheet #1)

Use the space below to describe your collection program.

Collections Best Practices and identify any obstacles or problems that prevent the collections program from meeting those objectives. Of the twenty-five (25) Best Practices listed below please check those which your collection program has implemented. Provide an explanation for the best practices currently not being met, below. Also, identify any new or additional practices that have improved your collections program.

- 1. Develop plan and put in a written MOU that implements and enhances a program in which the court/county collaborate to collect court-ordered debt and
- 2. Establish and maintain a cooperative superior court and county collection committee responsible for compliance, reporting, and internal enhancements of the
- 3. Meet the components of a comprehensive collection program as required under Penal Code section 1463.007 in order that the costs of operating the program
- 4. Complete all data components in the Collections Reporting Template.
- 5. Reconcile amounts placed in collection to the supporting case management and/or accounting systems.
- 6. Retain the joint court/county collection reports and supporting documents for at least three years.
- 7. Take appropriate steps to collect court-ordered debt locally before referring it to the Franchise Tax Board for collection.
- 8. Participate in the Franchise Tax Board Court-Ordered Debt (COD) collection program.
- 9. Participate in the Franchise Tax Board Interagency Intercept Collections (IIC) program.
- 10. Establish a process for handling the discharge of accountability for uncollectible court-ordered debt.
- 11. Participate in any program that authorizes the Department of Motor Vehicles to suspend or refuse to renew drive when appropriate for a failure to appear
- 12. Conduct trials by written declaration under Vehicle Code section 40903 and, as appropriate in the context of such trials, impose a civil assessment.
- 13. Implement a civil assessment program and follow the Criteria for a Successful Civil Assessment Program.
- 14. Evaluate the effectiveness and efficiency of external collection agencies or companies to which court-ordered debt is referred for collection.
- 15. Accept payments via credit and debit card.
- 16. Accept payments via the Internet.
- 17. Include in a collection program all court-ordered debt and monies owed to the court under a court order.
- 18. Include financial screening to assess each individual's ability to pay prior to processing installment payment plans and account receivables.
- 19. Charge fees as authorized by Penal Code section 1202.4(l).
- 20. Charge fees as authorized by Penal Code section 1205(e).
- 21. Use restitution rebate, as authorized by Government Code section 13963(f), to further efforts for the collection of funds owed to the Restitution Fund.
- 22. Participate in the statewide master agreement for collection services or renegotiate existing contracts, where feasible, to ensure appropriate levels of service
- 23. Require private vendors to remit the gross amount collected as agreed and submit invoices for commission fees to the court or county on a monthly basis.
- 24. Use collection terminology (as established in the glossary, instructions, or other documents approved for use by courts and counties) for the development
- 25. Require private vendors to complete the components of the Collections Reporting Template that corresponds to their collection programs.

Please identify areas in collections or distribution (check all that apply) in which program staff would like to receive training, assistance, or additional information.

- | | | |
|---|--|---|
| <input type="checkbox"/> Civil Assessment | <input type="checkbox"/> Revenue Distribution | <input type="checkbox"/> Private Collection Vendor |
| <input type="checkbox"/> Cost Recovery | <input type="checkbox"/> Discharge from Accountability | <input type="checkbox"/> Other Collections-Related Issues |

Comments or explanations:

Attachment 2
Performance Report

Select court/county (see Contact Information worksheet #1)

Use the space below to discuss your collection program.

Please provide any comments on your Gross Recovery Rate or Success Rate for the reporting period, by Current Period, Prior Periods Inventory, and Combined.

Please explain the extent of your reporting capabilities in terms of providing the new information required by GC68514. If data cannot be provided at this time or if the reported data differs from the Instructions, please describe the submitted data and any plans for providing this information in the future.

Additional operational information about your collections program for the reporting period.

Attachment 2

Annual Financial Report

Select court/county (see Contact Information worksheet #1)

| REPORTING PERIOD | | Col. A | |
|------------------|--|-----------|--|
| 1 | Beginning Date-First day of Reporting Period | 01-Jul-17 | |
| 2 | Ending Date-Last day of Reporting Period | 30-Jun-18 | |

| CURRENT PERIOD: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS | | | | | | | | | | | | |
|---|----------------------------|---|--|--|-------------------------|---|--|--|--------------------------------------|--|--|---|
| Row | Program | Number of Cases Established/ Referred/Transferred | Value of Cases Established/ Referred/Transferred | Number of Cases with Payment(s) Received (Items 1 and 2) | Gross Revenue Collected | Cost of Collections (Penal Code 1463.007) | Adjustment: Amount satisfied by Court-ordered Suspension, Dismissal or Alternative Sentence (Item 3) | Discharge from Accountability (Item 3) | Change in Value (Col. C - E - G - H) | Value of Cases on Installment Agreement (Item 8) | Default Balance Installment Agreement (Item 8) | Percentage of Debt Defaulted On (Installment Agmt.) (Col. K / Col. J) |
| | | Col. B | Col. C | Col. D | Col. E | Col. F | Col. G | Col. H | Col. I | Col. J | Col. K | Col. L |
| 3 | Non-Delinquent Collections | | | | | | | | | | | |
| 4 | Court Collection Program | | | | | | | | | | | |
| 5 | County Collection Program | | | | | | | | | | | |
| 6 | Private Agency | | | | | | | | | | | |
| 7 | FTB Court-Ordered Debt | | | | | | | | | | | |
| 8 | Intra-Branch Program | | | | | | | | | | | |
| 9 | Other | | | | | | | | | | | |
| 10 | Sub-total Delinquent | | | | | | | | | | | |

| PRIOR PERIODS INVENTORY: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS | | | | | | | | | | | | |
|--|----------------------------|---|--|--|-------------------------|---|---|-------------------------------|--------------------------------------|--|---------------------------------------|---|
| Row | Program | Number of Cases Referred/Transferred (Ending Balance from Prior Year) | Value of Cases Referred/Transferred (Ending Balance from Prior Year) | Number of Cases with Payment(s) Received | Gross Revenue Collected | Cost of Collections (Penal Code 1463.007) | Adjustment: Amount satisfied by Court-ordered Suspension, Dismissal or Alternative Sentence | Discharge from Accountability | Change in Value (Col. N - P - R - S) | Value of Cases on Installment Agmt. (Ending Balance from Prior Year) | Default Balance Installment Agreement | Percentage of Debt Defaulted On (Installment Agmt.) (Col. V / Col. U) |
| | | Col. M | Col. N | Col. O | Col. P | Col. Q | Col. R | Col. S | Col. T | Col. U | Col. V | Col. W |
| 11 | Non-Delinquent Collections | | | | | | | | | | | |
| 12 | Court Collection Program | | | | | | | | | | | |
| 13 | County Collection Program | | | | | | | | | | | |
| 14 | Private Agency | | | | | | | | | | | |
| 15 | FTB Court-Ordered Debt | | | | | | | | | | | |
| 16 | Intra-Branch Program | | | | | | | | | | | |
| 17 | Other | | | | | | | | | | | |
| 18 | Sub-total Delinquent | | | | | | | | | | | |

| COMBINED: BEGINNING AND ENDING BALANCES; FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS | | | | | | | | | | | | |
|--|----------------------------|-----------------------------------|----------------------------------|-------------------------|---|-------------|-------------------------------|-----------------|----------------------------------|-------------------------------|----------------|--|
| Row | Program | Number of Cases Beginning Balance | Value of Cases Beginning Balance | Gross Revenue Collected | Cost of Collections (Penal Code 1463.007) | Adjustments | Discharge from Accountability | Change in Value | Number of Cases - Ending Balance | Value of Cases-Ending Balance | Error Messages | |
| | | Col. X | Col. Y | Col. Z | Col. AA | Col. AB | Col. AC | Col. AD | Col. AE | Col. AF | Col. AG | |
| 19 | Non-Delinquent Collections | | | | | | | | | | | |
| 20 | Court Collection Program | | | | | | | | | | | |
| 21 | County Collection Program | | | | | | | | | | | |
| 22 | Private Agency | | | | | | | | | | | |
| 23 | FTB Court-Ordered Debt | | | | | | | | | | | |
| 24 | Intra-Branch Program | | | | | | | | | | | |
| 25 | Other | | | | | | | | | | | |
| 26 | Total Delinquent | | | | | | | | | | | |

| COLLECTIONS METRICS FOR FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS | | | | | | | | | | | | |
|---|---------------------|----------------|-----------------|----------|--|---|--|--|--|--|--|--|
| Row | Metric | Current Period | Prior Inventory | Combined | Formula | Definition | | | | | | |
| | Col. AH | Col. AI | Col. AJ | Col. AK | Col. AL | Col. AM | | | | | | |
| 27 | Gross Recovery Rate | | | | (Collections + Adjustments + Discharges) / Referrals | Measures a collection program's ability to resolve delinquent court-ordered debt, including alternative sentences, community service, suspended sentences and discharges. | | | | | | |
| 28 | Success Rate | | | | Collections / (Referrals - Adjustments - Discharges) | Measures the amount of revenue collected on delinquent court-ordered debt based on total delinquent accounts referred after adjustments and discharges, including NSF checks. | | | | | | |

| VICTIM RESTITUTION AND OTHER JUSTICE RELATED REIMBURSEMENTS | | | | | | | | | | | | |
|---|----------------------------|--|---|--|---|-------------------------|-------------|---|-----------------|----------------------------------|---------------------------------|----------------|
| Row | Program | Number of Cases - (Ending Balance from Prior Year) | Value of Cases - (Ending Balance from Prior Year) | Number of Cases Established/ Referred/ Transferred in Period | Value of Cases Established/ Referred/ Transferred in Period | Gross Revenue Collected | Adjustments | Gross Revenue Collected: Victim Restitution (PC1202.4 (f)) Only | Change in Value | Number of Cases - Ending Balance | Value of Cases - Ending Balance | Error Messages |
| | | Col. AN | Col. AO | Col. AP | Col. AQ | Col. AR | Col. AS | Col. AT | Col. AU | Col. AV | Col. AW | Col. AX |
| 29 | Non-Delinquent Collections | | | | | | | | | | | |
| 30 | Court Collection Program | | | | | | | | 0 | | | |
| 31 | County Collection Program | | | | | | | | 0 | | | |
| 32 | Private Agency | | | | | | | | 0 | | | |
| 33 | FTB Court-Ordered Debt | | | | | | | | 0 | | | |
| 34 | Intra-branch Program | | | | | | | | 0 | | | |
| 35 | Other | | | | | | | | 0 | | | |
| 36 | Total Delinquent | | | | | | | | | | | |

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| Reviewed by Court | | | | Reviewed by County | | | |
| Printed Name _____ | | | | Printed Name _____ | | | |
| Signature _____ | | | | Signature _____ | | | |
| Date _____ | | | | Date _____ | | | |
| Title (Court Executive or Presiding Judge) | | | | Title (County Auditor-Controller or other) | | | |

Penal Code 1463.007 Collections Activities by Category

| PC 1463.007 Collections Activity | Category | Task/Activity |
|--|--|--|
| 3a. Attempts telephone contact with delinquent debtors for whom the program has a telephone number k. Uses an automated dialer or automatic call distribution system to manage telephone calls. | 1= Telephone Contact | Outbound Call Inbound Call Dialer blast messaging |
| 3b. Notifies delinquent debtors for whom the program has an address in writing of their outstanding obligation within 95 days of delinquency. 4e. Sends monthly bills or account statements to all delinquent debtors. | 2=Written Notice(s) | Delinquent Notice (Failure to Appear, Failure to Pay, Civil Assessment) Handle all collections-related mail correspondence E-mail received Email sent |
| 3c. Generates internal monthly reports to track collections data, such as age of debt and delinquent amounts outstanding. 3e. Accepts payment of delinquent debt by credit card. | 3= Lobby/Counter | Receive/post cash, check and credit card payments Provide case information to individuals Establish payment plan agreements including amendments to existing plan Schedule walk-in arraignment, upon individual's request to go before a judge Update DMV, if needed Enter notes on the case, etc. Work the Out of Court--Collection Queue (Judge orders case be handled in collections) Process all criminal and juvenile probation orders; update financials and establish payment plans. Process all criminal and juvenile DA forms; update financials and establish payment plans Process payments from Intra-branch, generate weekly payment report Process payments and commission credit adjustments from private agency. Assist vendor w/case info., account balances, email them any directives from Judge on case and prepare commission checks at the end of month. Process all payments and commission credit adjustments from FTB-COD. Contact FTB-COD for additional information such as account balances, levy actions, etc. |
| 3d. Uses Department of Motor Vehicles information to locate delinquent debtors. 4f. Contracts with local, regional, state, or national skip tracing or locator resources or services to locate delinquent debtors. 4g. Coordinates with the probation department to locate debtors who may be on formal or informal probation. 4h. Uses Employment Development Department employment and wage information to collect delinquent debt. | 4=Skip Tracing | Perform skip tracing (DMV, internet, third party vendors) Obtain debtor information from probation and/or EDD |
| 4a. Sends delinquent debt to the Franchise Tax Board's Court-Ordered Debt Collections Program. | 5=FTB-COD | Refer case to FTB-COD |
| 4b. Sends delinquent debt to the Franchise Tax Board's Interagency Intercept Collections Program. | 6= FTB-IIC | Refer case to FTB-IIC |
| 4c. Initiates driver's license suspension or hold actions when appropriate for a failure to appear in court. | 7=DL Hold/Suspension | Send abstract to DMV for Failure to Appear driver's license hold/suspension |
| 4d. Contracts with one or more private debt collectors to collect delinquent debt. | 8= Private Agency | Refer case to private collection agency |
| 4i. Establishes wage and bank account garnishments where appropriate. 4k. Places liens on real property owned by delinquent debtors when appropriate. | 9= Wage/bank Garnishments and Liens | Wage and/or bank accounts are garnished Place liens |

Sample list of activities/tasks to be used to report activities utilized in the collection of delinquent court-ordered debt. See corresponding "Category" on the Contact and Other Information Sheet, Items 5, 6 and 7.

| CURRENT PERIOD: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS | | |
|--|--------------------------|--|
| 1 | <input type="checkbox"/> | Row 3, Column D, includes revenues collected for non-delinquent infraction, misdemeanor, and felony cases that were paid in full on or before the due date, or current installment or accounts receivable (A/R) payment plan. Row 3, Column E includes the number of cases associated with non-delinquent revenue collections reported in Row 3, Column D. |
| 2 | <input type="checkbox"/> | Rows 4-9 include all fines, fees, forfeitures, penalties, and assessments on traffic, criminal, and juvenile delinquency case types (infraction, misdemeanors, and felony), except victim restitution and other justice related fees (see Rows 29-35 for more information). |
| 3 | <input type="checkbox"/> | Rows 4-9, include newly established/referred/transferred cases, gross revenue collected, adjustments, or discharges posted during the reporting period. |
| 4 | <input type="checkbox"/> | Rows 4-9, Column B, include the total number of new cases established, referred, or transferred within the reporting period. Any cases that were previously established, but never referred or transferred to collections, are considered new cases and should be reported in this column (the corresponding value of these cases should be reported in Column C). If multiple cases were bundled into one case, only one (1) case should be reported in Column B. |
| 5 | <input type="checkbox"/> | Rows 4-9, Column C, include the total value of the corresponding cases in Column B, that were established, referred, or transferred during the reporting period only. |
| 6 | <input type="checkbox"/> | Rows 4-9, Column D, include the number of cases with payment(s) received during the reporting period. The number of cases reported may be equal to but not greater than the number of cases established in Column B. |
| 7 | <input type="checkbox"/> | Rows 4-9, Column E, include all monies received towards the satisfaction of delinquent court-ordered debt, including installment payments. |
| 8 | <input type="checkbox"/> | Rows 4-9, Column F, include the cost of collections that, pursuant to PC 1463.007, is allowable to offset revenue prior to distribution to other governmental entities. Cost of collections is entered in Column F as a negative number unless posting a reversal. |
| 9 | <input type="checkbox"/> | Value reported in Column G includes the total value of court-ordered debt satisfied by court-ordered dismissal, suspension, or by means other than payment. An amount satisfied by means other than payment includes alternative sentences (e.g., community service or time served in custody in lieu of fine) or non-cash adjustment that decreases or increases the amount outstanding for individual debt items. |
| 10 | <input type="checkbox"/> | Value reported in Column H includes all debt deemed uncollectible that was approved for discharge in the reporting period, per Government Code section 25257-25259.95. |
| 11 | <input type="checkbox"/> | Column I is the change in value of Cases Referred/Established/Transferred minus (-) Gross Collections, Adjustments, and Discharged debt. (Column C - E - G - H). |
| 12 | <input type="checkbox"/> | Rows 4-9, Column J, includes the value of all cases set-up on an installment agreement (A/R or monthly installment payment plan) by the court or collecting entity. |
| 13 | <input type="checkbox"/> | Rows 4-9, Column K, includes the balances from delinquent cases where the individual is non-compliant with the terms of the agreement (i.e., payments have not been received) and the plan was not reinstated at the end of the fiscal year. |
| 14 | <input type="checkbox"/> | Column L is formula driven and calculates the percentage of fines and fees defaulted on by dividing the installment agreement balance (amount defaulted on) by the initial value of court-ordered debt set-up on payment plan (Col. K/ Col. J.) |
| PRIOR PERIODS INVENTORY: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS | | |
| 15 | <input type="checkbox"/> | Row 11, Column O, includes revenues collected for non-delinquent infraction, misdemeanor and felony cases that were paid in full on or before the due date, or current installment or accounts receivable (A/R) payment plan. Row 11, Column P includes the number of cases associated with non-delinquent revenue collections reported in Row 11, Column O. |
| 16 | <input type="checkbox"/> | Rows 12-17 include all fines, fees, forfeitures, penalties, and assessments on traffic, criminal, and juvenile delinquency case types (infraction, misdemeanors, and felonies), except victim restitution and other justice related fees (see Row 29-35 for more information). |
| 17 | <input type="checkbox"/> | Rows 12-17 include all cases in inventory referred or transferred to a collections program in a prior period, and gross revenue collected, court-ordered adjustments, or discharges that were received and posted during the current reporting period. |
| 18 | <input type="checkbox"/> | Rows 12-17, Column O, include the number of cases with payments received during the reporting period. Note: any late postings from prior year should be reported in Column M, and the case value should be reported in Column N as part of the ending balance from prior year. |
| 19 | <input type="checkbox"/> | Rows 12-17, Column P, include all monies received towards the satisfaction of delinquent court-ordered debt. |
| 20 | <input type="checkbox"/> | Rows 12-17, Column Q, include the cost of collections that, pursuant to PC 1463.007, is allowable to offset revenue prior to distribution to other governmental entities. Cost of collections is entered in Column Q as a negative number unless posting a reversal. |
| 21 | <input type="checkbox"/> | Rows 12-17, Column R, includes the total value of court-ordered debt satisfied by court-ordered dismissal, suspension, or by means other than payment. An amount satisfied by means other than payment includes alternative sentences (e.g., community service or time served in custody in lieu of fine) or non-cash adjustment that decreases or increases the amount outstanding for individual debt items. |
| 22 | <input type="checkbox"/> | Value reported in Column S includes all debt deemed uncollectible that has been discharged, per Government Code section 25257-25259.95. |
| 23 | <input type="checkbox"/> | Value reported in Column T is the change in Value of Cases (Ending Balance from Prior Year) minus (-) Gross Collections, Adjustments, and Discharged debt. (Column N - P - R - S). |
| 24 | <input type="checkbox"/> | Column U is the value of cases carried over from the prior year for all cases on an installment agreement that remained unpaid at the end of the year. |
| 25 | <input type="checkbox"/> | Column V includes the balance from all cases on an installment agreement carried over where payment(s) were not received in the reporting period. |
| 26 | <input type="checkbox"/> | Column W captures the percentage of delinquent fines and fees payable in installments that were defaulted on. The cell is formula driven and calculates a percentage by dividing the rolling balance by the value of cases (carried over) on installment agreements. (Column V/Column U) |
| COMBINED: ENDING BALANCE FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS | | |
| 27 | <input type="checkbox"/> | Row 19, Column Z, includes the combined total of non-delinquent gross revenue collected. |
| 28 | <input type="checkbox"/> | Rows 20-25, Columns X, Y, Z, AA, AB, AC and AD include the combined case number and value of new and prior period inventory, change in value, gross revenues, cost of collections, and adjustments, and discharge from accountability. |
| 29 | <input type="checkbox"/> | Rows 20-25, Columns X, Y, Z, AA, AB, AC and AD are formula driven, no input required. Value of Cases reported in Columns Y and AF reconcile to figures reported from underlying systems and vendors. |
| 30 | <input type="checkbox"/> | Value reported in Column AE includes the total number of cases at the end of the reporting period for each program. |
| 31 | <input type="checkbox"/> | Values reported in Column AF balance to value of cases at beginning of period (Col. Y), minus the change in value reported in Col. AD (which is the sum of the amounts shown in Col. Z, AB and AC.) |
| 32 | <input type="checkbox"/> | An Error Message in Column AG indicates that the beginning balance in Column Y, minus the value of transactions reported in Column AD does not equal the ending balance reported in Column AF. |
| VICTIM RESTITUTION AND OTHER JUSTICE RELATED REIMBURSEMENTS | | |
| 33 | <input type="checkbox"/> | Row 29 includes only non-delinquent cases referred/established, revenue collected, or adjustment posted during the reporting period. |
| 34 | <input type="checkbox"/> | Rows 30-35 include victim restitution and other justice related fees owed to other entities that were not included in Rows 3-9 or 11-17 |
| 35 | <input type="checkbox"/> | Rows 30-35, include cases referred/established, revenue collected, or adjustments posted during the reporting period. |
| 36 | <input type="checkbox"/> | Column AR includes gross revenue collected on other justice related fees and should be entered as a positive number unless posting reversal. Column AS are adjustments that decrease or increase the amount outstanding for individual debt items. |
| 37 | <input type="checkbox"/> | Column AT includes the total amount of restitution owed to a victim by court order under Penal Code section 1202.4(f) collected by each collections program during the reporting period. Row 29 includes non-delinquent restitution collections. |
| 38 | <input type="checkbox"/> | Column AU includes the value of Col. AQ less the amounts shown in columns AR, AS, and AT (this field is formula-driven, so no separate calculation or entry is required). |
| 39 | <input type="checkbox"/> | Column AV includes the number of cases of all delinquent outstanding debt (new and inventory). In addition to restitution, debt balances may include other criminal justice-related fees not reported in rows 4-9 and 12-17. |
| 40 | <input type="checkbox"/> | Column AW should equal the beginning balance in Column AO plus the sum of transactions for the period, as shown in Col. AU (AU = A Q - AR -AS -AT). |
| 41 | <input type="checkbox"/> | Column AX is blank unless errors or potential errors are detected in the worksheet. If an out of balance message appears correct the identified error or explain in Performance Report. |

Judicial Council–Approved Collections Best Practices

Penal Code section 1463.010 as amended by Assembly Bill 367 (Stats. 2007, ch.132) requires the Judicial Council to report the extent to which each court or county is following best practices for its collection program.

The collection programs are encouraged to use the following best practices. Additional information regarding best practices, including guidelines and standards, can be obtained on the external collections Web site: <http://www2.courtinfo.ca.gov/collections>; or by contacting staff of the Funds and Revenues Unit at collections@jud.ca.gov.

1. Develop a plan and put the plan in a written Memorandum of Understanding (MOU) that implements or enhances a program in which the court and county collaborate to collect court-ordered debt and other monies owed to a court under a court order.
2. Establish and maintain a cooperative superior court and county collection committee responsible for compliance, reporting, and internal enhancements of the joint collection program.
3. Meet the components of a comprehensive collection program as required under Penal Code section 1463.007 in order that the costs of operating the program can be recovered.
4. Complete all data components in the Collections Reporting Template.
5. Reconcile amounts placed in collection to the supporting case management and/or accounting systems.
6. Retain the joint court/county collection reports and supporting documents for at least three years.
7. Take appropriate steps to collect court-ordered debt locally before referring it to the Franchise Tax Board for collection.
8. Participate in the Franchise Tax Board Court-Ordered Debt (COD) collection program.
9. Participate in the Franchise Tax Board Interagency Intercept Collections (IIC) program.
10. Establish a process for handling the discharge of accountability for uncollectible court-ordered debt.
11. Participate in any program that authorizes the Department of Motor Vehicles to suspend or refuse to renew driver's licenses for individuals with unpaid fees, fines, or penalties.¹

¹ Assembly Bill 103 (Stats. 2017, ch. 17) was chaptered June 27, 2017, and limited collections program driver's license suspension or hold actions to only failures to appear in court.

12. Conduct trials by written declaration under Vehicle Code section 40903 and, as appropriate in the context of such trials, impose a civil assessment.
13. Implement a civil assessment program and follow the Criteria for a Successful Civil Assessment Program. (<http://www.courts.ca.gov/partners/documents/Rev-Dist-Criteria-for-Successful-Civil-Assessment-Program.pdf>)²
14. Evaluate the effectiveness and efficiency of external collection agencies or companies to which court-ordered debt is referred for collection.
15. Accept payments via credit and debit card.
16. Accept payments via the Internet.
17. Include in a collection program all court-ordered debt and monies owed to the court under a court order.
18. Include financial screening to assess each individual's ability to pay prior to processing installment payment plans and account receivables.
19. Charge fees as authorized by Penal Code section 1202.4(l).
20. Charge fees as authorized by Penal Code section 1205(e).
21. Use restitution rebate, as authorized by Government Code section 13963(f), to further efforts for the collection of funds owed to the Restitution Fund.
22. Participate in the statewide master agreement for collection services or renegotiate existing contracts, where feasible, to ensure appropriate levels of services are provided at an economical cost.
23. Require private vendors to remit the gross amount collected as agreed and submit invoices for commission fees to the court or county on a monthly basis.
24. Use collection terminology (as established in the glossary, instructions, or other documents approved for use by courts and counties) for the development or enhancement of a collection program.
25. Require private vendors to complete the components of the Collections Reporting Template that corresponds to their collection programs.

² *Ibid.*

Collections Performance Measures and Benchmarks

| Performance Measure | Definition | Formula | Benchmark |
|---------------------------|--|---|-----------|
| Gross Recovery Rate (GRR) | Measures a collection program's ability to resolve delinquent court-ordered debt, including alternative sentences, community service, suspended sentences and discharges. | Delinquent collections for the fiscal year + Adjustments + Discharges / Referrals | 34% |
| Success Rate (SR) | Measures the amount of revenue collected on delinquent court-ordered debt based on total delinquent accounts referred after adjustments and discharges, including non-sufficient funds (NSF) checks. | Delinquent collections for the fiscal year / Referrals – Adjustments – Discharges | 31% |

**FY 2017-18 Statewide Collections Individual Program
Gross Recovery Rate (34% benchmark) and Success Rate (31% Benchmark)**

Attachment 5

| | Gross Recovery Rate | | | Success Rate | | |
|-----------------|---------------------|-------|----------|--------------|-------|----------|
| | Current | Prior | Combined | Current | Prior | Combined |
| Alameda | 21% | 13% | 13% | 13% | 8% | 8% |
| Alpine | 9% | 16% | 12% | 12% | 16% | 14% |
| Amador | 12% | 5% | 6% | 12% | 5% | 6% |
| Butte | 24% | 8% | 11% | 7% | 4% | 5% |
| Calaveras | 8% | 8% | 8% | 6% | 7% | 7% |
| Colusa | 39% | 0% | 5% | 35% | 0% | 4% |
| Contra Costa | 18% | 8% | 9% | 17% | 5% | 6% |
| Del Norte | 5% | 2% | 2% | 5% | 2% | 2% |
| El Dorado | 19% | 4% | 6% | 14% | 1% | 3% |
| Fresno | 6% | 3% | 3% | 5% | 2% | 2% |
| Glenn | 19% | 2% | 6% | 16% | 3% | 6% |
| Humboldt | 36% | 7% | 11% | 34% | 1% | 5% |
| Imperial | 43% | 0% | 5% | 43% | 0% | 5% |
| Inyo | 29% | 17% | 19% | 27% | 1% | 7% |
| Kern | 36% | 6% | 11% | 27% | 6% | 9% |
| Kings | 4% | 7% | 6% | 3% | 2% | 3% |
| Lake | 28% | 5% | 7% | 33% | 4% | 6% |
| Lassen | 13% | 0% | 3% | 11% | 0% | 3% |
| Los Angeles | 22% | 3% | 5% | 19% | 0% | 2% |
| Madera | 50% | 2% | 7% | 22% | 2% | 3% |
| Marin | 70% | 0% | 11% | 68% | 11% | 18% |
| Mariposa | 54% | 5% | 13% | 48% | 0% | 7% |
| Mendocino | 50% | 3% | 10% | 57% | 0% | 9% |
| Merced | 32% | 11% | 12% | 32% | 9% | 11% |
| Modoc | 33% | 32% | 33% | 29% | 0% | 6% |
| Mono | 38% | 40% | 39% | 35% | 37% | 36% |
| Monterey | 20% | 3% | 5% | 23% | 3% | 5% |
| Napa | 25% | 4% | 5% | 24% | 3% | 5% |
| Nevada | 9% | 3% | 3% | 8% | 2% | 3% |
| Orange | 57% | 11% | 19% | 41% | 9% | 13% |
| Placer | 15% | 23% | 22% | 24% | 7% | 8% |
| Plumas | 21% | 15% | 18% | 9% | 12% | 10% |
| Riverside | 22% | 14% | 15% | 19% | 8% | 10% |
| Sacramento | 7% | 24% | 20% | 4% | 6% | 6% |
| San Benito | 27% | 8% | 8% | 27% | 5% | 5% |
| San Bernardino | 7% | 9% | 8% | 10% | 6% | 7% |
| San Diego | 7% | 8% | 8% | 5% | 5% | 5% |
| San Francisco | 20% | 5% | 7% | 16% | 4% | 6% |
| San Joaquin | 63% | 9% | 23% | 36% | 10% | 14% |
| San Luis Obispo | 10% | 2% | 4% | 10% | 1% | 3% |
| San Mateo | 9% | 32% | 27% | 9% | 8% | 8% |
| Santa Barbara | 79% | 3% | 19% | 59% | 2% | 9% |
| Santa Clara | 45% | 31% | 32% | 32% | 6% | 9% |
| Santa Cruz | 3% | 3% | 3% | 2% | 3% | 3% |
| Shasta | 75% | 0% | 15% | 48% | 0% | 5% |
| Sierra | 83% | 2% | 14% | 76% | 2% | 10% |
| Siskiyou | 43% | 17% | 19% | 32% | 3% | 6% |
| Solano | 13% | 16% | 15% | 10% | 3% | 4% |
| Sonoma | 109% | 6% | 16% | 109% | 4% | 14% |
| Stanislaus | 39% | 7% | 11% | 13% | 4% | 5% |
| Sutter | 16% | 8% | 11% | 15% | 7% | 10% |
| Tehama | 27% | 0% | 7% | 22% | 0% | 6% |
| Trinity | 43% | 1% | 6% | 36% | 1% | 4% |
| Tulare | 11% | 5% | 6% | 10% | 4% | 5% |
| Tuolumne | 36% | 0% | 7% | 34% | 0% | 6% |
| Ventura | 46% | 29% | 32% | 46% | 12% | 18% |
| Yolo | 7% | 18% | 15% | 2% | 11% | 8% |
| Yuba | 104% | 2% | 8% | 104% | 2% | 6% |

See Attachment 1, *Individual Program Report* for detail on each programs' GRR and SR calculation.

Attachment 6
GC 68514 (a)(1)(2)(3)(8), (b)
Current Year

| Program | Item 1-- Non-Delinquent Cases ¹ | | Item 1-- Non-Delinquent Revenue | | Item 2-- Delinquent Cases | | Item 2-- Delinquent Revenue | | Item 3-- Adjustments | | Item 3-- Discharged ² | | Item 8-- Case Value Installment Agreements | | Item 8-- Default Balance | | Item 8-- Percentage Fines/Fees Defaulted | |
|-------------------|---|------------------|------------------------------------|---------------------|------------------------------|----------------|--------------------------------|----------------------|-------------------------|----------------------|-------------------------------------|--------------------|--|----------------------|-----------------------------|---------------------|---|-----------|
| | July | September | July | September | July | September | July | September | July | September | July | September | July | September | July | September | July | September |
| Alameda | 102,251 | 102,251 | \$29,254,156 | \$29,254,156 | 3,614 | 11,764 | \$8,151,781 | \$2,981,338 | \$1,353,974 | \$2,276,434 | \$0 | \$0 | \$752,252 | \$4,808,763 | \$97,072 | \$1,658,285 | 12.90% | 34.48% |
| Alpine | 0 | 1,371 | \$0 | \$307,348 | 0 | 181 | \$46,824 | \$66,556 | \$0 | -\$18,316 | \$0 | \$0 | \$0 | \$98,133 | \$0 | \$25,566 | 0.00% | 26.05% |
| Amador | 0 | 0 | \$0 | \$0 | 759 | 759 | \$197,433 | \$197,433 | \$0 | \$0 | \$0 | \$0 | \$715,111 | \$715,111 | \$468,469 | \$468,469 | 65.51% | 65.51% |
| Butte | 0 | 13,482 | \$0 | \$4,094,712 | 0 | 3,939 | \$0 | \$1,181,313 | \$0 | \$1,128,422 | \$0 | \$2,999,159 | \$0 | \$0 | \$0 | \$0 | 0.00% | 0.00% |
| Calaveras | 0 | 77 | \$745,436 | \$762,399 | 953 | 1,058 | \$281,731 | \$119,169 | \$0 | \$42,957 | \$0 | \$0 | \$13,105 | \$261,765 | \$21,001 | \$34,371 | 160.25% | 13.13% |
| Colusa | 0 | 0 | \$0 | \$1,730,716 | 0 | 618 | \$0 | \$426,124 | \$0 | \$71,335 | \$0 | \$0 | \$0 | \$1,440 | \$0 | \$0 | 0.00% | 0.00% |
| Contra Costa | 49,907 | 49,253 | \$14,677,395 | \$14,321,085 | 9,288 | 9,288 | \$3,010,607 | \$3,010,607 | \$277,250 | \$277,250 | \$0 | \$0 | \$2,953,536 | \$2,953,536 | \$481,860 | \$481,860 | 16.31% | 16.31% |
| Del Norte | 0 | 0 | \$0 | \$0 | 0 | 113 | \$1,588,193 | \$73,360 | \$0 | \$1,409 | \$0 | \$0 | \$0 | \$127,130 | \$0 | \$21,070 | 0.00% | 16.57% |
| El Dorado | 0 | 0 | \$0 | \$0 | 1,530 | 1,530 | \$676,511 | \$676,511 | \$303,550 | \$278,134 | \$0 | \$0 | \$1,933,034 | \$1,933,034 | \$1,618,923 | \$1,618,923 | 83.75% | 83.75% |
| Fresno | 0 | 936 | \$0 | \$98,649 | 6,123 | 8,886 | \$501,681 | \$1,471,038 | \$0 | \$88,270 | \$0 | \$0 | \$10,817 | \$2,223,123 | \$0 | \$1,059,847 | 0.00% | 47.67% |
| Glenn | 0 | 0 | \$0 | \$0 | 2,242 | 5,763 | \$261,356 | \$1,302,818 | -\$124,778 | \$220,987 | \$0 | \$0 | \$1,331,604 | \$1,554,686 | \$0 | \$0 | 0.00% | 0.00% |
| Humboldt | 8,124 | 8,124 | \$2,194,181 | \$2,194,181 | 27,342 | 26,214 | \$3,658,551 | \$5,081,843 | \$304,461 | \$441,288 | \$2,682,900 | \$0 | \$2,426,134 | \$1,531,545 | \$795,398 | \$476,470 | 32.78% | 31.11% |
| Imperial | 0 | 0 | \$0 | \$5,891,100 | 0 | 2,732 | \$0 | \$3,654,368 | \$0 | \$1,922 | \$0 | \$0 | \$0 | \$1,491,018 | \$0 | \$585,686 | 0.00% | 39.28% |
| Inyo | 0 | 0 | \$3,759,296 | \$3,759,296 | 412 | 412 | \$461,769 | \$461,769 | \$32,606 | \$32,606 | \$0 | \$0 | \$5,785 | \$5,785 | \$400 | \$400 | 6.91% | 6.91% |
| Kern | 0 | 116,311 | \$0 | \$12,694,872 | 0 | 51,375 | \$0 | \$7,409,806 | \$0 | \$3,782,245 | \$0 | \$0 | \$5,078,588 | \$0 | \$1,553,652 | 0.00% | 30.59% | |
| Kings | 0 | 0 | \$0 | \$4,444,223 | 38 | 1,705 | \$11,831 | \$654,207 | \$3 | \$45,804 | \$919 | \$0 | \$20,629 | \$1,306,444 | \$0 | \$178,368 | 0.00% | 13.65% |
| Lake | 0 | 0 | \$0 | \$775,618 | 12,192 | 12,192 | \$1,217,061 | \$1,217,061 | -\$241,711 | -\$241,711 | \$0 | \$0 | \$436,349 | \$650,588 | \$1,737,120 | \$2,207,114 | 398.10% | 339.25% |
| Lassen | 0 | 0 | \$0 | \$0 | 0 | 566 | \$0 | \$95,645 | \$0 | \$0 | \$0 | \$0 | \$768 | \$0 | \$0 | \$0 | 0.00% | 0.00% |
| Los Angeles | 0 | 1,652 | \$225,165,663 | \$272,098,822 | 0 | 50,288 | \$59,421,397 | \$65,621,453 | \$0 | \$10,200,174 | \$9,878,306 | \$0 | \$102,420,999 | \$0 | \$1,914,617 | 0.00% | 1.87% | |
| Madera | 0 | 0 | \$0 | \$0 | 0 | 127 | \$1,270,611 | \$1,339,566 | \$3,398,145 | \$3,397,862 | \$0 | \$0 | \$2,594 | \$97,487 | \$0 | \$5,150 | 0.00% | 5.28% |
| Marin | 0 | 0 | \$0 | \$9,438,839 | 8,746 | 4,981 | \$0 | \$2,982,348 | \$14,386,538 | \$399,497 | \$0 | \$0 | \$259,535 | \$37,512 | \$453 | \$15,450 | 0.17% | 41.19% |
| Mariposa | 1,477 | 1,477 | \$486,097 | \$486,097 | 1,698 | 1,661 | \$618,276 | \$660,849 | \$154,510 | \$152,990 | \$0 | \$27,542 | \$5,713,887 | \$3,447 | \$0 | \$0 | 0.00% | 0.00% |
| Mendocino | 0 | 10,957 | \$0 | \$4,158,498 | 0 | 0 | \$0 | \$3,657,618 | \$0 | -\$836,598 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 0.00% | 0.00% |
| Merced | 0 | 0 | \$10,403,340 | \$9,805,261 | 33,666 | 15 | \$4,280,046 | \$2,299,756 | -\$1,792,673 | \$939 | \$0 | \$0 | \$2,755,281 | \$10,134 | \$581,119 | \$417 | 21.09% | 4.11% |
| Modoc | 0 | 153 | \$0 | \$183,886 | 0 | 169 | \$0 | \$165,582 | \$0 | \$39,731 | \$0 | \$0 | \$0 | \$2,259 | \$0 | \$0 | 0.00% | 0.00% |
| Mono | 0 | 0 | \$2,846,538 | \$2,846,538 | 660 | 660 | \$300,497 | \$300,497 | \$29,687 | \$29,687 | \$0 | \$0 | \$23,112 | \$23,112 | \$7,049 | \$7,049 | 30.50% | 30.50% |
| Monterey | 0 | 0 | \$9,124,623 | \$9,124,623 | 0 | 1,413 | \$10,270,983 | \$3,956,613 | \$1,033,916 | -\$502,164 | \$0 | \$0 | \$0 | \$2,111,347 | \$0 | \$1,185,625 | 0.00% | 56.15% |
| Napa | 9,926 | 9,926 | \$2,763,528 | \$2,763,528 | 875 | 875 | \$1,179,611 | \$1,179,611 | \$35,803 | \$35,803 | \$0 | \$0 | \$1,805,285 | \$1,805,285 | \$688,511 | \$688,511 | 38.14% | 38.14% |
| Nevada | 0 | 0 | \$0 | \$3,407,301 | 0 | 267 | \$673,827 | \$157,362 | \$0 | \$33,937 | \$0 | \$0 | \$0 | \$185,474 | \$0 | \$11,678 | 0.00% | 6.30% |
| Orange | 227,111 | 165,193 | \$63,986,562 | \$47,211,729 | 121,817 | 46,997 | \$36,689,245 | \$22,445,342 | \$24,462,409 | \$20,374,203 | \$0 | \$0 | \$44,054,407 | \$44,610,247 | \$17,673,772 | \$17,849,777 | 40.12% | 40.01% |
| Placer | 0 | 0 | \$0 | \$0 | 20,555 | 5,355 | \$826,858 | \$2,613,158 | \$29,045 | -\$1,168,359 | \$0 | \$0 | \$47,796 | \$1,975,430 | \$0 | \$0 | 0.00% | 0.00% |
| Plumas | 616,351 | 0 | \$0 | \$616,351 | 234 | 234 | \$409,404 | \$409,404 | \$76,916 | \$76,916 | \$596,102 | \$596,102 | \$2,513 | \$2,513 | \$0 | \$0 | 0.00% | 0.00% |
| Riverside | 191,111 | 191,111 | \$46,057,894 | \$46,057,894 | 54,922 | 54,922 | \$16,958,962 | \$16,958,962 | \$3,452,168 | \$3,452,168 | \$0 | \$0 | \$31,248,898 | \$31,248,898 | \$13,444,391 | \$13,444,391 | 43.02% | 43.02% |
| Sacramento | 6,771 | 6,771 | \$24,775,150 | \$32,630,949 | 14,513 | 34,239 | \$8,343,032 | \$4,282,490 | \$2,744,387 | \$2,774,531 | \$0 | \$0 | \$23,144,840 | \$66,315,381 | \$0 | \$136,590 | 0.00% | 0.21% |
| San Benito | 3,765 | 3,765 | \$1,163,191 | \$1,773,473 | 329 | 333 | \$24,461 | \$25,096 | \$0 | \$0 | \$0 | \$0 | \$2,908 | \$2,908 | \$0 | \$0 | 0.00% | 0.00% |
| San Bernardino | 3,507 | 187,358 | \$418,103 | \$31,288,685 | 6,636 | 7,970 | \$2,437,405 | \$3,440,012 | -\$812,504 | -\$1,197,237 | \$0 | \$0 | \$10,881,287 | \$10,881,287 | \$523,228 | \$523,228 | 4.81% | 4.81% |
| San Diego | 0 | 884 | \$0 | \$60,573,815 | 0 | 124,834 | \$0 | \$17,135,154 | \$0 | \$9,464,924 | \$0 | \$0 | \$0 | \$28,253,076 | \$0 | \$3,922,596 | 0.00% | 13.88% |
| San Francisco | 238 | 238 | \$13,650,737 | \$13,650,737 | 1,556 | 1,556 | \$4,439,536 | \$4,439,536 | \$1,618,062 | \$1,618,062 | \$0 | \$0 | \$2,190,851 | \$2,190,851 | \$276,781 | \$276,781 | 12.63% | 12.63% |
| San Joaquin | 0 | 5,686 | \$0 | \$2,531,391 | 27,588 | 21,902 | \$10,720,280 | \$8,188,889 | \$16,256,082 | \$16,187,871 | \$0 | \$0 | \$0 | \$5,084,556 | \$0 | \$2,429,256 | 0.00% | 47.78% |
| San Luis Obispo | 0 | 39,176 | \$0 | \$13,547,981 | 0 | 9,523 | \$0 | \$4,558,801 | \$0 | \$303,480 | \$0 | \$0 | \$0 | \$1,492,760 | \$0 | \$120,199 | 0.00% | 8.05% |
| San Mateo | 1,187 | 1,187 | \$754,455 | \$754,455 | 4,553 | 4,553 | \$2,194,725 | \$2,194,725 | \$22,628 | \$22,628 | \$0 | \$0 | \$1,862,758 | \$1,862,758 | \$1,222,274 | \$1,222,274 | 65.62% | 65.62% |
| Santa Barbara | 0 | 0 | \$15,536,972 | \$15,984,993 | 13,000 | 8,595 | \$7,514,972 | \$7,924,000 | \$6,107,077 | \$12,990,053 | \$302,805 | \$302,805 | \$26,712 | \$105,708 | \$2,008 | \$2,008 | 7.52% | 1.90% |
| Santa Clara | 0 | 0 | \$4,091,889 | \$31,871,654 | 1,207 | 1,207 | \$8,081,870 | \$14,612,775 | \$9,597,824 | \$11,266,293 | \$194,458 | \$194,458 | \$187,916 | \$187,916 | \$26,672 | \$26,672 | 14.19% | 14.19% |
| Santa Cruz | 0 | 0 | \$5,774,039 | \$5,774,039 | 1,135 | 1,348 | \$603,302 | \$603,302 | \$1,281 | \$1,281 | \$257,450 | \$257,450 | \$358,029 | \$358,027 | \$39,722 | \$39,722 | 11.09% | 11.09% |
| Shasta | 0 | 7,128 | \$0 | \$4,055,809 | 0 | 5,441 | \$0 | \$5,824,233 | \$0 | \$13,292,755 | \$0 | \$0 | \$0 | \$25,820 | \$0 | \$0 | 0.00% | 0.00% |
| Sierra | 0 | 0 | \$0 | \$130,843 | 0 | 166 | \$0 | \$102,116 | \$0 | \$59,131 | \$0 | \$0 | \$0 | \$256 | \$0 | \$0 | 0.00% | 0.00% |
| Siskiyou | 0 | 0 | \$3,219,892 | \$3,219,892 | 0 | 0 | \$1,033,152 | \$1,033,152 | \$642,483 | \$642,483 | \$3,692,170 | \$0 | \$0 | \$0 | \$0 | \$0 | 0.00% | 0.00% |
| Solano | 0 | 0 | \$0 | \$7,917,902 | 411 | 2,065 | \$412,983 | \$1,518,608 | \$144,097 | \$500,278 | \$0 | \$0 | \$256,037 | \$1,396,025 | \$186,277 | \$268,648 | 72.75% | 19.24% |
| Sonoma | 362 | 362 | \$11,742,654 | \$11,742,654 | 69 | 13,060 | \$6,543,453 | \$6,543,453 | -\$42,434 | \$58,084 | \$0 | \$0 | \$0 | \$2,362,789 | \$0 | \$910,996 | 0.00% | 38.56% |
| Stanislaus | 13,966 | 15,210 | \$2,095,316 | \$1,310,751 | 23,955 | 22,193 | \$5,287,535 | \$5,242,636 | \$5,271,743 | \$5,270,992 | \$482,089 | \$0 | \$0 | \$4,560,145 | \$0 | \$1,144,142 | 0.00% | 25.09% |
| Sutter | 0 | 0 | \$1,902,867 | \$1,902,867 | 888 | 955 | \$1,547,910 | \$1,567,596 | \$129,803 | \$129,803 | \$0 | \$0 | \$5,644 | \$5,644 | \$0 | \$0 | 0.00% | 0.00% |
| Tehama | 0 | 0 | \$0 | \$0 | 0 | 1,468 | \$0 | \$741,814 | \$0 | \$210,072 | \$0 | \$0 | \$0 | \$6,565 | \$0 | \$0 | 0.00% | 0.00% |
| Trinity | 1,073 | 1,073 | \$284,547 | \$284,547 | 262 | 679 | \$505,983 | \$499,373 | \$230,626 | \$188,877 | \$0 | \$0 | \$894 | \$132,690 | \$0 | \$88,267 | 0.00% | 66.52% |
| Tulare | 0 | 0 | \$0 | \$10,868,274 | 37,348 | 37,616 | \$3,284,692 | \$3,310,668 | \$456,776 | \$456,776 | \$222,545 | \$0 | \$1,367,235 | \$1,432,209 | \$88,834 | \$88,834 | 6.50% | 6.20% |
| Tuolumne | 299 | 299 | \$145,086 | \$145,086 | 1,272 | 5,717 | \$1,772,566 | \$2,162,375 | \$107,864 | \$107,864 | \$0 | \$0 | \$0 | \$21,187 | \$0 | \$0 | 0.00% | 0.00% |
| Ventura | 4,765 | 56,533 | \$1,566,593 | \$15,937,933 | 36,294 | 36,294 | \$12,779,185 | \$12,779,185 | \$0 | \$0 | \$0 | \$0 | \$27,719,972 | \$9,527,888 | \$6,490,879 | \$6,490,879 | 23.42% | 68.13% |
| Yolo | 0 | 505 | \$0 | \$85,885 | 0 | 3,839 | \$0 | \$348,429 | \$0 | \$1,249,514 | \$0 | \$0 | \$0 | \$8,556 | \$0 | \$0 | 0.00% | 0.00% |
| Yuba | 0 | 0 | \$0 | \$2,227,211 | 0 | 5,410 | \$0 | \$1,762,320 | \$0 | \$325,254 | \$0 | \$0 | \$0 | \$5,947 | \$0 | \$0 | 0.00% | 0.00% |
| July | \$1,242,191 | | \$498,586,200 | | 478,682 | | \$230,492,088 | | \$89,647,614 | | \$18,309,744 | | \$164,516,567 | | \$46,472,213 | | | |
| September | | \$998,449 | | \$78,739,548 | | 658,022 | | \$262,570,029 | | \$120,135,236 | | \$4,377,516 | | \$345,496,550 | | \$63,183,838 | | |
| Difference | | -20% | | 52% | | 37% | | 14% | | 34% | | -76% | | 110% | | 36% | | |

¹ Collection programs were not previously required to report the number of cases associated with non-delinquent gross revenue collected, Item 1 of the new data elements required under GC68514. Corrections were made to the data submitted in July CRT.

² Corrections were made to the data submitted in July CRT. Generally, debt that discharged is long-standing, hard to collect. As revised, the value of discharged debt was moved from Current to the Prior Periods section of the CRT, resulting in a reduction to the above reported amount.

Attachment 6
GC 68514 (a)(1)(2)(3)(8), (b)
Prior Years

| Program | Item 1-- Non-Delinquent Cases ¹ | | Item 1 -- Non-Delinquent Revenue | | Item 2-- Delinquent Cases | | Item 2-- Delinquent Revenue | | Item 3-- Adjustments | | Item 3-- Discharged ² | | Item 8- Case Value Installment Agreements ³ | | Item 8- Default Balance ³ | | Item 8-- Percentage Fines/Fees Defaulted | | |
|-----------------|---|-----------|-------------------------------------|--------------|------------------------------|-----------|--------------------------------|--------------|-------------------------|--------------|-------------------------------------|--------------|---|---------------|---|--------------|---|-----------|--------|
| | July | September | July | September | July | September | July | September | July | September | July | September | July | September | July | September | July | September | |
| | Alameda | 97,858 | 97,858 | \$27,734,183 | \$27,734,183 | 41,153 | 55,390 | \$12,333,603 | \$17,275,824 | \$1,935,793 | \$13,298,874 | \$0 | \$0 | \$5,020,446 | \$11,024,423 | \$494,389 | \$2,386,554 | 9.85% | 21.65% |
| Alpine | 0 | 3,540 | \$0 | \$1,092,642 | 0 | 37 | \$16,049 | \$54,051 | \$900 | \$594 | \$653 | \$0 | \$0 | \$0 | \$0 | \$1,250 | 0.00% | 3.45% | |
| Amador | 0 | 0 | \$0 | \$0 | 4,508 | 4,508 | \$356,665 | \$356,665 | \$0 | \$0 | \$0 | \$0 | \$2,492,188 | \$2,492,188 | \$1,107,774 | \$1,107,774 | 44.45% | 44.45% | |
| Butte | 0 | 0 | \$0 | \$0 | 0 | 0 | \$0 | \$3,137,031 | \$0 | \$3,017,038 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | 0.00% | 0.00% | |
| Calaveras | 0 | 242 | \$0 | \$76,187 | 656 | 964 | \$73,069 | \$278,514 | \$0 | \$39,779 | \$0 | \$0 | \$7,057 | \$420,268 | \$0 | \$41,805 | 0.00% | 9.95% | |
| Colusa | 0 | 0 | \$0 | \$0 | 0 | 818 | \$0 | \$50,120 | \$0 | \$0 | \$0 | \$0 | \$0 | \$3,360 | \$0 | \$0 | 0.00% | 0.00% | |
| Contra Costa | 3,327 | 3,327 | \$1,605,043 | \$1,605,043 | 38,310 | 38,310 | \$13,292,166 | \$13,292,166 | \$8,278,275 | \$8,278,275 | \$0 | \$0 | \$16,520,416 | \$16,520,416 | \$1,610,163 | \$1,610,163 | 9.75% | 9.75% | |
| Del Norte | 0 | 0 | \$0 | \$0 | 0 | 593 | \$0 | \$280,626 | \$0 | \$3,310 | \$0 | \$0 | \$0 | \$506,622 | \$0 | \$139,853 | 0.00% | 27.60% | |
| El Dorado | 0 | 0 | \$6,027,651 | \$6,027,651 | 785 | 785 | \$415,167 | \$425,511 | \$1,217,519 | \$860,321 | \$0 | \$0 | \$1,368,896 | \$1,368,896 | \$1,034,629 | \$1,034,629 | 75.58% | 75.58% | |
| Fresno | 0 | 851 | \$0 | \$50,123 | 0 | 24,609 | \$0 | \$7,045,576 | \$0 | \$2,644,788 | \$0 | \$0 | \$0 | \$7,390,462 | \$0 | \$2,899,598 | 0.00% | 39.23% | |
| Glenn | 0 | 0 | \$0 | \$0 | 0 | 2,022 | \$633,132 | \$553,777 | -\$130,842 | -\$139,190 | \$0 | \$0 | \$1,711,884 | \$1,724,002 | \$0 | \$0 | 0.00% | 0.00% | |
| Humboldt | 264 | 264 | \$28,975 | \$28,975 | 26,692 | 24,676 | \$2,849,640 | \$1,163,162 | \$937,528 | \$975,776 | \$3,133,256 | \$5,816,156 | \$617,164 | \$689,118 | \$203,067 | \$262,774 | 32.90% | 38.13% | |
| Imperial | 0 | 0 | \$0 | \$0 | 0 | 7,971 | \$0 | \$0 | \$0 | \$48,223 | \$0 | \$0 | \$0 | \$899,894 | \$0 | \$220,574 | 0.00% | 24.51% | |
| Inyo | 0 | 0 | \$0 | \$0 | 1,017 | 1,017 | \$101,622 | \$101,622 | \$13,974 | \$13,974 | \$1,309,705 | \$1,309,705 | \$18,288 | \$18,288 | \$350 | \$350 | 1.91% | 1.91% | |
| Kern | 0 | 0 | \$0 | \$14,632,804 | 0 | 61,269 | \$0 | \$8,385,162 | \$0 | \$850,229 | \$0 | \$0 | \$0 | \$139,942,196 | \$0 | \$0 | 0.00% | 0.00% | |
| Kings | 0 | 0 | \$0 | \$0 | 362 | 2,609 | \$168,766 | \$1,138,729 | \$34,828 | \$629,712 | \$275,089 | \$1,774,665 | \$71,378 | \$1,722,731 | \$0 | \$417,003 | 0.00% | 24.21% | |
| Lake | 0 | 0 | \$0 | \$828,968 | 14,417 | 14,417 | \$1,498,916 | \$1,498,916 | \$614,782 | \$614,782 | \$0 | \$348,911 | \$348,911 | \$437,950 | \$650,588 | \$125,528 | 125.52% | 186.46% | |
| Lassen | 0 | 0 | \$0 | \$0 | 0 | 107 | \$0 | \$9,594 | \$0 | \$0 | \$0 | \$0 | \$0 | \$270 | \$0 | \$0 | 0.00% | 0.00% | |
| Los Angeles | 0 | 4,329 | \$0 | \$2,993,936 | 0 | 112,009 | \$0 | \$4,537,956 | \$0 | \$80,996,282 | \$0 | \$9,878,306 | \$0 | \$411,903,522 | \$0 | \$16,126,380 | 0.00% | 3.92% | |
| Madera | 0 | 0 | \$0 | \$0 | 0 | 419 | \$1,374,702 | \$1,565,099 | \$72,925 | \$68,691 | \$0 | \$0 | \$73,136 | \$420,585 | \$0 | \$64,325 | 0.00% | 15.29% | |
| Marin | 0 | 0 | \$8,653,619 | \$8,653,619 | 51,442 | 4,870 | \$0 | \$2,985,081 | \$14,496,688 | -\$3,104,041 | \$0 | \$0 | \$295,179 | \$49,743 | \$0 | \$24,520 | 0.00% | 49.29% | |
| Mariposa | 0 | 0 | \$475,907 | \$475,907 | 0 | 466 | \$671,403 | \$0 | \$608,183 | \$370,901 | \$68,321 | \$68,321 | \$6,028,032 | \$6,999 | \$0 | \$0 | 0.00% | 0.00% | |
| Mendocino | 0 | 0 | \$0 | \$0 | 0 | 0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$1,266,350 | \$0 | \$0 | \$0 | \$0 | 0.00% | 0.00% | |
| Merced | 0 | 0 | \$13,591,414 | \$13,591,414 | 0 | 34,650 | \$8,534,780 | \$10,043,457 | -\$1,743,619 | \$1,493,982 | \$0 | \$0 | \$0 | \$3,526,702 | \$0 | \$724,561 | 0.00% | 20.55% | |
| Modoc | 0 | 0 | \$0 | \$0 | 0 | 6 | \$0 | \$0 | \$0 | \$0 | \$0 | \$414,920 | \$0 | \$5,365 | \$0 | \$427 | 0.00% | 7.96% | |
| Mono | 0 | 0 | \$2,108,024 | \$2,108,024 | 873 | 873 | \$350,062 | \$350,062 | \$49,842 | \$49,842 | \$0 | \$0 | \$26,017 | \$26,017 | \$6,394 | \$6,394 | 24.58% | 24.58% | |
| Monterey | 0 | 0 | \$7,528,248 | \$7,528,248 | 0 | 599 | \$11,036,093 | \$5,928,573 | \$737,379 | \$0 | \$0 | \$0 | \$0 | \$2,210,389 | \$0 | \$975,574 | 0.00% | 44.14% | |
| Napa | 387 | 387 | \$179,159 | \$179,159 | 3,746 | 3,746 | \$1,749,795 | \$1,749,795 | \$237,787 | \$237,787 | \$0 | \$0 | \$38,796,210 | \$38,796,210 | \$12,605,210 | \$12,605,210 | 32.49% | 32.49% | |
| Nevada | 0 | 0 | \$0 | \$0 | 0 | 1,040 | \$0 | \$649,281 | \$0 | \$186,255 | \$0 | \$0 | \$0 | \$722,411 | \$0 | \$94,129 | 0.00% | 13.03% | |
| Orange | 243,956 | 25,306 | \$66,067,235 | \$14,069,170 | 50,124 | 72,500 | \$7,717,855 | \$31,809,156 | \$20,996,211 | \$8,208,769 | \$0 | \$0 | \$0 | \$1,245,891 | \$0 | \$145,212 | 0.00% | 11.66% | |
| Placer | 0 | 0 | \$0 | \$0 | 52,798 | 16,190 | \$2,102,121 | \$6,300,996 | \$104,950 | \$0 | \$20,347,366 | \$29,663 | \$242,465 | \$1,167 | \$1,167 | \$0 | 0.48% | 0.48% | |
| Plumas | 0 | 0 | \$512,458 | \$512,458 | 367 | 367 | \$457,946 | \$457,946 | \$146,293 | \$146,293 | \$0 | \$0 | \$3,931 | \$3,931 | \$0 | \$0 | 0.00% | 0.00% | |
| Riverside | 0 | 0 | \$0 | \$0 | 74,884 | 74,884 | \$36,208,792 | \$36,208,792 | \$7,151,444 | \$7,151,444 | \$24,544,098 | \$91,999,322 | \$91,999,322 | \$38,590,520 | \$38,590,520 | \$41,958 | \$41,958 | 41.95% | 41.95% |
| Sacramento | 3,104 | 3,104 | \$935,746 | \$935,746 | 50,206 | 58,344 | \$11,500,289 | \$15,772,980 | \$16,123,514 | \$60,934,895 | \$0 | \$0 | \$55,732,744 | \$0 | \$1,619,610 | \$0 | 2.91% | 0.00% | |
| San Benito | 3,028 | 3,028 | \$342,322 | \$897,200 | 3,392 | 3,392 | \$257,241 | \$0 | \$20,888 | \$195,275 | \$0 | \$0 | \$29,398 | \$29,938 | \$0 | \$0 | 0.00% | 0.00% | |
| San Bernardino | 2,374 | 2,374 | \$656,961 | \$781,386 | 47,744 | 63,768 | \$16,463,128 | \$24,700,123 | \$8,381,490 | \$8,768,816 | \$0 | \$0 | \$46,059,487 | \$46,059,487 | \$8,983,259 | \$8,983,259 | 19.50% | 19.50% | |
| San Diego | 0 | 3,510 | \$0 | \$1,168,920 | 0 | 478,132 | \$0 | \$31,877,372 | \$0 | \$15,228,620 | \$0 | \$11,163,414 | \$0 | \$27,402,271 | \$0 | \$1,607,419 | 0.00% | 5.87% | |
| San Francisco | 274 | 274 | \$293,988 | \$293,988 | 16,114 | 16,114 | \$6,377,325 | \$6,377,325 | \$1,255,550 | \$1,255,550 | \$0 | \$0 | \$10,383,048 | \$10,383,048 | \$1,190,845 | \$1,190,845 | 11.47% | 11.47% | |
| San Joaquin | 0 | 19,387 | \$0 | \$12,633,268 | 0 | 0 | \$4,987,870 | \$11,191,607 | \$1,766,355 | -\$1,266,128 | \$0 | \$0 | \$0 | \$6,886,118 | \$0 | \$2,776,048 | 0.00% | 40.31% | |
| San Luis Obispo | 0 | 0 | \$0 | \$11,846,425 | 0 | 11,458 | \$0 | \$2,052,953 | \$0 | \$686,022 | \$0 | \$0 | \$0 | \$70,285,416 | \$0 | \$68,414,299 | 0.00% | 97.34% | |
| San Mateo | 179 | 179 | \$65,521 | \$65,521 | 11,840 | 11,840 | \$5,411,669 | \$5,411,669 | -\$4,776,696 | \$24,476,640 | \$0 | \$0 | \$2,385,706 | \$2,385,706 | \$1,064,174 | \$1,064,174 | 44.61% | 44.61% | |
| Santa Barbara | 0 | 0 | \$16,597,760 | \$0 | 14,496 | 22,974 | \$7,750,819 | \$7,750,819 | \$18,451,395 | \$44,979 | \$363,252 | \$363,252 | \$126,843 | \$291,860 | \$22,842 | \$22,842 | 18.01% | 7.83% | |
| Santa Clara | 0 | 0 | \$3,341,144 | \$3,341,144 | 11,379 | 11,379 | \$25,969,295 | \$20,155,120 | \$65,512,373 | \$65,512,373 | \$62,201,778 | \$62,201,778 | \$855,160 | \$855,160 | \$383,364 | \$383,364 | 44.83% | 44.83% | |
| Santa Cruz | 0 | 0 | \$0 | \$0 | 5,824 | 7,006 | \$2,281,185 | \$2,691,668 | \$4,987 | \$4,987 | \$132,556 | \$132,556 | \$1,405,321 | \$89,578 | \$89,578 | \$89,578 | 6.37% | 6.37% | |
| Shasta | 0 | 0 | \$0 | \$0 | 2,702 | 0 | \$325,359 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$24,807 | \$0 | \$0 | 0.00% | 0.00% | |
| Sierra | 0 | 0 | \$0 | \$0 | 84 | 0 | \$18,866 | \$0 | \$0 | \$939 | \$0 | \$0 | \$0 | \$369 | \$0 | \$0 | 0.00% | 0.00% | |
| Siskiyou | 0 | 0 | \$2,514,246 | \$2,514,246 | 0 | 0 | \$1,071,306 | \$1,071,306 | \$742,011 | \$742,011 | \$1,057,332 | \$4,749,502 | \$0 | \$60 | \$60 | \$0 | 0.00% | 0.00% | |
| Solano | 0 | 0 | \$0 | \$0 | 30,090 | 37,372 | \$4,843,769 | \$3,754,288 | -\$1,316,025 | \$15,381,599 | \$0 | \$0 | \$1,049,507 | \$5,879,782 | \$545,591 | \$1,259,815 | 51.99% | 21.43% | |
| Sonoma | 1,729 | 1,729 | \$15,897,239 | \$15,897,239 | 1,022 | 4,348 | \$9,056,607 | \$2,220,624 | \$168,126 | \$168,126 | \$144,633 | \$1,050,333 | \$0 | \$1,120,483 | \$0 | \$234,508 | 0.00% | 20.93% | |
| Stanislaus | 0 | 0 | \$2,060,623 | \$0 | 67,333 | 0 | \$8,122,857 | \$4,536,372 | \$5,054,193 | \$3,427,048 | \$187,098 | \$187,098 | \$0 | \$746,948 | \$0 | \$291,172 | 0.00% | 38.98% | |
| Sutter | 0 | 0 | \$1,628,206 | \$1,628,206 | 7,087 | 7,560 | \$1,019,068 | \$1,277,799 | \$353,764 | \$353,764 | \$0 | \$0 | \$21,081 | \$21,081 | \$0 | \$0 | 0.00% | 0.00% | |
| Tehama | 0 | 0 | \$0 | \$0 | 0 | 397 | \$0 | \$40,287 | \$0 | \$0 | \$0 | \$0 | \$0 | \$2,307 | \$0 | \$0 | 0.00% | 0.00% | |
| Trinity | 786 | 786 | \$222,962 | \$222,962 | 744 | 879 | \$485,962 | \$83,055 | \$0 | \$83,123 | \$0 | \$0 | \$2,546 | \$2,546 | \$0 | \$0 | 0.00% | 0.00% | |
| Tulare | 0 | 0 | \$13,750,524 | \$13,750,524 | 64,349 | 35,580 | \$5,661,733 | \$6,344,499 | \$828,682 | \$1,555,763 | \$465,164 | \$0 | \$4,839,522 | \$13,626,422 | \$3,216,809 | \$3,216,809 | 66.48% | 23.61% | |
| Tuolumne | 0 | 0 | \$0 | \$0 | 0 | 2,922 | \$0 | \$123,173 | \$0 | \$0 | \$0 | \$0 | \$0 | \$16,355 | \$0 | \$0 | 0.00% | 0.00% | |
| Ventura | 890 | 890 | \$544,631 | \$544,631 | 41,161 | 41,161 | \$14,813,962 | \$14,813,962 | \$15,368,436 | \$15,368,436 | \$16,425,350 | \$16,425,350 | \$196,045,284 | \$40,783,361 | \$157,768,126 | \$37,520,692 | 80.48% | 92.00% | |
| Yolo | 0 | 740 | \$0 | \$131,296 | 0 | 31,677 | \$0 | \$5,545,285 | \$0 | \$4,316,942 | \$0 | \$201,933 | \$0 | \$19,045 | \$0 | \$0 | 0.00% | 0.00% | |
| Yuba | 0 | 0 | \$0 | \$2,203,974 | 0 | 1,549 | \$0 | \$539,207 | \$0 | \$118,064 | | | | | | | | | |

Attachment 7
GC 68514(a)(4)(5)(6)(7)

| Court/County Name | Category 1- Telephone Contact | | | Category 2 - Written Notice(s) | | | Category 3- Lobby/Counter | | | | Category 4-Skip tracing | | | Category 5-Franchise Tax Board - Court-Ordered Debt Collections Program | | |
|-------------------|-------------------------------|-----------------------|-------------------------|--------------------------------|-----------------------|-------------------------|-------------------------------|-----------------------|---|-------------------------|-------------------------------|-----------------------|-------------------------|---|-----------------------|-------------------------|
| | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 6b # Individuals Associated with Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost |
| Alameda | 1,367,916 | 31,812 | 0 | 38,958 | 906 | 0 | 0 | 0 | 0 | 15,834 | 1,131 | 0 | 7,685,663 | 82,463 | -1,136,655 | |
| Alpine | 0 | 0 | 0 | 0 | 0 | 0 | 73,793 | 267 | 265 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Amador | 427,904 | 2,026 | -85,581 | 126,194 | 2,096 | -24,062 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Butte | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Calaveras | 0 | 0 | 0 | 0 | 1,535 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 488 | 0 | |
| Colusa | 0 | 2,039 | 0 | 0 | 2,573 | 0 | 0 | 0 | 0 | 0 | 2,819 | 0 | 71,600 | 230 | -17,184 | |
| Contra Costa | 0 | 0 | 0 | 2,045,569 | 6,978 | 0 | 0 | 0 | 296,644 | 0 | 0 | 0 | 8,884,462 | 71,498 | -1,332,669 | |
| Del Norte | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| El Dorado | 973,376 | 1,998 | -371,323 | 153,919 | 317 | -58,717 | 0 | 0 | 1,990 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Fresno | 2,128,129 | 5,772 | -536,843 | 384,850 | 5,085 | -96,998 | 732,512 | 2,886 | 9 | -185,726 | 266,953 | 347 | 1,969,767 | 10,997 | -52,570 | |
| Glenn | 0 | 2,499 | 0 | 0 | 19,103 | 0 | 894,488 | 2,242 | 2,242 | -164,605 | 0 | 8,597 | 260,268 | 1,458 | 0 | |
| Humboldt | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Imperial | 0 | 7 | 0 | 0 | 4,593 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 464,892 | 5,389 | -69,734 | |
| Inyo | 0 | 0 | 0 | 0 | 5,186 | -3,709 | 414,073 | 0 | 0 | -79,412 | 0 | 0 | 116,183 | 6,018 | -10,290 | |
| Kern | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Kings | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Lake | 0 | 0 | 0 | 1,602,143 | 7,807 | -119,575 | 0 | 0 | 22,113 | -34,050 | 0 | 0 | 404,935 | 3,002 | -61,108 | |
| Lassen | 0 | 2,127 | 0 | 0 | 3,604 | 0 | 0 | 0 | 0 | 0 | 3,419 | 0 | 36,901 | 410 | 0 | |
| Los Angeles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2,439,209 | 58,227 | -255,283 | |
| Madera | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Marin | 0 | 0 | -10,730 | 7,249 | 186 | -16,882 | 0 | 0 | 0 | -13,848 | 0 | 0 | 161,713 | 3,455 | -43,688 | |
| Mariposa | 5,213 | 45 | -2,540 | 356,796 | 2,952 | -163,466 | 35,451 | 0 | 291 | -7,619 | 9,416 | 5 | 228,605 | 1,929 | -17,778 | |
| Mendocino | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Merced | 0 | 0 | 0 | 0 | 0 | 0 | 3,085,169 | 0 | 0 | -321,344 | 0 | 0 | 952,198 | 0 | -192,655 | |
| Modoc | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Mono | 0 | 0 | 0 | 140,000 | 1,531 | -26,782 | 24,884 | 690 | 0 | -1,116 | 13,803 | 142 | 22,288 | 351 | -2,191 | |
| Monterey | 6,208,731 | 57,591 | -2,578,349 | 0 | 69,179 | -45,769 | 0 | 0 | 0 | 0 | 0 | 2,600 | 753,127 | 13,994 | -105,897 | |
| Napa | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 114 | 1 | -17 | |
| Nevada | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 132,476 | 131 | 2,225 | |
| Orange | 2,289,647 | 9,611 | -826,205 | 13,579,562 | 61,977 | -246,280 | 15,369,877 | 55,114 | 117,547 | -3,891,241 | 118,260 | 386 | 5,412,596 | 11,723 | -802,643 | |
| Placer | 2,503,713 | 9,550 | -28,067 | 2,589,664 | 11,993 | -45,753 | 0 | 293,986 | 58,201 | -13,596 | 0 | -12,500 | 2,759,981 | 4,214 | -413,997 | |
| Plumas | 0 | 0 | 0 | 0 | 0 | -4,985 | 0 | 0 | 0 | 0 | 0 | 0 | 52,943 | 0 | -7,941 | |
| Riverside | 7,656,075 | 42,127 | -4,286,430 | 6,347,492 | 31,355 | -393,171 | 21,923,672 | 89,080 | 110,574 | -1,411,620 | 1,292,743 | 6,844 | 1,790,886 | 4,002 | -305,504 | |
| Sacramento | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| San Benito | 0 | 0 | 0 | 52,413 | 707 | -283 | 0 | 0 | 707 | 0 | 0 | 0 | 24,461 | 329 | -3,669 | |
| San Bernardino | 5,094,555 | 10,185 | -1,364,065 | 5,094,555 | 10,184 | -1,364,065 | 0 | 0 | 0 | 0 | 0 | 0 | 996,141 | 3,381 | -266,716 | |
| San Diego | 0 | 0 | 0 | 0 | 43,527 | 0 | 7,746,224 | 44,072 | 102,697 | -365,594 | 0 | 0 | 11,188,459 | 26,622 | -2,684,326 | |
| San Francisco | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 88,104 | 0 | 0 | 0 | 1,378,232 | 112,637 | -89,585 | |
| San Joaquin | 0 | 729,911 | 0 | 0 | 54,553 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| San Luis Obispo | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 100,000 | 0 | 0 | 0 | 0 | 0 | 0 | |
| San Mateo | 870,600 | 14,242 | -240,100 | 434,700 | 54,885 | -140,000 | 1,829,288 | 1,699 | 38,949 | -100,000 | 997,658 | 42,071 | 931,975 | 3,221 | -146,000 | |
| Santa Barbara | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Santa Clara | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3,632,608 | 7,664 | -540,894 | |
| Santa Cruz | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,311,302 | 20,615 | -194,865 | |
| Shasta | 0 | 18,787 | 0 | 0 | 25,249 | 0 | 0 | 0 | 0 | 0 | 14,943 | 0 | 0 | 0 | 0 | |
| Sierra | 0 | 267 | 0 | 0 | 523 | 0 | 0 | 0 | 0 | 0 | 387 | 0 | 8,180 | 36 | 0 | |
| Siskiyou | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Solano | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Sonoma | 667,622 | 2,255 | 1,188,620 | 1,007,561 | 3,889 | 0 | 0 | 0 | 13 | 0 | 1,404,000 | 4,800 | 2,901,167 | 7,753 | 415,683 | |
| Stanislaus | 0 | 161,250 | 0 | 0 | 18,631 | 0 | 2,488,512 | 0 | 12,973 | -973,031 | 0 | 0 | 756,355 | 14,241 | -113,453 | |
| Sutter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 31,968 | 888 | -4,795 | |
| Tehama | 0 | 2,960 | 0 | 0 | 6,461 | 0 | 0 | 0 | 0 | 0 | 0 | 9,720 | 154,951 | 1,527 | 0 | |
| Trinity | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16,788 | 1,186 | -2,518 | |
| Tulare | 623,677 | 1,458 | -147,721 | 917,614 | 7,392 | -347,175 | 1,087,754 | 4,068 | 22,139 | -650,172 | 731,643 | 1,876 | 4,534,974 | 93,000 | -683,370 | |
| Tuolumne | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 159,565 | 3,785 | -23,935 | |
| Ventura | 18,440,179 | 127,982 | -3,688,036 | 664,844 | 141,104 | -132,969 | 3,483,904 | 24,641 | 64,475 | -696,781 | 0 | 0 | 741,872 | 2,324 | -148,374 | |
| Yolo | 0 | 0 | 0 | 0 | 0 | 0 | 5,910,591 | 18,184 | 18,439 | -402,125 | 0 | 0 | 0 | 0 | 0 | |
| Yuba | 0 | 2,353 | 0 | 0 | 2,840 | 0 | 0 | 0 | 0 | 0 | 3,295 | 0 | 209,204 | 972 | 0 | |
| TOTAL | 49,257,337 | 1,238,854 | -12,977,370 | 35,544,083 | 608,901 | -3,230,641 | 65,100,192 | 536,929 | 1,058,374 | -9,666,419 | 4,850,310 | 103,382 | -2,542,606 | 63,579,010 | 580,161 | -9,312,397 |
| July CRT Totals | 24,825,808 | 878,698 | -8,289,090 | 30,340,665 | 348,066 | -2,582,530 | 62,786,125 | 212,709 | 782,314 | -8,229,996 | 4,032,332 | 75,744 | -2,454,484 | 55,661,454 | 537,841 | -10,794,173 |
| Difference | 24,431,529 | 360,156 | -4,688,280 | 5,203,418 | 260,835 | -648,111 | 2,314,067 | 324,220 | 276,060 | -1,436,423 | 817,978 | 27,638 | -88,122 | 7,917,556 | 42,320 | 1,481,776 |

¹ Totals do not reconcile to data reported on the Annual Financial Report (\$583.5 million in delinquent revenue collected and associated program costs of \$113.4 million) because the statewide collections programs were not previously required to report revenue collected, the number of cases, or associated costs by collections activities.

Data submitted in July CRT was revised or included in the September CRT, resulting in a reduction or increase to the reported amounts. Adjustments to the reported amount were expected; revenue collected, case number, and costs were subject to change as the due date for the July CRT did not allow time for programs to post all payments received or to make/record adjustments.

Attachment 7
GC 68514(a)(4)(5)(6)(7)

| Court/County Name | Category 6-Franchise Tax Board - Intercept Collections Program | | | Category 7 - Drivers License Suspension/Hold for Failure to Appear | | | Category 8-Private Debt Collectors | | | Category 9-Wage/Bank Garnishments and Liens | | | Totals ¹ | | |
|-------------------|--|-----------------------|-------------------------|--|-----------------------|-------------------------|------------------------------------|-----------------------|-------------------------|---|-----------------------|-------------------------|-------------------------------|-----------------------|-------------------------|
| | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost | Item 5 Total Amount Collected | Item 6a Total # Cases | Item 7 Total Admin Cost |
| Alameda | 2,662,342 | 399,877 | -150,361 | 756,325 | 18,813 | 0 | 3,855,237 | 259,805 | -442,864 | 0 | 0 | 0 | 16,382,275 | 794,807 | -1,729,880 |
| Alpine | 0 | 0 | 0 | 0 | 0 | 0 | 46,813 | 55 | -6,975 | 0 | 0 | 0 | 120,606 | 322 | -9,560 |
| Amador | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 554,098 | 4,122 | -109,643 |
| Butte | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Calaveras | 0 | 69 | 0 | 0 | 155 | 0 | 226,814 | 358 | -43,935 | 0 | 0 | 0 | 226,814 | 2,605 | -43,935 |
| Colusa | 67,695 | 5,421 | -16,247 | 0 | 0 | 0 | 12,500 | 19 | -3,000 | 0 | 0 | 0 | 151,794 | 13,101 | -36,431 |
| Contra Costa | 2,115,738 | 88,986 | -151,642 | 0 | 0 | 0 | 3,257,005 | 278,849 | -1,057,545 | 0 | 0 | 0 | 16,302,774 | 446,311 | -2,893,810 |
| Del Norte | 0 | 0 | 0 | 0 | 0 | 0 | 353,985 | 706 | -65,489 | 0 | 0 | 0 | 353,985 | 706 | -65,489 |
| El Dorado | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,127,295 | 2,315 | -430,040 |
| Fresno | 55,886 | 1,076 | -155 | 0 | 0 | 0 | 2,974,524 | 7,297 | -908,066 | 3,993 | 35 | -1,170 | 8,516,614 | 33,495 | -1,846,949 |
| Glenn | 107,056 | 7,491 | 0 | 0 | 0 | 0 | 15,505 | 43 | 0 | 0 | 0 | 0 | 1,277,317 | 41,433 | -164,605 |
| Humboldt | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Imperial | 43,577 | 117 | -871 | 0 | 0 | 0 | 709,460 | 2,111 | -61,419 | 380,854 | 4,557 | 57,128 | 1,598,783 | 16,774 | -74,896 |
| Inyo | 3,951 | 18 | -31 | 0 | 0 | 0 | 29,184 | 4,395 | -7,866 | 0 | 0 | 0 | 563,391 | 15,617 | -101,308 |
| Kern | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kings | 0 | 0 | 0 | 0 | 0 | 0 | 1,447,673 | 3,914 | -248,088 | 0 | 0 | 0 | 1,447,673 | 3,914 | -248,088 |
| Lake | 0 | 0 | 0 | 10,858 | 3,651 | 0 | 129,106 | 1,236 | -19,430 | 568,935 | 9,801 | -81,004 | 2,715,977 | 25,497 | -315,167 |
| Lassen | 89,577 | 7,553 | 0 | 0 | 0 | 0 | 9,876 | 17 | 0 | 0 | 0 | 0 | 136,354 | 17,130 | 0 |
| Los Angeles | 3,994,550 | 90,454 | -5,075 | 0 | 0 | 0 | 58,542,962 | 2,404,201 | -5,222,091 | 0 | 0 | 0 | 64,976,721 | 2,552,882 | -5,482,449 |
| Madera | 0 | 0 | 0 | 0 | 0 | 0 | 259,352 | 546 | -48,680 | 0 | 0 | 0 | 259,352 | 546 | -48,680 |
| Marin | 16,128 | 64 | -645 | 0 | 0 | 0 | 14,111 | 123 | -13,327 | 0 | 0 | 0 | 199,201 | 3,828 | -99,120 |
| Mariposa | 25,368 | 54 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 660,849 | 4,985 | -201,562 |
| Mendocino | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Merced | 0 | 0 | 0 | 0 | 0 | 0 | 461,123 | 999 | -77,916 | 0 | 0 | 0 | 4,498,490 | 999 | -591,915 |
| Modoc | 0 | 0 | 0 | 0 | 0 | 0 | 5,045 | 7 | -853 | 0 | 0 | 0 | 5,045 | 7 | -853 |
| Mono | 0 | 0 | 0 | 143,310 | 946 | 0 | 71,555 | 751 | -2,406 | 0 | 0 | 0 | 415,840 | 4,411 | -49,233 |
| Monterey | 270,578 | 855 | 0 | 0 | 0 | 0 | 523,330 | 2,012 | -99,272 | 2,129,420 | 58,542 | -319,413 | 9,885,186 | 204,773 | -3,148,700 |
| Napa | 879,735 | 2,471 | -109,967 | 0 | 0 | 0 | 2,049,537 | 0 | 0 | 0 | 0 | 0 | 2,929,386 | 2,472 | -109,984 |
| Nevada | 0 | 0 | 0 | 0 | 0 | 0 | 653,036 | 1,307 | 101,225 | 0 | 0 | 0 | 785,512 | 1,438 | 103,450 |
| Orange | 565,773 | 2,348 | -2,621 | 1,700,737 | 2,533 | -2,531 | 2,117,148 | 2,633 | -203,765 | 0 | 0 | 0 | 41,153,599 | 146,325 | -6,004,564 |
| Placer | 1,494,275 | 5,065 | -10,130 | 0 | 0 | 0 | 168,998 | 416 | -27,332 | 0 | 0 | 0 | 9,516,631 | 325,224 | -551,375 |
| Plumas | 85,731 | 0 | -490 | 0 | 0 | 0 | 969 | 0 | -330 | 0 | 0 | 0 | 139,643 | 0 | -13,746 |
| Riverside | 8,183,174 | 26,468 | -22,785 | 0 | 0 | 0 | 3,241,901 | 7,236 | -641,153 | 2,731,811 | 3,446 | -603,221 | 53,167,754 | 210,558 | -9,439,085 |
| Sacramento | 0 | 0 | 0 | 0 | 0 | 0 | 4,567,327 | 10,741 | -801,573 | 0 | 0 | 0 | 4,567,327 | 10,741 | -801,573 |
| San Benito | 0 | 0 | 0 | 7,062 | 291 | -1,482 | 0 | 0 | 0 | 186,973 | 2,369 | 0 | 270,909 | 3,696 | -5,434 |
| San Bernardino | 6,316,779 | 26,258 | -1,691,314 | 7,840,377 | 21,306 | 0 | 0 | 0 | 0 | 2,797,728 | 5,525 | -749,090 | 28,140,135 | 76,839 | -5,435,250 |
| San Diego | 4,559,037 | 298,481 | -689,493 | 1,934,633 | 2,856 | -2,856 | 19,756,366 | 127,411 | -3,586,462 | 0 | 0 | 0 | 45,184,719 | 542,969 | -7,328,731 |
| San Francisco | 4,543,049 | 30,952 | -933,918 | 0 | 0 | 0 | 1,152,528 | 158,446 | -192,258 | 0 | 0 | 0 | 7,073,809 | 302,035 | -1,215,761 |
| San Joaquin | 0 | 0 | 0 | 0 | 0 | 0 | 11,191,607 | 0 | 326,770 | 0 | 0 | 0 | 11,191,607 | 784,464 | 326,770 |
| San Luis Obispo | 0 | 0 | 0 | 0 | 0 | 0 | 2,615,758 | 4,119 | -441,911 | 0 | 0 | 0 | 2,615,758 | 4,119 | -441,911 |
| San Mateo | 1,062,228 | 1,483 | -12,000 | 1,409,378 | 9,655 | -8,200 | 53,802 | 165 | -9,000 | 16,765 | 38 | -4,000 | 7,606,394 | 127,459 | -933,693 |
| Santa Barbara | 0 | 0 | 0 | 0 | 0 | 0 | 758,939 | 82,326 | -100,955 | 0 | 0 | 0 | 758,939 | 82,326 | -100,955 |
| Santa Clara | 515,807 | 15,365 | 0 | 0 | 0 | 0 | 2,183,171 | 10,474 | -295,331 | 0 | 0 | 0 | 6,331,586 | 33,503 | -836,225 |
| Santa Cruz | 477,389 | 68,834 | -31,258 | 0 | 0 | 0 | 1,506,279 | 0 | -135,209 | 0 | 0 | 0 | 3,294,970 | 89,449 | -361,332 |
| Shasta | 826,450 | 33,192 | 0 | 0 | 3,046 | 0 | 53,756 | 0 | 0 | 0 | 9 | 0 | 880,206 | 95,226 | 0 |
| Sierra | 8,777 | 925 | 0 | 0 | 0 | 0 | 60 | 1 | 0 | 0 | 0 | 0 | 17,017 | 2,139 | 0 |
| Siskiyou | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Solano | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sonoma | 87,062 | 1,941 | 0 | 1,482,693 | 2,979 | 0 | 179,736 | 2,498 | 21,392 | 1,728,472 | 29,237 | 0 | 9,458,313 | 55,352 | 1,625,695 |
| Stanislaus | 981,643 | 0 | -6,165 | 0 | 0 | 0 | 0 | 0 | 0 | 342,172 | 0 | 0 | 4,568,682 | 194,122 | -1,092,649 |
| Sutter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 31,968 | 888 | -4,795 |
| Tehama | 129,668 | 5,385 | 0 | 0 | 0 | 0 | 15,367 | 26 | 0 | 0 | 0 | 0 | 299,986 | 26,079 | 0 |
| Trinity | 55,707 | 2,033 | -267 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 72,495 | 3,219 | -2,785 |
| Tulare | 84,442 | 1,103 | -793 | 0 | 0 | 0 | 1,675,066 | 3,519 | -169,645 | 0 | 0 | 0 | 9,655,170 | 112,416 | -2,357,792 |
| Tuolumne | 230,244 | 660 | -1,146 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 389,809 | 4,445 | -25,081 |
| Ventura | 2,190,131 | 6,718 | -438,026 | 320,956 | 540 | -64,191 | 1,751,261 | 6,570 | -350,252 | 0 | 0 | 0 | 27,593,147 | 309,879 | -5,518,629 |
| Yolo | 968,815 | 2,406 | -159,722 | 6,272 | 9 | -427 | 1,311,744 | 2,311 | -216,258 | 0 | 0 | 0 | 8,197,422 | 22,910 | -778,532 |
| Yuba | 255,196 | 12,256 | 0 | 0 | 0 | 0 | 13,721 | 567 | 0 | 0 | 0 | 0 | 478,121 | 22,283 | 0 |
| TOTAL | 43,953,558 | 1,146,379 | -4,435,122 | 15,612,601 | 66,780 | -79,687 | 129,963,237 | 3,388,210 | -15,051,269 | 10,887,123 | 113,559 | -1,700,770 | 418,747,450 | 7,783,155 | -58,996,281 |
| July CRT Totals | 36,953,420 | 850,160 | -4,206,961 | 3,694,242 | 11,346 | -13,565 | 95,637,435 | 972,138 | -4,182,869 | 5,977,517 | 20,426 | -1,346,853 | 319,908,999 | 3,907,128 | -42,225,521 |
| Difference | 7,000,138 | 296,219 | -228,161 | 11,918,359 | 55,434 | -66,122 | 34,325,802 | 2,416,072 | -10,868,400 | 4,909,606 | 93,133 | -353,917 | 98,838,451 | 3,876,027 | -16,770,760 |

EXHIBIT C

Driven by Debt

How Driver's License Suspensions for Unpaid Fines And Fees Hurt Texas Families

By Texas Fair Defense Project & Texas Appleseed

Introduction

Julie's license troubles started in 2011, when she got a ticket for letting her car insurance lapse. Despite being a single mother with tight finances, Julie got insurance and saved up to pay off the ticket in 2013. But in 2017, she was pulled over again. Julie was shocked when the officer told her that her license was not valid and had in fact been suspended for four years. Ironically, her paying the ticket in 2013 had triggered additional surcharges for which Julie never received notice, and led to a suspension when she failed to pay them. The officer then gave Julie a ticket for driving with a suspended license, which she later learned triggered more fines, surcharges and yet another suspension.

Julie spent years trying to get her license back, but in the meantime, she had to keep driving to keep her job and care for her children. This led to more tickets and more suspensions. Every time she saved up to pay a ticket, she'd be surprised by yet another suspension. She also accumulated warrants for missed payments on her tickets. She was afraid to even try to renew her license, because she could be arrested on these warrants at the Department of Public Safety's driver's license office.

"It's impacted almost every part of my life. Obviously I'm not supposed to be driving without my license, but I have to. I don't live where there's public transportation, so in order to get to work or take my kids to school or go to the grocery store and buy food, I have to drive without my license. That's very scary, especially if you see a police person. That part's terrifying.

But it's actually also impacted other parts of my life, like being able to rent an apartment...to enroll in any sort of programs to better your future. I have a bachelor's degree and I wanted to enroll in a teacher's certification program but I can't...so even to get ahead, to get a better job, I'm not able to do any of those things without the ID or a driver's license. There's no way.

I didn't even know that there were so many programs. There's so many different programs and so many different fees and fines that once you're caught up in it it's just impossible to get out, and definitely I can't navigate it by myself."

– Julie, Resident of Austin, TX, and Texas Fair Defense Project client

Eventually, Julie met with a pro bono attorney from the Texas Fair Defense Project who was able to help her reinstate her license. Unfortunately, most people don't have access to the legal assistance that Julie received. And her story is far from unique. **Approximately 1.7 million Texans are currently unable to obtain a valid license as a direct result of not paying fines, fees or surcharges.** As with Julie, the suspensions often start with a minor traffic offense. After losing their licenses due to inability to pay the original fines and fees for that ticket, people face a difficult choice. Most Texans must drive in order to provide for themselves and their families. But by doing so, they risk receiving more tickets, compounding their debts and driving them deeper into poverty. Yet, if they stop driving, they may lose their jobs, access to medical care, their ability to care for their children and any hope of ever paying off the fines, fees and surcharges.

Most license suspensions do not result from dangerous driving but from failing to pay fines, fees and surcharges. Like Julie, the vast majority of people caught in this cycle desperately want to resolve what they owe and to drive legally. However, Texas law currently puts up virtually insurmountable financial and procedural barriers to legal driving for people like Julie. The state's illogical suspension programs harm all Texans, not just those barred from getting a valid license. The programs harm public safety by diverting law enforcement resources away from more serious crime. People with warrants for license-related offenses also frequently avoid contact with the police for fear of arrest, further harming public safety. The programs also negatively affect the Texas economy by causing people to lose jobs or preventing people from obtaining employment, forcing many to rely on public benefits. And they clog up our courts and the Department of Public Safety phone lines and offices with people who want a valid license, but cannot navigate the myriad suspension programs and complicated reinstatement process.

This report discusses these suspension programs in detail, as well as the problems they cause, and proposes solutions to get Texans back on the road legally. First, the report provides an overview of the programs that cause financial-based license suspensions and holds. The following section discusses the human and fiscal costs of those suspension programs. After that, that report provides a detailed analysis of the problems created by the OmniBase Program in particular, which puts holds on driver's licenses when a person is unable to pay a fine or fee. Finally, this report contains state and local policy recommendations. For the benefit of all Texans, these reforms should be enacted immediately.

Overview of Driver's License Consequences for Nonpayment of Fines and Fees

The majority of license suspensions in Texas are *not* due to unsafe driving behaviors such as driving while intoxicated, but are instead due to financial barriers. **About seven in ten license holds and suspensions in Texas are a direct result of the driver failing to pay fines, fees, and surcharges**, most of which stem from minor traffic offenses. These types of suspensions are not intended to keep our roads safe. Instead, the courts and the Department of Public Safety (“the Department”) use license suspensions as a tool to enforce court orders and collect revenue.

There are two statewide programs that directly lead to an invalid driver’s license for nonpayment of fines, fees and surcharges: the Driver Responsibility Program (DRP) and the OmniBase Program. The official name for the OmniBase Program is the Failure to Appear/Pay Program, but it is most commonly referred to as “OmniBase” or just “Omni” after the private vendor, OmniBase Services of Texas, that administers the program for the Department.

Through the DRP, after someone is convicted of particular driving-related offenses, the Department charges those people surcharges. These surcharges are on top of any and all fines, fees, and court costs charged by the court in the underlying offense. If a person fails to pay the surcharges, regardless of the reason, the Department suspends their driver’s license .

The OmniBase Program allows a court to place a hold on an individual’s license when they fail to appear in court or fail to pay a fine or cost in any criminal case. The OmniBase Program does not require a conviction or hearing before the court places the hold. After a hold is placed, the person is unable to renew their license until the fine or cost is paid in full.

Both the OmniBase Program and the DRP have similarly devastating impacts on people who are unable to pay the fines, costs and surcharges that they owe. The programs frequently punish and entrap people who have not paid fines, costs and surcharges simply because they don’t have enough money. Most Texans lack reasonable access to public transportation , and for them, driving is the only way that they can get to work, take their children to school and childcare, and accomplish other necessary daily tasks like grocery shopping and medical appointments. When their

licenses are suspended and they lack the money to pay the necessary fines and costs to reinstate them, they are forced to choose between continuing to drive on an invalid license and thereby risking additional fines and jail time, or losing their employment and ability to support their families and themselves.

The Department also has the power to suspend licenses through a third mechanism called Departmental Suspensions, which compounds the problems created by the DRP and OmniBase programs. The Department extends a license suspension based on evidence that a person has been driving on an invalid license. For example, if a person enters a guilty plea for driving without insurance and the Department determines that the ticket was issued during a suspension period, the Department usually suspends the license for an additional one to two years. As in Julie's case, this almost always comes as a surprise to the person taking care of the old ticket. Departmental Suspensions prolong punishment for driving on an invalid license, further trapping people in a cycle of poverty when they cannot pay fines and surcharges.

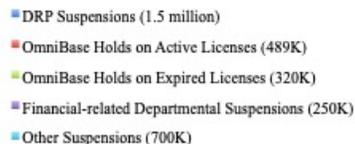
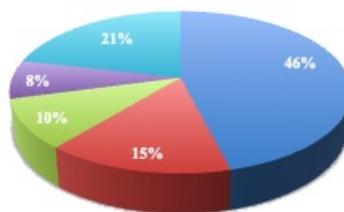
The OmniBase Program and DRP have led to approximately 2.3 million license suspensions and holds as a direct result of failing to pay fines and surcharges, leading to approximately 1.7 million individuals with currently suspended licenses on account of these programs. This includes:

- 1.5 million individuals with licenses suspended due to unpaid DRP surcharges;
- 320,000 individuals with expired licenses they cannot renew because of OmniBase holds; and
- 489,000 individuals with OmniBase holds on active licenses that will not be eligible for renewal when they expire.

Departmental suspensions for Driving While License Invalid or Failure to Maintain Financial Responsibility (i.e., not having insurance), which often result from having a license suspended for not paying fines and fees, have led to an additional 250,000 suspensions.

Overall, the majority of driver's license suspensions and holds -- about four in five -- stem from financial reasons, with the remaining ones resulting from dangerous driving, convictions for certain offenses, or other reasons.

Suspensions & Holds on Texas Driver's Licenses



The Driver Responsibility Program

The Driver Responsibility Program (DRP) was established by the Texas Legislature in 2003, when the Legislature was facing one of the largest budget shortfalls in state history. The DRP helped to address that shortfall by raising money for the state budget and for much-needed trauma hospital funding. Under the DRP, the Department assesses surcharges against drivers under the following circumstances :

- A driver receives six or more “points” on their license. Each normal traffic citation counts as two points and any citation involving a collision counts as three points. Surcharges are assessed at \$100 for the first six points received within three years and \$25 for each additional point. That total amount is assessed every year for three years.
- A driver is convicted of driving without insurance, driving without a license or driving with an invalid license, leading to surcharges ranging from \$100 to \$250 assessed every year for three years.
- A driver is convicted of driving while intoxicated. Surcharges for this offense range from \$1,000 a year to \$2,000 a year for three years.

DRP surcharges are assessed *in addition to* the fines and court costs ordered by the court for the underlying offense. DRP surcharges are owed to the Department; the fines and costs are owed to the court. Paying off one’s fines and costs in full does nothing to affect one’s surcharges. If a driver does not pay surcharges on time, their license is automatically suspended until the surcharges have been paid, which is often a matter of years.

Many people are unaware that they have incurred surcharges and believe they have resolved what they owe after paying the criminal fines and court costs. They are later surprised to learn that their licenses were suspended as a result of unpaid surcharges arising from the same offense. People frequently do not know their driver’s license is suspended until they get pulled over for a traffic violation and the officer runs their license number.

The fact that the Department assesses surcharges over the course of three years can also be confusing; many people think that after paying the surcharges the first year they are resolved. As of January 2018, **nearly 1.5 million people have license suspensions due to unpaid DRP surcharges.**

People with DRP suspensions often must continue to drive in order to provide for themselves and their families, given the lack of access to public transportation in most of Texas. If they continue driving, they often receive more citations for driving without a valid license or without insurance, which in turn, leads to more surcharges. As a result of this vicious cycle, **about 85 percent of DRP suspensions are due to unpaid surcharges for driving without a valid license or without insurance — not DWI or moving violations.**

In 2011, the Legislature established an Indigency Program for the DRP, which allows people to apply to the Department for waiver of their surcharges. The Department defines "indigent" as earning less than 125 percent of federal poverty guidelines, which was \$32,187 for a family of four in 2018. Today, if the Department accepts a person's proof that they are indigent, surcharges are waived. There is also an Incentive Program that can reduce, rather than waive, surcharges for people who can demonstrate that they make between 125 percent and 300 percent of the federal poverty guidelines.

Unfortunately, most people who are eligible for the Indigency or Incentive Programs do not know that the programs exist and do not apply. Only 49,000 people successfully completed Indigency waiver applications in 2016, and only about 5,100 people were granted surcharge reductions through the Incentive Program. In a state with a poverty rate around 15 percent, one would expect more than 200,000 people with suspended licenses due to the DRP to be eligible for Indigency waivers, yet only a fourth of that number were granted.

In addition to a lack of knowledge about the waiver and reduction programs, another barrier is that the application is difficult for many people to complete and the required documentation can be difficult to provide. For example, some people find it impossible to prove that they are unemployed or have no income, so cannot successfully prove to the Department that they qualify. Furthermore, people whose wages are garnished for child support or other reasons often fail to qualify for relief because the application only considers gross income. Finally, when the Department rejects an application, it does not always provide a sufficient explanation for a person to properly re-apply even if they're eligible.

The DRP is widely accepted as a failure, even by the original authors of the bill that brought the program into existence. The program punishes people over and over again for the offense of being poor. In 2010, a former Texas representative who was the lead author of the bill that brought the DRP into existence admitted that "we definitely made a mistake . . . I think it's past time to either revise or repeal the program." However, despite many attempts, repealing the DRP has proven difficult, in large part because trauma hospitals have become dependent on the revenue from surcharges that is appropriated towards trauma care. The Texas legislature will again have the opportunity to end this failing and damaging program during the 86th legislative session.

The OmniBase Program

Under the OmniBase Program (also known as the Failure to Appear/Pay Program), courts may contract with the Department to put a hold on a person's driver's license when they miss a court date or fail to pay fines and court costs. The OmniBase hold prevents people from renewing their licenses until their fines and costs are paid in full. Additionally, people are charged a cost of \$30 per hold that must be paid before a hold is lifted.

Called OmniBase after the private company that contracts with the Department to track the holds, court must opt into the OmniBase Program and enter a contract with the Department to participate. Participation is widespread across the state. According to the OmniBase website, 732 out of 961 Texas cities and 243 out of 254 Texas counties participate. Though courts of all levels can use the OmniBase Program, it's used most often by justice and municipal courts,

which handle the lowest level criminal offenses, such as citations for traffic offenses and violations of city ordinances, and the vast majority of criminal cases involving fines.

As of January 2018, there were approximately 320,000 people with licenses that had already expired and were ineligible for renewal due to Omnibase holds. Another 489,000 people had Omnibase holds on their licenses and will be ineligible for renewal when their licenses expire in the future.

Some courts consider the OmniBase Program a tool to convince people to take care of their fines and costs. Some people may not realize that they have outstanding citations until they attempt to renew their license, so an OmniBase hold provides notice of this information so they can resolve the citation. As long as they have the resources to immediately pay what they owe, they will be able to move on with their lives. But for people struggling to make ends meet, the OmniBase Program can be disastrous.

Unlike the DRP, the OmniBase Program does not have an Indigency Program or an Incentive Program. In fact, current law does not permit courts to waive fines and fees for the underlying offense unless they first make a finding that the person is indigent and cannot perform community service without undue hardship. Instead of waiving what is owed, the court may also order a payment plan to pay in installments, or community service to work off what is owed at a rate of \$12.50 per hour. But most courts currently require people to complete all payments or all community service hours—resolving the entire amount owed—before notifying the Department to lift the holds. And if a person received the ticket in a place where they no longer reside or were just traveling through, they often have no way to travel back to the jurisdiction to appear before a judge and ask for community service, meaning they have no way to resolve the underlying offense whatsoever.

Because it is so easy to accumulate fines and costs, many low-income Texans are put on court-ordered payment plans and community service plans that last for many months or even years. This means that even defendants who are in compliance with court orders and are making good faith efforts to make payment plan installments or complete community service hours must wait months or years to get their licenses back. Ironically, the inability to obtain a license while on a payment plan or community service plan makes it much harder to come up with the money for payments or travel to a community service site.

Administering the OmniBase Program is complicated and can be confusing for court clerks and defendants alike. Holds are not issued per person, but per case, meaning a single person can have multiple OmniBase holds from a single court. To add to the confusion, many people have holds from multiple courts without realizing it, oftentimes from different jurisdictions all located within the same county. Obtaining information online about a person's existing holds is impossible if you do not know their driver's license number and the information available is not always accurate. People often finally pay off all their citations in one court only to later find out that they still have holds they were unaware of in other local justice courts or municipal courts. Court clerks can also have difficulty determining which holds are active when somebody has multiple holds spanning many years, and it is not uncommon for clerks to forget to lift holds after a person pays off multiple citations. Because of the difficulty determining which courts have holds on a license, and the difficulty of obtaining and complying with an alternative sentence from each court, many indigent people eventually give up on the idea of ever obtaining a valid driver's license.

Departmental Suspensions

The Department of Public Safety also has the power to suspend a driver's license through a Departmental Suspension, which can prolong a suspension period for a person trying to regain their driver's license. Many drivers caught in the DRP or the OmniBase Program end up receiving Departmental Suspensions as well. Pursuant to state law, if the Department determines that a person drove while their license was invalid or while they didn't have insurance, the Department must issue another suspension, on top of any other suspensions or holds. These additional suspensions last one to two years, depending on the length of the original suspension. **As of April 2018, there were approximately 250,000 people with active Departmental Suspensions resulting from convictions for driving with an invalid license or without insurance.**

In order to determine whether somebody was driving during a suspension period, the Department relies on records of convictions that indicate the person was driving. For example, the Department considers convictions for driving with an invalid license as grounds for a Departmental Suspension, and also infers that a person was driving if he or she is convicted of an offense like speeding, failing to signal, or failing to dim headlights during a time when their license was invalid.

Because Departmental Suspensions begin upon conviction of an offense, not the date of the offense or citation, they can be implemented well after the conduct they are intended to punish. **This means that if somebody goes to court to arrange a payment plan for a ten-year-old citation that they previously failed to address and that was issued while their license was invalid, they will immediately receive a *new* Departmental Suspension based on the evidence that they were driving ten years ago on an invalid license,** despite the fact that so much time has passed since the initial conduct.

In effect, Departmental Suspensions are fundamentally at odds with the OmniBase Program. The OmniBase Program is meant to compel people to come to court to pay citations. But when they do so, they may be hit with new Departmental Suspensions as a result. This punishes people for trying to take responsibility for their fines and makes it impossible for people to get back on their feet.

Reinstatement Fees

Finally, reinstatement fees are another serious hurdle for drivers who have had holds or suspensions and who are attempting to get their licenses back. Even after taking care of all fines, fees, and surcharges, and after serving any Departmental Suspension periods, most people are still barred from obtaining a license until they pay mandatory reinstatement fees charged by the Department.

People who have been caught up in the DRP and the OmniBase Program typically owe between \$100 and \$325 in various reinstatement fees. Unlike the OmniBase fee, the Department reinstatement fees cannot be waived or reduced for indigency or for any other reason. If an individual cannot pay them, they cannot get their license back.

Occupational Driver's Licenses

Most people with invalid licenses stemming from fines, fees, surcharges or Departmental Suspensions can apply for an occupational driver's license (ODL), which requires a court order. An ODL allows you to legally drive to and from certain places, such as work, as ordered by the court that issues it. But most people with DRP or OmniBase holds do not know that ODLs are an option and do not apply for them.

Even for those who do know about the option, the process of obtaining an ODL is long and complicated, not to mention very expensive. Attorneys routinely charge between \$500 and \$750 to handle ODL applications. While people can apply for an ODL without hiring an attorney, the process is so labyrinthine that just determining which court to file in can be impossible for many people to figure out on their own. Courts also charge filing fees of around \$250 just to apply. These fees can be waived for indigency if the person knows to fill out a fee waiver application, which many do not. In addition, ODL applicants must pay all reinstatement fees to the Department before obtaining an ODL—fees that are often upwards of \$200.

The restrictiveness of ODLs also varies greatly from jurisdiction to jurisdiction. Judges have wide discretion to put any number of conditions on the ODLs, so an applicant in one court can receive a much more restrictive license than an identical applicant in another court. For example, a judge in one county allows applicants to receive ODLs with virtually no restrictions except a requirement that they keep a logbook of their driving. However, another judge in the same county imposes a number of harsh restrictions, including requiring the applicant to sign up for probation and pay a probation fee of \$50 a month as a condition of keeping the ODL.

A Vicious Cycle

A single traffic citation can trap Texans in a cycle of license suspensions and poverty.

The programs described above trap low-income Texans in a cycle of poverty and incarceration. The cycle often starts with a citation for a moving violation like changing lanes without a signal or speeding, or even a broken headlight that a driver cannot afford to fix. If the driver cannot afford to pay the fines and courts costs associated with the citation, an OmniBase hold is placed on the license and the person will not be able to renew it.

In order to support themselves and their families, not to mention pay the fines and court costs to get their driver's license back, most Texans have to drive to work. But by doing so on a suspended license, they risk being pulled over and receiving more citations. Under a separate program known as the Scofflaw program, counties may deny vehicle registration renewal to people who have not paid fines and fees, meaning many people simultaneously lose their ability to register their vehicles due to unpaid fines and fees. So law enforcement may stop them for an expired registration sticker even if they have not committed a moving violation. At this point, they will likely receive several traffic citations per stop, including citations for driving without a valid license, driving without insurance (which is difficult to obtain with an invalid license) and driving with expired vehicle registration. It is easy to accumulate dozens of citations and thousands of dollars of ticket debt as a result.

If somebody is caught driving without a valid license or without insurance, or if they receive three or more traffic citations within three years, that person will also face hefty surcharges under the DRP. When people fail to pay surcharges, their licenses are automatically suspended. Continuing to drive on a suspended license risks not only

more citations, but more hefty surcharges under the DRP. In addition, a conviction for any traffic citation received during a suspension period will trigger another Departmental Suspension for one to two years.

When people contact the Department to seek guidance for restoring their driver's licenses, they often encounter what can seem like a black hole. Given the call wait times, it is often impossible to speak to someone over the phone at the Department about what is leading to an invalid license. Information available online is difficult to find and can be inaccurate. Not being able to speak to anyone on the phone or find enough information online leads people who are struggling with licenses to visit the Department in person. The Department service centers are completely overwhelmed and understaffed, with people reporting wait times of up to 8 hours just to renew a license. The people flooding the Department because of the DRP and OmniBase holds undoubtedly contribute significantly to these wait times.

Finally, even if somebody is able to successfully navigate the DRP Indigency Program, pay or work off all of their fines and costs without accumulating more citations and wait out any Departmental Suspension triggered by paying off those fines and costs, that person will still need to pay all applicable reinstatement fees, which often total hundreds of dollars. **In sum, once a low-income person loses their license under one of these programs, the prospect of ever driving legally again can seem hopeless.**

Impact on Employment

Driver's license-related consequences for not paying fines and fees hinder Texans' ability to remain employed and support their families.

A shortage of adequate public transportation makes driving a necessity for survival in much of Texas. Currently, more than 90 percent of employed workers commute to work in a car, either alone or in a carpool, according to census data. Only 1.4 percent use public transportation to commute to work. Most low-income Texans do not live within a reasonable public transit commute distance from local employers. Even densely populated urban areas in Texas generally lack an adequate public transportation infrastructure. In major cities like Houston, Dallas-Fort Worth, and El Paso, fewer than one-third of jobs are accessible within a 90-minute public transportation ride. In rural areas, public transportation is even less available.

Relatedly, much of the job growth in urban areas is in the suburbs rather than the city center. So even if public transportation exists within the city center, it is difficult for people who cannot legally drive to access job opportunities in the suburbs.

Even if someone can avoid commuting to work by car, just the fact that a person does not have a valid driver's license makes finding and keeping employment and housing more difficult. One study of drivers with suspended licenses found that 42 percent lost their jobs when their license was suspended. Forty-five percent of these people could not find another job, and the overwhelming majority of those who did find another job (88 percent) had to take a pay cut. The impact was even greater on drivers with household incomes below \$30,000. Sixty-four percent of these drivers lost their jobs when their license was suspended and 51 percent could not find another job.

Not only are valid driver's licenses necessary for many job applications, a valid driver's license is viewed as a sign of stability and trustworthiness. Without one, an applicant for a job or an apartment may lose out to the applicant with a valid license. Many employers ask applicants to provide a valid driver's license with their applications, even for jobs

where driving is not required. This is especially common in fields such as construction, health care, manufacturing or office jobs—jobs that often pay above minimum wage and have the potential to help families escape poverty. Landlords also commonly ask applicants for driver’s licenses.

On top of the negative financial impact to individuals and their families, the loss of employment and income caused by driver’s license suspensions has a broader economic impact. When people cannot drive to work, employers are forced to hire and train new employees. When people stop being able to support themselves financially and provide for their families, people may file claims for unemployment benefits and other government assistance, passing the costs on to taxpayers. Loss of income can also lead to more uninsured drivers on the road, pushing more economic burden on people who are insured.

Rather than empowering people to be self-sufficient, suspensions stemming from poverty hinder employment and the financial stability of Texas families. Texas must establish a clear path forward for people who want a valid driver’s license, who want to comply with court orders, and who want to work, but are currently prevented from doing so through the OmniBase Program or DRP.

Risk of Jail Time

Driver's license holds and suspensions frequently lead to jail time

Unsurprisingly, many people with suspended licenses choose to keep driving even without a valid license, given that driving is a necessity to maintain employment in most cities and counties across Texas. Beyond employment, most Texans also have to drive to buy groceries, visit the doctor, or drop their children at daycare, among other necessary routine tasks.

In addition to the piling on of tickets, surcharges and fees, people who continue to drive after losing their licenses are often arrested and jailed as a result. Jail stays can have devastating consequences on individuals and families and compound the negative economic consequences suffered by families when a breadwinner has a suspended license. Even short jail stays can lead to people being fired from their jobs or being evicted from their housing. When jailed, people may have no way of knowing where their children are or who is taking care of them; they also may be threatened with removal of their children because they are in jail. Existing medical conditions and mental health issues may be exacerbated when they do not have access to their typical medications and medical care. Furthermore, having an arrest record and/or criminal conviction on their records makes finding sustainable housing and employment in the future dramatically more difficult.

There are two ways that license suspensions can lead to jail time: one, being charged with the Class B misdemeanor of Driving While License Invalid, and two, being committed to “sit out” fines in jail on a Class C misdemeanor.

A. Driving While License Invalid Charges

Under Texas law, a first-time Driving While License Invalid (DWLI) offense in isolation is a Class C misdemeanor, meaning a person will usually receive a ticket rather than being booked into jail. A second or subsequent DWLI, or any DWLI (even a first offense) combined with not having insurance or with a previously suspended license due to a Driving While Intoxicated (DWI), bumps DWLI up to a Class B misdemeanor. A Class B misdemeanor carries a penalty of up to a \$2,000 fine and 180 days in jail. Regardless of whether your license is invalid for not paying a traffic ticket or for driving after a suspension due to a DWI conviction, a repeat DWLI is a jailable offense .

Repeat DWLI often occurs when people have been previously charged with DWLI and do not have the financial resources to get their license back, yet must continue to drive out of necessity. Vicki Ashley, the Travis County Attorney's Office criminal trial division director, explained the huge number of DWLI charges in Travis County: **"The people that we're seeing over and over again in large measure have gotten themselves into such a deep financial burden that they don't see a way out. They cycle through with DWLI arrests or citations or charges, a couple times a year. Every single time it adds surcharges."**

When drivers are charged with a Class B DWLI, they are most often arrested and booked into jail. Texas law does allow for police departments and other law enforcement agencies to implement cite-and-release policies for certain misdemeanors including DWLI (meaning a person could get a ticket ordering them to appear in court on a certain date and avoid jail booking), but most departments have not done so. Furthermore, when a driver is booked into jail, their vehicle is typically impounded meaning they will have to pay the towing company to have their vehicle returned to them. A typical towing fee is \$200 and the cost rises the longer the vehicle is stored.

If a person is arrested for a Class B DWLI, either after the original traffic stop or upon missing court, they will usually have the opportunity to pay a bond to be released quickly. Bond amounts for Class B misdemeanors vary by county, but can range from \$400 to \$1,000 or more, and most people who cannot afford to pay their fines, fees and surcharges to get their license back also cannot afford a cash bond. In many Texas counties, most people wait in jail on a DWLI charge until they enter a plea deal, often pleading guilty in exchange for time served and their immediate release, or until they go to trial. Furthermore, a conviction for DWLI also usually includes jail time as part of the sentence. Statewide, there were 11,700 convictions for Class B DWLI in 2017. In 75 percent of the cases resulting in conviction, the defendant was sentenced to jail.

Thousands of people are booked into jail each year on charges related to their driver's license being invalid or expired. **Examining jail booking records in 9 large counties reveals that at least 6,000 people were booked into jail in those 9 counties on DWLI charges without a more serious offense over the course of a single year.** Another 1700 people were booked in on other driver's license-related charges, such as having an expired driver's license, in those counties in the same year.

| County | Number of Individuals Jailed | Total Jail Bed Days | Individuals Staying Longer than 3 Days | Individuals Staying Longer than 10 Days |
|--------------|------------------------------|---------------------|--|---|
| Bell | 844 | 2,359 | 130 | 82 |
| Collin | 407 | 821 | 54 | 15 |
| Dallas | 454 | 1,786 | 142 | 51 |
| El Paso | 111 | 168 | 9 | 0 |
| Fort Bend | 477 | 1,174 | 101 | 23 |
| Galveston | 930 | * | * | * |
| Hidalgo | 76 | 293 | 18 | 9 |
| Montgomery | 291 | 854 | 10 | 3 |
| Travis | 2,762 | 4,614 | 439 | 36 |
| Total | 6,352 | 12,069 | 903 | 219 |

Data reflects 2017 jail bookings, except for Dallas and Montgomery which are 2016 jail bookings. Galveston County length of stay not available.

B. Commitment for Nonpayment of Fines and Costs

A first offense for DWLI is a Class C misdemeanor intended to be punished by fine alone, but jail time may result nonetheless. When people fail to pay fines for Class C misdemeanors, the court often issues a capias warrant for their arrest. These can be executed anywhere, even a person's home or place of work, but are most often executed during another traffic stop. Because many people with capias warrants for unpaid fines have also lost the ability to register their vehicles, they may be stopped and arrested for their expired registration without any moving violation.

Moreover, with the widespread use of Automatic License Plate Readers (ALPRs), police can quickly scan thousands of license plates to identify drivers with outstanding warrants for unpaid fines and pull them over even if they have not committed a moving violation.

Once arrested, Texans can be held in jail to “lay out” their fines and costs at a rate set by state law of at least \$100 of jail credit per day. Because it is so easy to accumulate thousands of dollars in traffic citations, many people who are committed to jail are held for days or even weeks due to unpaid fines and costs. Under Texas law, people cannot be committed to jail for failure to pay fines or costs unless the judge holds a hearing and determines that the person either (1) is able to pay the amount but has chosen not to pay; or (2) is unable to pay, has been given the opportunity to complete community service and could have performed it without undue hardship but has chosen not to do the community service. These hearings are often perfunctory and incomplete, if they happen at all, and as a result, many low-income people end up in jail illegally solely due to their inability to pay. In some Texas jurisdictions, officers take people directly to jail to lay out their fines and they never see a judge, let alone have a hearing.

Even if people are not committed to weeks in jail, they may be held in jail for up to 48 hours by law just waiting to see a judge before being released. They usually receive \$100 of jail credit per day in jail while they wait, but for some, that may not even make a dent in the amount they owe. Additionally, if a person has multiple citations, they can accumulate hundreds of dollars in warrant fees of \$50 per warrant every time they are arrested and released, continuously driving up their debt and bouncing them in and out of jail.

C. Enforcement of Financial-Related License Suspensions Wastes Law Enforcement Resources and Makes Texas Communities Less Safe

The authors of this report and their partners have interviewed hundreds of people who have lost their licenses under the programs described here. All of those people have had one thing in common: they desperately want to obtain their driver’s licenses and get back on the road legally so that they can get the rest of their lives on track. By creating insurmountable barriers for low-income people who want to regain their driver’s licenses, the programs described here trap people in poverty and make us all less safe.

Instead of using law enforcement resources to address more serious crimes, or to focus on dangerous driving, law enforcement officers are forced to spend time addressing unpaid fines and fees. Research has demonstrated that the

more law enforcement resources dedicated to collecting fines and fees, the lower the clearance rate for violent crimes and property crimes. In particular, arresting and booking a person into jail takes time. One Ohio study estimated a suspended license case required seven hours of an officer's time, when accounting for the stop, the vehicle impoundment, the jail booking and time in court. This is seven hours the officer is unavailable for other duties, including 911 responses and criminal investigations.

A roadside encounter with a suspended driver is a time-consuming endeavor for officers. Drivers suspended for non-driving reasons represent 39% of all suspended drivers [nationwide], and are not the threat to the motoring public as other suspended drivers. Reducing law enforcement roadside encounters with suspended drivers by up to 39% would result in significant time savings allowing officers to be available for calls for service and other proactive highway safety activities. -- Chief John Batiste, Washington State Patrol

Another way that license suspensions further damage public safety is through unnecessary jail stays for low-risk Texans whose most serious offense is driving without a valid license. Research shows that detaining non-dangerous people in jail, even just for a few days, is strongly correlated with higher rates of new criminal activity. This effect persists even years after the detention. The higher likelihood of criminal activity following pretrial detention is most likely due to the extremely destabilizing effect jail has on most people's lives, especially when those people are already struggling to get by. Even with short jail stays, people may lose their jobs, their housing, their children and family support, not to mention the deleterious effects on their physical and mental health. Finding other ways to hold people accountable besides jail, such as driver safety classes, license restoration clinics, community service and probation, will conserve law enforcement resources and jail beds for dangerous people who threaten public safety, while allowing people whose most serious offense is not paying fines or fees and then driving with an invalid license to avoid detention and to financially support themselves and their families.

Unnecessary jail time also costs county taxpayer dollars. County sheriffs must feed and house people, provide them medical care and prescription drugs, and employ the jail staff available to oversee the jail population, which costs an average rate of \$60 per day -- and much higher in some counties. The license-related jail stays in the 10 counties that this report analyzed accounted for

12,721 jail bed days – a cost of more than \$750,000, based on the average jail bed day cost of \$60.

Moreover, district attorneys and criminal courts must allocate time and resources to the prosecution and adjudication of charges that are most often a result of poverty. Notably, some district attorneys have instituted policies to reduce the number of DWLI charges that they prosecute, realizing the resources wasted on DWLI prosecution. For example, Tarrant County's District Attorney prosecutes relatively few Class B DWLI, having instructed law enforcement to charge DWLI as a Class C offense in most instances (merely writing a ticket that should not be punishable by jail) in order to conserve prosecution resources for more serious crimes. Other counties, like Travis County, are establishing ways to divert these offenses or refile as Class C misdemeanors as well. Ultimately, people charged with driver's license-related offenses need instructions for obtaining a valid license more than anything else, and most cases should be deferred, allowing for charges to be dismissed if the person obtains a valid license. However, in order for that policy to work, the laws must be changed so that it is possible for lay people to navigate the license-recovery process by themselves.

An In-Depth Look at the Omnibase Program

Omnibase holds largely affect low-income people and disproportionately people of color

While advocates and legislators have acknowledged the harms associated with the DRP over the past few years, little attention has been paid to the OmniBase program. For that reason, this section dives deeper into that program specifically in order to paint a better picture of who is impacted by it -- primarily low-income people and disproportionately people of color, many of whom have not been able to reinstate their license for many years.

The fact that the program disproportionately punishes low-income Texans is evidenced by the huge number of holds that are placed on licenses for offenses that are associated with poverty. Driving without insurance, displaying expired license plates, driving with an invalid license and no driver's license all often result from a lack of financial resources and are poverty-related, while moving violations like speeding are committed by drivers of all income levels. **More than one in four OmniBase holds from 2013 through 2017 resulted from these poverty-related offenses.** Ultimately, one needs money to obtain car insurance or to pay their vehicle registration fee. For example, it costs more than \$200 to initially register a vehicle in Travis County and \$78 per year after that. It costs on average \$1300 annually (depending on your county of residence) to insure a vehicle in Texas, and it is even more expensive to get insurance if you do not have a driver's license. A person also needs money to obtain a driver's license and money to keep one, including resolving any legal financial obligations like fines, court costs or surcharges. Consequently, people without money are most often convicted of these offenses.

A. Long-term Holds Demonstrate People Lack a Path to Reinstating Their Licenses

Further evidence that the OmniBase Program punishes people for their poverty are the tens of thousands of people who have years-long or even decades-long holds on their licenses. The Program's purpose is to compel payment before or at the time people renew their license. Almost anyone who has the money to pay the underlying fines or costs will do so when their license expires to avoid risking further fines. However, for those without the money to do so, their license becomes invalid when it expires and may remain invalid for many years.

The average length of time that expired licenses with OmniBase holds have been invalid is five years and seven months . The chart below shows how long licenses with OmniBase holds have been expired. (Active licenses with OmniBase holds are not included in this data.) Among these expired licenses, more than 50,000 licenses have been expired for over a decade and not had the hold removed, representing 10 percent of all expired licenses with OmniBase holds. Another 188,000 (or 39 percent of expired licenses with OmniBase holds) have been expired between five and ten years.

| Length of Hold | Number of Individuals Impacted | Percent of All Holds |
|----------------|--------------------------------|----------------------|
| 1 year | 84,797 | 17.6% |
| 2-5 years | 159,578 | 33.0% |
| 5-10 years | 188,457 | 39.0% |
| 10+ years | 50,163 | 10.4% |

Someone who has endured an invalid license and all of its attendant consequences -- including the threat of more tickets and arrests, and the difficulty of finding employment and housing -- almost certainly has no path to reinstating their license, or at least no path that they are able to navigate themselves. They do not have the money to hire an attorney to help them and do not have the money to pay the fines, costs and reinstatement fees required to get their license back. Relatedly, the court almost certainly will not be able to collect any money from them at this point given their lack of financial resources.

B. The OmniBase Program is Not Necessary to Enforce Court Judgments

Notably, the OmniBase Program is not viewed by all courts as a necessary tool to enforce court judgments. This is evidenced by the great variation in the degree to which courts rely on the program. Across the municipal courts in larger cities from which the authors of this report collected data, some issued tens of thousands of holds annually while others have voluntarily opted out of the program entirely or rarely issue holds at all.

| Municipal Court | OmniBase holds | OmniBase holds per 100 cases disposed |
|-----------------|------------------------------|---------------------------------------|
| Houston | 66,331 (April-December only) | * |
| San Antonio | 25,583 | 15.6 |
| Dallas | 75,164 | 33.0 |
| Austin | 5,372 | 3.9 |
| Fort Worth | 0 | 0.0 |
| El Paso | 4,959 | 2.6 |
| Arlington | 14,934 | 15.3 |
| Corpus | 13,910 | 26.0 |
| Plano | 126 | 0.2 |

OmniBase holds reported by municipal court in 2017.

Comparing the Dallas and Fort Worth Municipal Courts is particularly telling. The Dallas Municipal Court relies heavily upon OmniBase for enforcement while the Fort Worth Municipal Court reported that it has not used OmniBase at all over the past three years. Yet there is virtually no difference in the revenue per case disposed between the two courts in the most recent year. The Fort Worth Municipal Court collects \$116 per case and the Dallas Municipal Court collects \$113 per case.

C. Case Study: Dallas OmniBase Holds are Concentrated in Low-income Zip Codes

Conversations with people who have OmniBase holds about the impact of the program on their lives offer ample anecdotal evidence about the disproportionate impact this program is having on low-income Texans. And the fact that this program punishes the poor is supported by the data as well.

The Dallas Municipal Court issues the most holds of large municipal courts from which we were able to obtain complete data. In 2017, they placed more than 75,000 holds on driver's licenses. The Court had about 160,000 new cases added to their docket that year, meaning their ratio of holds to new cases was almost 1:2.

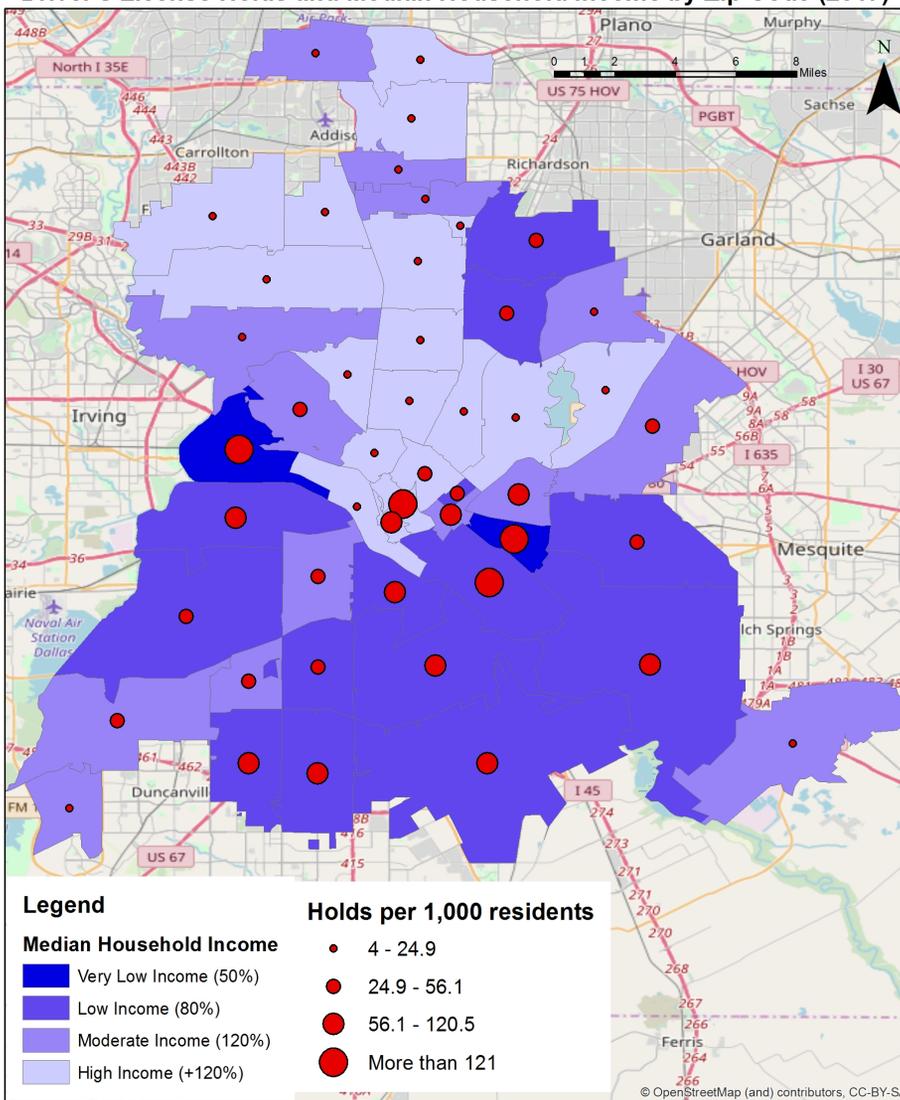
The map below shows a distribution of the OmniBase holds issued to people whose residential zip code is within Dallas County. The zip codes are also color-coded to show the median income within that zip code according to census data.

The map shows that OmniBase holds are concentrated in lower-income zip codes, many of which are in South Dallas. The highest income zip codes generally have very few holds. A correlation analysis revealed a significant negative relationship between holds and median income; as zip code income increased, the number of holds decreased.

The map does reveal a couple of anomalies, with two relatively high income zip codes near downtown Dallas that also have a comparatively high number of holds. One potential explanation is that these zip codes include several shelters and agencies that serve the Dallas homeless population, so have traditionally been areas of the city where many individuals experiencing homelessness reside. These individuals may be cited by law enforcement for city ordinances designed to govern their conduct, like no camping, no sitting or lying on sidewalks, no walking in roadways, or no soliciting, and have no money to pay the associated fines, leading to an OmniBase hold.

OmniBase holds for such offenses are not uncommon. For example, there were 3,500 OmniBase holds statewide related to not paying fines for walking on a roadway when a sidewalk was provided and another 1,500 OmniBase holds for unpaid tickets written for standing in a roadway to solicit contributions or employment. These are tickets most often written to individuals experiencing homelessness, meaning Omnibase is likely entrapping some of the most vulnerable individuals.

Driver's License Holds and Median Household Income by Zip Code (2017)



Sources: Driver's license holds data taken from open records requests to the Department of Public Safety
 Income data taken from U.S. Census Bureau American Community Survey 2012-2016 5-Year Estimates
 Zip code shapefile taken from U.S. Census Bureau 2012-2016 American Community Survey 5-Year Estimates
 Highway shapefile taken from TX DOT

D. Racial Disparities Demonstrate Injustice in OmniBase Holds

Black and Hispanic drivers are much more likely to be impacted by OmniBase holds than White drivers. Black individuals make up about 11 percent of licensed drivers in Texas. Yet, they are dramatically overrepresented among people with expired licenses that cannot be renewed due to OmniBase holds, representing 28.6 percent of these drivers. Significance tests of these proportions found that the differences for race groups are statistically significant, and not due to chance.

| Race/Ethnicity | Active Driver's Licenses (Total) | Active Driver's Licenses (Percent) | Active Driver's Licenses with Omnibase holds | Expired Driver's Licenses with Omnibase Holds |
|-----------------|----------------------------------|------------------------------------|--|---|
| Black | 2,075,361 | 11.2% | 25.6% | 28.6% |
| Asian | 1,060,117 | 5.7% | 1.2% | 0.9% |
| White | 11,365,267 | 61.6% | 43.2% | 51.3% |
| Hispanic | 3,502,279 | 19.0% | 27.0% | 14.0%* |
| Native American | 50,216 | 0.3% | 0.3% | 0.3% |
| Other | 404,468 | 2.2% | 2.7% | 5.0% |
| Total | 18,457,708 | | | |

One factor contributing to the disproportionate impact on Black and Hispanic drivers is undoubtedly the racial wealth gap in Texas. The median household income for a White family in Texas is \$59,891, while the median household income for a Black family in Texas is \$42,582. More than 17 percent of Black families in Texas live in poverty compared to 11 percent of White families. So, on average, a Black driver will be less likely to be able to pay fines and costs in full than a White driver.

Other factors may also be contributing to the overrepresentation of people of color in the OmniBase Program, including the fact that Department of Public Safety officers cite Black and Hispanic drivers at a disproportionate rate. Examining stops by Department of Public Safety troopers, for example, shows higher rates of citations per stop for Black and Hispanic drivers compared to White drivers. Approximately one citation is written for every two stops for Black and Hispanic drivers versus one citation for every three stops of White drivers. While this fact alone is not a large enough difference to account for the greater rate at which Blacks and Hispanics experience OmniBase holds relative to Whites, it could contribute to the disparity. Ultimately, if a driver is more likely to receive a ticket when they are stopped, and less likely to have the money to pay that ticket, they are more likely to fail to pay and have an OmniBase hold that prevents them from renewing their license.

Data from Dallas Municipal Court discussed in the previous section shows the racial breakdown of all holds placed in 2017, with stark overrepresentation of Black drivers in that jurisdiction. While Black individuals make up only about 25 percent of the Dallas population, almost 60 percent of OmniBase holds impacted Black individuals. Such a dramatic racial disparity indicates that the City of Dallas must take steps to identify the drivers of this disparity, be it different rates of traffic stops or citations, differences in income level and ability to pay fines or other factors, and then take steps toward eliminating this racial disparity. Other cities should examine their own data and undertake a similar inquiry.

| Race/Ethnicity | Population | Holds |
|-----------------|------------------|----------------|
| Black | 562,924 (22.4%) | 44,889 (59.7%) |
| Asian | 145,757 (5.8%) | 27 (0.4%) |
| White | 774,020 (30.8%) | 13,677 (18.2%) |
| Hispanic | 987,630 (39.3%) | 15,802 (21.0%) |
| Native American | 7,539 (0.3%) | 5 (0.01%) |
| Other | 268,896 (10.7%) | 482 (0.6%) |
| Total | 2,513,054 | 75,164 |

Recommendations

Texans need a way out of the ongoing cycle of invalid driver's licenses, tickets, mounting court debt, jail time and lost employment. Creating a navigable path to reinstatement of driver's licenses for low-income Texans will not only help individual families gain financial stability, but will generate wealth for the Texas economy. Moving forward, driver's license suspensions should be limited to those dangerous drivers who put others at risk when they are on the road, not drivers who haven't paid fines, costs and surcharges.

The legislature should eliminate the OmniBase Program as well as the DRP. Eliminating license suspensions for nonpayment would free up resources to dedicate to public safety and public health. If the legislature is unwilling to eliminate the OmniBase Program, it should modify the program to ensure people are not trapped in the program due to poverty and provide people a clear path to driver's license restoration. Furthermore, no person should be jailed for driver's license-related offenses, particularly when the invalid license was due to nonpayment of fines or costs.

The following recommendations would create a system that is fair to all Texans while protecting public safety and more wisely using taxpayer dollars. Along with the state legislature, district attorneys, courts and city councils can all help create such a system.

Legislative Recommendations

Abolish or Reform the Omnibase Program

Abolishing the OmniBase Program and lifting all existing holds would be the simplest and most certain solution to address the problems associated with it.

However, if the OmniBase Program continues to exist, modifications must be made so that OmniBase holds are not put on licenses when people lack the ability to pay their fines and costs.

1. Limit holds to failure to appear and end holds for failure to pay.

Of the two types of OmniBase holds—one for failure to appear and one for failure to pay, failure to pay causes greater problems. Holds for failure to pay are generally placed on the licenses of people who have appeared in court, which indicates they were attempting to comply with court orders. More often than not they are unable to pay what was ordered. If a person is willfully refusing to pay an amount, the law offers tools for collecting the amount owed other than a license hold.

2. Lift holds as soon as a person comes into compliance.

Most courts currently require defendants to complete all payment plan installments or all community service, resolving the entire amount owed, before the holds on their licenses are lifted. Many defendants owe thousands of dollars in fines and costs, meaning it will take many months or even years to pay or work off their balances. This means that even defendants who are in compliance with court orders and are making good faith efforts to make payment plan installments or complete community service hours will wait months or years to get their licenses (which in turn makes it harder for them to comply with those court orders). Courts should instead lift holds as soon as a defendant comes to court and makes a good faith effort to take care of their citations. People waiting for a pretrial setting or to complete payment plans or community service plans should be able to obtain licenses during that period. If a defendant misses a court date again or fails to comply with a court order, the court could issue a new hold on the license to ensure the defendant comes back to court.

3. Hold hearings before issuing holds.

Before defendants are deprived of their ability to obtain a driver's license, the court should be required to order a hearing, providing the defendant an opportunity to be heard and explain why their fines or costs have not yet been paid. If the nonpayment was due to inability to pay or the failure to complete community service was on account of undue hardship, the court should not suspend the driver's license, but instead modify the sentencing order so that the defendant can resolve the amount that they owe.

4. Implement an indigency program similar to DRP.

The DRP has an indigency program that allows people who live at or below 125 percent of federal poverty guidelines to clear their surcharges and obtain valid driver's licenses. The OmniBase Program should have a similar program, through which defendants can submit a form or affidavit documenting their income. If their income falls below a certain level, they should not be eligible for a license hold under OmniBase Program and any existing hold should be lifted.

5. Structure program so that only one hold is issued per person in each jurisdiction.

Currently, defendants can have multiple holds in each jurisdiction, and each hold also comes with a \$30 fee that must be paid before the hold is lifted. Because it is so easy for defendants to accumulate tickets once they lose their licenses, they often end up owing hundreds of dollars in Omni costs. Furthermore, due to the large number of holds, many clerks make mistakes and fail to lift some of the holds once a person has taken care of their tickets. Holds should be applied per person instead of per case, so that each person has only one hold in each jurisdiction. This will simplify the process and decrease the likelihood of administrative errors.

6. Lift holds automatically after a license has been expired for two years.

Under current law, holds are not lifted until the fines or costs owed are completely resolved, meaning there are people with expired licenses that they have not been able to renew for many years. Presumably, most people who do have the ability to pay will pay in order to get their license back once it has been expired and they realize they risk additional tickets if they continue driving on an expired license. It is overwhelmingly those who lack the ability to pay who have suspensions that are many years old. By limiting the amount of time that a license can be denied renewal, the law

would be making a reasonable attempt to differentiate between those who can pay and those who cannot – and lifting the holds for the latter without requiring them to jump through unnecessary hoops.

Repeal the Driver Responsibility Program and Fund Trauma Care without Relying on Revenue Generated by the Criminal Justice System

Despite repeal efforts over the past few legislative sessions, the DRP has been difficult to abandon due to state trauma hospitals' dependence on DRP revenue. Money raised from the DRP is funneled into two funds: 50.5 percent to the General Revenue Fund and 49.5 percent to the Designated Trauma Facility and Emergency Medical Services Account. Though Trauma hospitals rely on the DRP, it is not a stable source of funding. Only about half of the surcharges assessed are ever paid despite the steep penalties, usually because the people with the most surcharges are too poor to pay them. The amount collected each year is unpredictable, and the total revenue from the DRP has often decreased from year to year, despite the overall growth of the state.

In 2017, H.B. 2068 (Phillips, L.) became the first DRP repeal bill to make it out of the House of Representatives before dying in the Senate. However, H.B. 2068 would have replaced the funding for trauma care by creating increased criminal fines – specifically, an additional \$3,000 fine for driving while intoxicated, an additional \$750 fee for driving without insurance, and an increase in the state traffic fine of \$20. Unfortunately, while the bill would have helped many Texans with their DRP suspensions, many of those people would have simply ended up with OmniBase holds instead as a result of the new fines. In some ways, this would have put them in a worse position since the OmniBase Program does not have an indigency or incentive program like the DRP.

Instead of relying on fines or surcharges, trauma hospitals should have a stable source of funding that does not depend on squeezing money from low-income Texans who are already struggling with fines and fees. Therefore, the Texas Legislature should repeal the DRP and designate an appropriate amount of funding for trauma care from the general revenue.

End Departmental Suspensions

Departmental Suspensions are counterproductive and end up punishing people for coming to court to take care of old citations. The Texas Legislature should amend the code so that the Department may only administratively suspend a driver's license in cases where a person was convicted of driving while intoxicated at the time their license was invalid.

Require Waiver of Reinstatement Fees

Most people who enter the DRP or the OmniBase Program end up owing \$200 in reinstatement fees in addition to all other fines, fees and surcharges. These reinstatement fees cannot be waived for indigency and must be paid in full before a person can obtain a license. This means that reinstatement fees can be a final yet insurmountable barrier to reinstating one's license even after resolving fines, fees and surcharges. The Texas Legislature should require reinstatement fees to be waived upon a showing of inability to pay to either a court or the Department to eliminate this barrier.

Reduce Driving While License Invalid Charges to Class C Misdemeanors

The majority of all license suspensions are not based on convictions for dangerous offenses like driving while intoxicated but are instead due to the driver's inability to pay a fine, fee or DRP surcharge. People who must continue to drive risk being charged with Driving While License Invalid (DWLI). While the first DWLI offense is a Class C misdemeanor, any subsequent offense can be charged as a Class B misdemeanor and carries up to six months in jail -- regardless of the reason for the original suspension.

The Texas Legislature should reduce Class B DWLIs to Class C misdemeanors except in cases where the original suspension was related to driving while intoxicated. Not only would this be more proportionate, it would save taxpayer dollars by diverting individuals from county jails and by eliminating the need to appoint an attorney in most cases. It would also improve public safety by keeping law enforcement officers on the street to focus on more serious crime.

Local Recommendations

Develop Court Procedures Designed to Avoid OmniBase Holds and DRP Surcharges for People Whose Nonpayment is Due to Poverty.

Many of the legislative recommendations suggested are already within a judge's discretion to implement in their own court. Municipal court judges, along with justice court judges, should establish court policies that will prevent people from having invalid driver's licenses due to poverty. For example, judges should hold a show cause hearing to determine the cause for nonpayment before issuing an OmniBase hold. And judges should establish a policy that they will lift a hold as soon as a person voluntarily comes to court to take care of an outstanding fine, as opposed to waiting for them to be done with a payment plan or community service. Courts can also lift holds that have been in existence for a very lengthy period, where the likelihood of collecting any money is already extraordinarily low.

Municipal and justice court judges, in conjunction with their city councils and county commissioners courts, should also reconsider their city's or county's participation in the OmniBase Program and opt out entirely, choosing not to renew their contract with the Department. While that contract is in place, city councils and court commissioners should monitor the compliance of municipal courts, justice courts and other county courts with the U.S. Constitution and state law, to ensure that their constituents' rights are protected and to avoid a lawsuit similar to ones filed across the country challenging programs similar to OmniBase.

Implement Cite and Release Policies to Avoid Jail Time for DWLI and Related Offenses.

City councils and county commissioners courts should direct their local law enforcement agencies to develop cite-and-release policies. Texas law provides that for certain Class B misdemeanors, including DWLI, an officer may write a citation ordering a person to appear in court on a certain date, rather than arresting them and booking them in jail. This avoids many of the harms to individuals associated with a jail stay, as well as avoiding significant expenditure of taxpayer dollars. Cite and release is underutilized across Texas, though several departments are working to develop new policies or expand existing ones. If law enforcement agencies used cite and release more frequently, it would protect more Texans from the harms of pretrial detention.

Grant Personal Bonds Quickly for DWLI.

County court judges should issue standing orders that anyone who is booked into jail for DWLI or other driver's license related offenses, and no more serious offense, is entitled to immediate and automatic release on a personal bond, without any monetary payment required. Again, this would protect Texans accused of DWLI from the harms of pretrial detention.

Develop Diversion Programs for DWLI.

District attorneys serve a vital role in ensuring public safety, and their limited resources could be better allocated by not prosecuting DWLI cases. They can instruct their local law enforcement to charge all DWLI as a Class C misdemeanor or could themselves reduce the charges for those Class B misdemeanors that are filed with their office to Class C misdemeanors. District attorneys can also divert DWLI cases that are filed, by deferring prosecution and allowing the person to work with a local clinic or legal services agency to restore their license, dropping the charges entirely if the person obtained a valid license within a certain period.

Develop Local Programs to Assist People with License Restoration.

City councils and county commissioners should work with their municipal and justice courts, respectively, to establish license restoration programs through which people who are struggling with holds for unpaid fines and fees can receive guidance and legal assistance in reinstating their license. The Austin Municipal Court has successfully held four such license restoration clinics so far in conjunction with the Texas Fair Defense Project and the William Wayne Justice Center at the University of Texas School of Law and the demand for the clinics has been overwhelming. They have led to hundreds of people with licenses suspended due to unpaid fines and surcharges receiving legal assistance to reinstate their license.

More about the Authors

Texas Appleseed

Texas Appleseed is a public interest justice center. Our nonprofit works to change unjust laws and policies that prevent Texans from realizing their full potential. We anchor a dynamic network of pro bono partners and collaborators to develop and advocate for innovative and practical solutions to complex issues. Texas Appleseed also conducts data-driven research that uncovers inequity in laws and policies and identifies solutions for lasting, concrete change. The many issues on which we work are united by the goal of greater justice. When justice is beyond reach, Texas Appleseed provides the ladder.

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Texas Fair Defense Project

The Texas Fair Defense Project's mission is to fight for a criminal justice system that respects the rights of low-income Texans. We envision a new system of justice that is fair, compassionate, and respectful. Through impact litigation, legislative advocacy, and education, we are working to end counterproductive, costly, and unconstitutional practices like jail time for traffic tickets and our broken money-bail system.

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We thank the Casey Foundation for its support but acknowledge that the findings and conclusions presented here are those of the author(s) alone, and do not necessarily reflect the opinions of the Foundation.

EXHIBIT D

The Steep Costs of Criminal Justice Fees and Fines

A Fiscal Analysis of Three States
and Ten Counties

By Matthew Menendez, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison

Produced with research assistance from the Texas Public Policy Foundation
and Right on Crime PUBLISHED NOVEMBER 21, 2019

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Executive Summary

The past decade has seen a troubling and well-documented increase in fees and fines imposed on defendants by criminal courts. Today, many states and localities rely on these fees and fines to fund their court systems or even basic government operations.

A wealth of evidence has already shown that this system works against the goal of rehabilitation and creates a major barrier to people reentering society after a conviction.¹ They are often unable to pay hundreds or thousands of dollars in accumulated court debt. When debt leads to incarceration or license suspension, it becomes even harder to find a job or housing or to pay child support. There's also little evidence that imposing onerous fees and fines improves public safety.

Now, this first-of-its-kind analysis shows that in addition to thwarting rehabilitation and failing to improve public safety, criminal-court fees and fines also fail at efficiently raising revenue.² The high costs of collection and enforcement are excluded from most assessments, meaning that actual revenues from fees and fines are far lower than what legislators expect. And because fees and fines are typically imposed without regard to a defendant's ability to pay, jurisdictions have billions of dollars in unpaid court debt on the books that they are unlikely to ever collect. This debt hangs over the heads of defendants and grows every year.

This study examines 10 counties across Texas, Florida, and New Mexico, as well as statewide data for those three states. The counties vary in their geographic, economic, political, and ethnic profiles, as well as in their practices for collecting and enforcing fees and fines.

Key Findings

- Fees and fines are an inefficient source of government revenue. The Texas and New Mexico counties studied here effectively spend more than 41 cents of every dollar of revenue they raise from fees and fines on in-court hearings and jail costs alone. That's 121 times what the Internal Revenue Service spends to collect taxes and many times what the states themselves spend to collect taxes. One New Mexico county spends at least \$1.17 to collect every dollar of revenue it raises through fees and fines, meaning that it loses money through this system.
- Resources devoted to collecting and enforcing fees and fines could be better spent on efforts that actually improve public safety. Collection and enforcement efforts divert police, sheriff's deputies, and courts from their core responsibilities.

- Judges rarely hold hearings to establish defendants' ability to pay. As a result, the burden of fees and fines falls largely on the poor, much like a regressive tax, and billions of dollars go unpaid each year. These mounting balances underscore our finding that fees and fines are an unreliable source of government revenue.
- Jailing those unable to pay fees and fines is especially costly — sometimes as much as 115 percent of the amount collected — and generates no revenue. The practice is not just unconstitutional but also irrational.
- The true costs are likely even higher than the estimates presented here, because many of the costs of imposing, collecting, and enforcing criminal fees and fines could not be ascertained. No one fully tracks these costs, a task complicated by the fact that they are spread across agencies and levels of government. Among the costs that often go unmeasured are those of jailing, time spent by police and sheriffs on warrant enforcement or driver's license suspensions, and probation and parole resources devoted to fee and fine enforcement. This makes it all but impossible for policymakers and the public to evaluate these systems as sources of revenue.

Recommendations

- States and localities should pass legislation to eliminate court-imposed fees. Courts should be funded primarily by taxpayers, all of whom are served by the justice system.
- States should institute a sliding scale for assessing fines based on individuals' ability to pay. The purpose of fines is to punish those who violate the law and deter those who might otherwise do so. A \$200 fine that is a minor inconvenience to one person may be an insurmountable debt to another.
- Courts should stop the practice of jailing for failure to pay, which harms rehabilitation efforts and makes little fiscal sense.

- States should eliminate driver’s license suspension for nonpayment of criminal fees and fines. The practice makes it harder for poor people to pay their debts and harms individuals and their families. Lawmakers should follow the approach taken by Texas, where recent legislation will reinstate hundreds of thousands of licenses.³
- Courts and agencies should improve data automation practices so that affected individuals understand their outstanding court debts and policymakers can more thoroughly evaluate the efficacy of fees and fines as a source of revenue.
- States should pass laws purging old balances that are unlikely to be paid but continue to complicate the lives of millions, as some jurisdictions, including San Francisco, have done.⁴ This would also ensure that individuals who have been free and clear of the criminal justice system for many years are not pulled back in simply on the basis of inability to pay.

What’s the Difference Between Fees and Fines?

Fines, imposed upon conviction, are intended as both deterrence and punishment. In Texas, for example, a fine of up to \$500 may be imposed for a low-level offense, such as a traffic violation; a fine of up to \$2,000 may be imposed for more serious misdemeanors, such as harassment or minor drug possession; and a fine of up to \$4,000 may be imposed for the most serious misdemeanors, such as unlawful carrying of a weapon and assault with injury.⁵

Fees, by contrast, are intended to raise revenue.⁶ Often they are automatically imposed and bear no relation to the offense committed. In most cases, fees are intended to shift the costs of the criminal justice system from taxpayers to defendants, who are seen as the “users” of the courts. They cover almost every part of the criminal justice process and can include court-appointed attorney fees, court clerk fees, filing clerk fees, DNA database fees, jury fees, crime lab analysis fees, late fees, installment fees, and various other surcharges.

The Growing Use of Fees and Fines — and the Damage They’ve Done

Since 2008, almost every state has increased criminal and civil court fees or added new ones, and the categories of offenses that trigger fines have been expanded. Our justice system increasingly relies on fees and fines charged to defendants in criminal cases to fund basic operations.⁷

For example, North Carolina collects 52 separate fees, disbursing them to four state agencies and 611 counties and municipalities. It uses fees to fund half of the state’s

judicial budget as well as jails, law enforcement, counties, and schools.⁸ Using fee and fine revenues to fund the judiciary can create perverse incentives with the potential to distort the fair administration of justice. When criminal courts become responsible for their own financing, they may prioritize the imposition of significant fee and fine amounts and dedicate substantial staff to collecting these sums.

In Florida, a significant portion of the funds raised through fees and fines is allocated to the state’s general coffers.⁹ Colorado has used increased court fees to replace and update public buildings, including a judicial complex and a museum.¹⁰ Florida and Kentucky increased court fees as a way to address state fiscal crises.¹¹ In Oklahoma, where a 1992 referendum made it nearly impossible for legislators to raise taxes, lawmakers have increasingly come to rely on fees and fines to fund the state budget.¹² Some fee and fine revenue has even been used for personal perks: fees and surcharges allocated to a judicial expense fund in Louisiana were found to have been spent on luxury goods, including supplemental health insurance for judges, two Ford Expeditions, a leather upholstery upgrade for a take-home vehicle, and a full-time private chef.¹³

This increase in fees and fines has exacted a steep human cost. Individual amounts may be small, but they can quickly add up, meaning indigent people may face hundreds or thousands of dollars in accumulated debt that they’re unable to pay. While “debtors’ prisons” have been declared unconstitutional, many states still incarcerate people for failure to pay criminal justice debt. And even when failure to pay is not an explicit charge, jail sentences are handed down for failure to appear or failure to comply — infractions that often stem from failure to pay. In Socorro County, New Mexico, for example, one magistrate judge has adopted a “three strikes” policy. For each missed payment of outstanding court costs, the court’s enforcement response progresses from a bench warrant, to a bench warrant with a bond, to a charge of failure to comply that carries a three-day jail sentence. Each day spent in jail may then be credited against the defendant’s outstanding debts.¹⁴ Under the guise of different charges, such a policy perpetuates the function of a debtors’ prison.

In this way, criminal justice debt represents a significant barrier to a person’s chances of successfully reentering society following a conviction. It also hurts the families of those who are incarcerated, depriving them of a wage earner while adding new court costs to the defendant’s criminal debts. One study found that about half of families with convicted members cannot afford to pay fees and fines. Moreover, nearly two in three families who had a family member incarcerated were unable to meet their households’ basic needs, such as food and housing.¹⁵ States such as Florida that suspend driver’s

licenses for unpaid fees and fines only exacerbate this economic distress, as those who lose their license may then lose their job as well as their ability to take family members to school or medical appointments and to drive themselves to court.

There is also evidence that fees and fines are assessed in a racially discriminatory way. A 2017 report by the U.S. Commission on Civil Rights found that municipalities that rely heavily on revenue from fees and fines have a higher than average share of African American and Latino residents.¹⁶

By now, these harms have been well documented. But there has been much less research conducted on the fiscal costs of fees and fines. This report aims to start filling that gap. Without an understanding of how much governments are spending to administer fees and fines, and how much in fees and fines is never collected, decision-makers can't accurately gauge the efficacy of these programs.

Report Terms

Assessment. As used in this report, assessment refers to the amount of the fee or fine imposed by a judge on a criminal defendant at sentencing. For many minor offenses, assessments are made at the conclusion of a simple hearing before a judge or magistrate in which the defendant makes a plea, the evidence is reviewed, and a decision is made by the judge or magistrate. More complex and serious criminal cases may involve separate appearances in court, including an arraignment in which the charges are read and a defendant's plea is accepted by the judge, a trial before the judge (and possibly a jury), and a sentencing hearing, at which point fees and fines may be imposed by the judge.

Criminal justice debt. Criminal justice debt is composed of legally binding financial obligations imposed on those convicted by criminal courts. While such debt may comprise fees, fines, and victim restitution — payments ordered to victims as compensation — this report deals only with fees and fines (see below), which are recognized as revenue on the balance sheets of courts and other public agencies. In contrast to private and many civil debts, criminal justice debt is enforced by the criminal justice system and can result in the issuance of arrest warrants for nonpayment, criminal court hearings, additional fines and court surcharges, detention in jail, inclusion on criminal records, and — in some states — loss of voting privileges.

Fines. Criminal fines are penalties imposed on defendants after conviction, intended as both deterrence and punishment. The amount of a fine is set by statute and based on the severity of the crime. For misdemeanors, fines may be relatively small. For felonies, fines are typically larger. Fines vary by jurisdiction and may be enhanced for repeat offenses. For example, each of

the three states included in this study imposes fines as a penalty for drunk driving. For a first offense, New Mexico assesses a \$300 fine, Florida assesses a \$500 fine, and Texas may assess up to \$2,000. In all three states, drunk driving is an enhanceable offense, meaning that the penalties, including fines, escalate depending on the number of prior offenses.¹⁷

Fees. Criminal fees, unlike fines, are intended to raise revenue. Often they are automatically imposed and bear no relation to the offense committed. In most cases, fees are intended to shift the costs of the criminal justice system from taxpayers to defendants, who are seen as the “users” of the courts. Cash-strapped state and local governments rely on criminal fees to raise revenue for other purposes as well, thereby avoiding the politically unpopular step of raising taxes. Most jurisdictions impose certain fees on every defendant convicted, regardless of the nature of the offense. For example, one convicted of a misdemeanor in Florida is charged a \$20 court cost fee, a \$3 Court Cost Clearing Trust Fund fee, a \$60 Fine and Forfeiture Fund fee, a \$20 Crime Stoppers Program fee, a \$50 prosecution fee, a \$50 crime compensation fee, and a \$20 Crime Prevention Fund fee, and potentially others.¹⁸ Other fees are offense-specific and imposed only on defendants convicted of certain offenses. For example, in New Mexico there are fees for defendants convicted of driving under the influence (DUI) or drug offenses.¹⁹ While fees may be imposed by courts, parole and probation departments, and jails and prisons, this report focuses on fees imposed by criminal courts following conviction. In some jurisdictions, fees may be referred to by another name. For example, some of the fees imposed by courts in Texas are called “court costs.”²⁰

Revenue. Fees and fines both serve as sources of revenue for state and local governments. The permissible uses for this revenue are typically set by statute. Many fees are earmarked for specific purposes, such as programs that divert defendants from prison, courthouse maintenance, or traffic safety education. Much of the revenue from criminal justice fees and fines is used to fund the judiciary or routed to law enforcement. In some cases it goes to a state or locality's general fund, where it may be used for purposes wholly unrelated to law enforcement or the courts. Fine revenue is disbursed according to statute in each of the three states studied. In each state, most fine revenue goes into a general fund at the state or municipal level, though some is directed toward particular programs, such as road maintenance or schools.

While state statutes prescribe the distribution of funds collected through the criminal justice system, the allocation of revenue varies. For example, in New Orleans, the \$11.5 million in criminal justice fees and fines collected in 2015 was distributed among eight agencies, providing funding for the municipal court, district court, public defenders, and traffic court.²¹ In Allegan County, Michi-

gan, half of court-imposed fees went toward running the county courthouse, paying employee salaries, heating the court building, purchasing copy machines, and underwriting the cost of the county employee gym.²²

Waivers. In some courts, judges have authority to reduce the amount of certain fees and fines imposed at conviction.²³ Amounts reduced without a quid pro quo (such as the performance of community service in lieu of payment or time spent in jail) often are referred to as waivers. This is the meaning of the term as employed in this report. The issuance of waivers varies considerably among jurisdictions and states.

Jail credits. Some states waive fees and fines in exchange for jail time, which are referred to as jail credits and are distinct from the kinds of credits through which people earn reductions to sentences. Though this alternative might be pitched as a benefit to those who want to discharge their debt in this manner, no one who has a choice and can make other payment arrangements would choose jail. Further, many defendants have no say in the matter. For example, one magistrate judge in Socorro County, New Mexico, jails individuals for missing three payments without making a court appearance, regardless of ability to pay.²⁴ Perversely, people can accumulate additional fees during their stay in jail, leaving them with more debt than when they entered.²⁵

In some states, including Alabama, Michigan, and Texas, when people are picked up on a warrant for a failure to pay traffic tickets or fines, they may be jailed involuntarily to pay off delinquent criminal justice debt through credits issued for each day spent in jail.²⁶

These credits do not generate actual revenue but simply exchange jail time for debt reduction at a great cost to the government. Jailing also comes at great cost to the people affected and their families. The U.S. Supreme Court has held that imprisonment for unpaid fines or fees without a hearing to determine ability to pay is unconstitutional.²⁷ If courts find that a defendant is unable to pay, they are required to consider alternatives, such as deferrals, payment plans, community service, and waivers. Unfortunately, in practice, many courts fail to make these financial determinations.²⁸

Community service credits. Most states offer some type of community service option as an alternative to payment, though these practices vary significantly within and across states.²⁹ Some states offer programs assigning people to pick up trash or maintain parks in lieu of a jail sentence or fine, while other states allow people to meet educational requirements to pay off their debt. Some types of community service require classes for certification (e.g., controlling traffic for the Department of Transportation), which can lead to employment opportunities after the debt is paid.³⁰

In some states, community service is seldom available to defendants because judges feel pressure to raise revenue for their city or county.³¹ For those who get the opportunity, community service hours are often paid at the federal minimum wage, only \$7.25 an hour, making it unrealistic for people to devote the time necessary to work down their debt. This is even harder if they have jobs or are caring for family members.³²

I. Key Findings

A. Fees and Fines Are Inefficient for Raising Revenue

The costs of fee and fine enforcement are huge. For example, in 2017 misdemeanor and traffic courts in Travis County, Texas, spent nearly \$4.8 million on in-court proceedings and staff costs related to fee and fine compliance. In addition, the county spent more than \$4.6 million on jailing those who failed to pay fees and fines and those allowed to earn jail credit against amounts owed.

On average, the jurisdictions in this report spent more than \$0.41 for every dollar they collected over the period studied. Because of a lack of available data, this figure counts only in-court and jail costs.³³ If all costs were measured — including the sizable cost to law enforcement for warrant enforcement and arrests, the cost to Department of Motor Vehicles (DMV) offices for processing suspended licenses, and the cost to parole and probation officers for fee and fine compliance³⁴ — it would be even higher.³⁵

Compare these collection costs to the cost of raising revenue through taxation. The Internal Revenue Service spends just \$0.34 for every *hundred dollars* in taxes collected.³⁶ In other words, it costs jurisdictions, on average, *121 times more* to collect criminal fees and fines — even without including some of those costs — than it costs the IRS to gather taxes. Meanwhile, Texas spends around \$0.31 for every *hundred dollars* in taxes collected.³⁷ New Mexico spends roughly \$0.95. It's clear that general taxation is significantly more cost effective than criminal fees and fines at raising revenue.³⁸

B. Collecting Fees and Fines Detracts from Public Safety Efforts

Fees and fines are most often evaluated by courts and criminal justice agencies, legislators, and policymakers on the basis of the revenue they generate, but they come at a great cost to the criminal justice system. When criminal courts impose fees and fines and then spend much of their resources collecting them, this leaves less to spend on true public safety needs. For example:

- When police and sheriff's deputies are serving warrants for failure to pay fees and fines, they are less readily available to respond to 911 calls.
- When courts schedule appearances for failure to pay, proceedings for more serious crimes can be delayed or rushed.
- When community corrections officers spend much of their time reminding their clients to pay unaffordable fees and fines, they have less time to work with

people to help them break the cycle of repeated contact with the criminal justice system.

- When people who can't afford to pay fees and fines are jailed, they are exposed to the many harms of incarceration, while correctional authorities are burdened with providing jail space and services to people who pose no risk to public safety.

These are just a few examples; there are many more ways in which criminal justice agency efforts to coerce payment translates into less time spent on more valuable criminal justice work.

Put concretely and in dollar terms, almost every cent spent on fee and fine collection is wasted as compared to collecting tax revenue.³⁹ This is a fundamentally inefficient way to collect revenue to support courts and other criminal justice agencies, and it does not make fiscal or economic sense.

C. Almost No Time Is Spent in Court Determining Whether People Can Afford to Pay Fees and Fines

One reason that fees and fines are so inefficient as a revenue raiser is that each year millions of people are given sentences that include fines and fees they are simply unable to pay. From watching more than 1,000 court proceedings in seven jurisdictions, the authors found that judges rarely hold ability-to-pay hearings. While there are plainly up-front costs associated with such hearings, in the long run, jurisdictions would spend less money by holding them rather than trying to chase down debts that cannot be paid.

D. Jailing for Nonpayment Is Costly and Irrational

The Supreme Court has held that “punishing a person for his poverty” is unconstitutional. Still, states and localities continue to jail large numbers of indigent defendants as a sanction for unpaid criminal justice debt. Jailing people for nonpayment is by far the most expensive method of enforcing collections and generates little to no revenue — making it highly uneconomical. In counties where courts incarcerate for failure to pay, the authors found that the cost of incarceration dwarfs other collections costs. For example, in Bernalillo County, New Mexico, jail costs represent as much as 98 percent of the collection costs documented by the authors.⁴⁰

Further, while the full costs are unknown, they are considerable — with many jails in Texas and New Mexico reporting costs per inmate per day clustering around \$55 to \$65 or higher — and the costs negate or reduce much

of the revenue that city, county, and state officials believe that criminal fees and fines produce.

Often when someone is unable or unwilling to pay a fee or fine, the court issues a warrant.⁴¹ Frequently, indigent people do not appear on their court date, due to a transportation issue (they may have had their license suspended), or because they have to work, or because they fear arrest for nonpayment. In these instances, courts often issue a warrant for failure to appear, resulting in additional debt for the defendant and, in some jurisdictions, jail time.⁴² Some defendants receive credit toward their debt at a state-determined per diem rate for the time they spend in custody; others incur additional debt in the form of jail fees; and some are released still owing the amount they owed before the warrant was issued.⁴³ Jailing is particularly counterproductive not only because incarceration is extremely costly to jurisdictions but also because it diminishes a person's ability to pay outstanding fees.

E. The Amount of Uncollected Debt Continues to Grow

A substantial portion of fees and fines is never collected and is likely uncollectable, meaning that these assessments are an unreliable source of government revenue that will always come up short.

No one knows how much is owed in total because few states and courts track this information — which is itself a problem requiring attention. But from 2012 to 2018, the states of Florida, New Mexico, and Texas amassed a total of almost \$1.9 billion in uncollected debt.⁴⁴ And in each of the jurisdictions studied here, the amount of unpaid debt grew significantly over the period examined. Much of this debt is unlikely to ever be collected, as those with low incomes lack resources to draw on for payment.

This high level of uncollected debt demonstrates why fees and fines are such an unreliable way to raise revenue. It also hurts those who can't pay, putting them at risk of incarceration, loss of their ability to legally drive, voter disenfranchisement, and increased difficulty in getting a job. And courts keep track of debts in perpetuity, making it all but impossible for defendants to get out from under them.

F. Jurisdictions Do Not Track Costs Related to Collecting Fees and Fines

For the most part, jurisdictions do not know how much it costs them to collect fees and fines. Of the three states studied, only Texas systematically tracks some of the costs for court collection units. But even there, the picture is incomplete. No jurisdiction tracks any of the following: the court costs for fee and fine administration, the cost to public defender systems for dealing with their clients' fees and fines, the cost to parole and probation systems for fee and fine enforcement (whether they engage in collections or simply remind their charges constantly to pay their court debts), the cost to DMV offices processing license suspensions or state tax agencies processing offsets, and the cost to law enforcement for warrant enforcement or arrests for failure to pay or suspended driver's licenses.

Though Texas collects some data on the costs of jailing people who fail to pay fees and fines or are allowed to earn jail credit against amounts owed, most courts and other criminal justice agencies do not track and report such costs.

G. Fees and Fines Are a Regressive Tax on the Poor

Revelations that cities like Ferguson, Missouri, collect millions in fees from poor citizens sparked a national debate in 2014 about predatory and regressive policies targeting vulnerable communities.⁴⁵ The city relied on rising municipal court fines to make up 20 percent of its \$12 million operating budget in fiscal year 2013.⁴⁶ But Ferguson is not alone. As detailed below, fee and fine assessments in each of the states studied amount to significant costs for the people who pass through the criminal justice system, many of whom are poor. Across the three states, billions of dollars are charged without regard to ability to pay. According to the Federal Reserve, many Americans are unable to pay an unexpected bill of \$400.⁴⁷ The fees and fines charged in these three states may well be more than what the average defendant can afford (and the noticeable growth of unpaid fee and fine debt bears this out). This is particularly so where evidence exists that policing frequently has a disproportionate impact on marginalized communities.⁴⁸

II. Recommendations

Courts rely excessively on criminal fee and fine practices that are costly and inefficient, unfairly burden the poor, and do little to deter crime or improve public safety. Reforms are urgently needed.

A. States and Localities Should Eliminate Court-Imposed Fees

Courts need to be funded adequately. But even under a conservative estimate of the costs of collection, fees are an inefficient source of revenue. In addition, they fall disproportionately on the poor and create perverse incentives. And they transfer the obligation of taxpayers to fund courts to defendants in the justice system, even though the system serves society as a whole. State legislators should allocate appropriate funding to courts from their general funds and repeal legislation requiring courts to raise their own revenue by imposing fees.

B. States Should Require Courts to Assess Fines Based on Ability to Pay

The purpose of fines is to deter people from violating the law and punish those who do. But a \$200 fine may represent an insurmountable obstacle to one person and a minor inconvenience to another. Charging people amounts they cannot pay is draconian. State legislatures should statutorily scale fines according to a defendant's wealth and how much he or she earns in a day, adjusted for essential expenses and obligations such as child support. In addition to ending the disproportionate punishments given to the poor, sliding-scale fines would more effectively incentivize the wealthy to obey the law. Studies show that sliding-scale fines can increase both collection rates and total fine revenue.⁴⁹ Mandating that fines are calibrated according to ability to pay would also drastically reduce the resources allocated to collections — since fines that are manageable are more likely to be paid — and reduce the burden on indigent defendants, creating a more efficient and just system.

C. Courts Should Stop the Practice of Jailing for Failure to Pay

In the three states studied here, 46 percent of fees and fines were not paid.⁵⁰ Sometimes courts waive fees and fines for those unable to pay, and sometimes they offer credit for court-ordered community service. Too frequently, however, they jail people for nonpayment.⁵¹ Incarceration as a penalty for unpaid debt not only is unconstitutional but, as a practical matter, makes little economic sense. It provides no revenue benefit and is costlier for courts and taxpayers than simply forgiving the debt.⁵²

D. States Should Eliminate Driver's License Suspension for Nonpayment of Criminal Fees and Fines

This punishment, too, is counterproductive.⁵³ As with incarceration, suspending someone's driver's license makes it less likely that he or she will be able to pay the debt, as it is difficult to hold a job in most parts of the United States without access to a car. License suspension also hurts families that depend on their cars to buy groceries, transport their children to school, get medical care, and provide for other needs. Suspended license enforcement becomes a needless, costly priority for law enforcement personnel who could be deployed more effectively to prevent or respond to serious crime.

E. Courts and Agencies Should Improve Data Automation Practices

As the authors learned, many states and local jurisdictions are in the dark about the amount of criminal fees and fines that are unpaid and outstanding. In part this is the result of well-intentioned automation efforts that prioritize more recent and critical case data over older data. In other cases, as the authors found in some local courts, basic operating records and ledgers remain unautomated, making it hard to quickly collect information on caseloads, amounts owed, and amounts paid. Given the risk of arrest and other consequences for nonpayment of criminal fees and fines, courts are under an obligation to ensure that relevant data is easily retrievable and regularly updated to reflect actual amounts waived, credited, paid, and owed. Such efforts would serve policymakers as well, allowing them to more systematically assess the inefficiency of relying on fees and fines as a revenue stream.

F. States Should Pass Laws Requiring Purging of Old Balances That Are Unlikely to Be Paid

As detailed in this report, tremendous amounts of old fee and fine debt will never be collected but continue to burden millions of people. Jurisdictions are unlikely to receive revenue from arrears of any kind that go back many years, especially from those least able to pay. Financial professionals have long employed accounting methods such as "allowances for doubtful accounts" to identify uncollectible debts and assign them a value of zero for

purposes of preparing financial statements. Some jurisdictions, such as San Francisco, have adopted this kind of financial practice and wiped millions of dollars in uncollected debt off the books.⁵⁴ Courts should more widely adopt these practices in tracking and reporting outstanding balances of criminal fees and fines, recognizing that older debts have little prospect of ever being paid. States

should require courts to report on uncollected fees and fines and issue periodic waivers or adjustments in cases where significant additional payment is unlikely. In addition to providing relief to the least well-off defendants, it would free public agencies from expending resources trying to chase down uncollectible debts.

Assessing Fines Based on Ability to Pay

>> **While sliding scales** for fines may seem radical, this approach has been successfully implemented in Europe as a default sanction for numerous crimes.⁵⁵ When it was introduced in West Germany in the 1970s as a replacement for

incarceration, the number of short-term prison sentences dropped by 90 percent. Germany still uses these “day fines” as the only sanction imposed for three-quarters of all property crimes and two-thirds of all assaults.⁵⁶

Day fines have also worked in the United States. When a court in Staten Island, New York, replaced fixed fines with day fines in 1988, both collection rates and fine amounts increased.⁵⁷ In Maricopa County, Arizona, an experimental day fine

program in the 1980s saw a 100 percent increase in the proportion of people fully paying off their court debt, and a drop in the recidivism rate from 17 to 11 percent.⁵⁸

Disproportionate Policing in Marginalized Communities

>> **Research indicates** that economically disadvantaged communities and people of color are policed at greater rates than white, affluent areas are. This means that fees and fines are imposed on and collected more frequently from them, creating a cycle of debt and incarceration. The consequences for marginalized communities are particularly severe and regressive.

>> **Operating primarily** in low-income communities of color, the “broken windows” theory of policing has drastically increased the number of citations and arrests for low-level, nonviolent offenses.⁵⁹ The theory, introduced in 1982, held that cracking down on minor offenses would prevent major crime.⁶⁰ However, it resulted in criminalizing poor communities for activities that would go unchecked in white, wealthy areas. For example, in Newark, New Jersey, citations for low-level offenses — known as “blue summonses” — were regularly handed out, forcing residents to pay fines or make court appearances on violations such as loitering or drinking in public.⁶¹ Although police officers were rewarded for distributing high numbers of citations, including through quotas instituted by police leadership, crime levels did not go down. Instead, this approach damaged the relationship between residents and the Newark Police Department. It also shifted law enforcement’s focus to “convenient targets” rather than serious crime, leading to federal intervention and attempts at reform in recent years.⁶²

>> **In Ferguson, Missouri**, police issued 32,975 arrest warrants for nonviolent offenses and collected \$2.6 million in fees and fines in 2013.⁶³ These fines were mostly imposed for minor, nonviolent offenses such as traffic infractions, and data shows huge racial disparities in those citations. In Ferguson, 67 percent of the population is black, but 86 percent of traffic stops were of black drivers. Conversely, 29 percent of the population is white, but only about 12 percent of traffic stops involved white drivers.⁶⁴ A 2018 report from the Missouri attorney general examines the disparity, noting that in more than 1.5 million traffic stops in the state, black drivers were 91 percent more likely to be pulled over than white drivers.⁶⁵

>> **Racial profiling** and bias continue to contribute to the over-policing of people of color. A comprehensive study of 20 million traffic stops in North Carolina found that black drivers were twice as likely to be pulled over as white drivers and four times as likely to be searched, even though whites drive more on average.⁶⁶ The study also indicated that racial minorities were less likely to be found with contraband, despite being more likely to be searched.⁶⁷ A 2013 Department of Justice study found that about 2 percent of white drivers are searched after being pulled over, versus 6 percent of black and 7 percent of Latino drivers.⁶⁸

>> **Gentrification** and changing social dynamics in low-income neighborhoods are leading to an increased criminalization of people of color who have lived in those areas for decades.⁶⁹ The influx of wealth into these communities has created pressure for the perception of public safety and order. Higher rates of arrest and increased citations have been the result of increases in police presence rather than in offenses, and as resources are concentrated in these gentrifying areas, they are diverted from others.⁷⁰

>> **In San Francisco**, an app called Open311 was launched in 2013 to make it easier to report loitering, vandalism, and other quality-of-life complaints.⁷¹ Data gathered from the app shows a disproportionate increase in 311 calls and responses in gentrified areas of the city after the app was launched.⁷² Approximately 11 percent of 311 calls in San Francisco were from the Mission District, a neighborhood whose population makes up about 5 percent of San Francisco’s total. The community, with a significant Hispanic and Latino population, has seen increased gentrification in the last few decades.⁷³ More than 112,000 calls were reported from the Mission in 2013 compared with about 48,000 from the financial district.⁷⁴ The tension between newcomers and lifelong residents can be fatal: in 2014, 28-year-old Alejandro Nieto — the son of Latino immigrants who had lived in the neighborhood all his life — was anxiously pacing after a run-in with a dog when he was shot dead by officers responding to a 911 call from a new resident who reported that Nieto was “behaving suspiciously.”⁷⁵

III. County Fiscal Impacts

This basic fiscal analysis identifies the cost to courts and criminal justice agencies in target counties of assessing and collecting criminal fees and fines, then subtracts those costs from the revenues collected for each jurisdiction.⁷⁶ The remainder is the net gain in revenue.

Until now, the costs of assessing and collecting criminal justice fees and fines have gone largely unmeasured. To provide a clearer understanding of whether fees and fines are an efficient means of raising government revenue,

both within each jurisdiction studied and on average, the authors gathered data from various stakeholders in the criminal justice system engaged in the collection of fees and fines in 10 counties. These included courts, prosecu-

FIGURE 1

Fiscal Analysis of Target Counties in Texas (2017), New Mexico (2016), and Florida (2017)

Thousands of dollars

| Total Fees and Fines Assessed | TEXAS | | | | NEW MEXICO | | | FLORIDA | | | RANGE | |
|--|----------|----------|----------|--------|------------|----------|---------|---------|------------|---------|--------|----------|
| | Travis | El Paso | Jim Hogg | Marion | Bernalillo | Santa Fe | Socorro | Leon | Miami-Dade | Madison | Low | High |
| Total Assessments | \$38,006 | \$14,109 | N/A | N/A | \$4,170 | \$1,138 | \$207 | \$1,148 | \$10,143 | \$257 | \$207 | \$38,006 |
| Waivers/Adjustments | \$1,176 | \$308 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | \$308 | \$1,176 |
| Community Service Credits | \$561 | \$83 | N/A | N/A | \$84 | \$55 | \$2 | \$44 | \$12 | \$1 | \$1 | \$561 |
| Jail Credits | \$6,958 | \$3,140 | N/A | N/A | \$1,448 | \$214 | \$76 | \$0 | \$0 | \$0 | \$0 | \$6,958 |
| Conversions to Liens | N/A | N/A | N/A | N/A | N/A | N/A | N/A | \$0 | \$0 | \$54 | \$0 | \$54 |
| Other Credits | \$0 | \$0 | N/A | N/A | \$661 | \$83 | \$10 | \$20 | \$0 | \$6 | \$0 | \$661 |
| Total Adjustments | \$8,694 | \$3,532 | N/A | N/A | \$2,193 | \$352 | \$88 | \$64 | \$12 | \$61 | \$12 | \$8,694 |
| Net Amounts Owed | \$29,312 | \$10,577 | N/A | N/A | \$1,977 | \$787 | \$120 | \$1,084 | \$10,131 | \$196 | \$120 | \$29,312 |
| Revenue Collected | | | | | | | | | | | | |
| Collections | \$26,929 | \$8,132 | \$237 | \$366 | \$1,862 | \$724 | \$119 | \$858 | \$7,978 | \$174 | \$119 | \$26,929 |
| Collections as a Percentage of Assessments | 71% | 58% | N/A | N/A | 45% | 64% | 58% | 75% | 79% | 68% | 45% | 79% |
| Cost to Levy and Collect | | | | | | | | | | | | |
| In-Court Costs | \$3,186 | \$68 | \$10 | \$29 | \$40 | \$54 | \$14 | \$31 | \$267 | N/A | \$10 | \$3,186 |
| Collections Unit Costs | \$1,610 | \$733 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | \$733 | \$1,610 |
| Jail Costs | \$4,627 | \$2,917 | N/A | N/A | \$2,138 | \$239 | \$81 | N/A | N/A | N/A | \$81 | \$4,627 |
| Other Costs | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | \$0 | \$0 |
| Total Costs | \$9,423 | \$3,718 | \$10 | \$29 | \$2,178 | \$294 | \$96 | N/A | N/A | N/A | \$10 | \$9,423 |
| Costs as a Percentage of Collections | 35% | 46% | 4% | 8% | 117% | 41% | 80% | N/A | N/A | N/A | 4% | 117% |
| Net Gain (Revenue Minus Cost) | \$17,506 | \$4,414 | \$227 | \$336 | -\$316 | \$430 | \$24 | N/A | N/A | N/A | -\$316 | \$17,506 |

Sources: New Mexico Judicial Information Division; Texas Collection Improvement Program; Florida Court Clerks & Comptrollers; Brennan Center calculations.

tors, public defenders, probation/parole officers, and local jails. The authors had the most success obtaining data for courts, with jailing costs also available for some jurisdictions. With this data, the authors were able to quantify the costs associated with in-court proceedings dealing with fees and fines, court collection costs for some jurisdictions, and jailing costs for nonpayment in certain jurisdictions. For a variety of reasons, including local policies, the authors were unable to collect any information from law enforcement agencies.

Our fiscal analysis revealed that, across the counties studied, 66 percent of criminal justice debts assessed were eventually collected. In the most recent year examined, revenues ranged up to \$27 million raised in these jurisdictions, with more populous and urban counties at the higher end. Costs associated with assessments and collections that could be documented were as much as \$9.4 million, depending on the county.⁷⁷ As expected, costs were higher in counties where courts jailed for nonpayment. Costs associated with time spent on fees and fines in court proceedings were estimated to be relatively low, as little time was observed in courtrooms considering the amounts owed or the ability to pay.

The authors' estimates of collection and enforcement costs underestimate the full set of direct costs due to limited data availability in the jurisdictions studied; if data had been fully available, this study's cost estimates would have been higher.

- The authors observed court proceedings to estimate personnel costs for the judges, prosecutors, public defenders, and other staff involved in court proceedings in all but three jurisdictions, smaller counties in which court proceedings do not occur weekly. Personnel costs are therefore not included in estimates for those counties.

- Jail costs could be calculated for New Mexico and larger Texas counties. Florida jail data was not available. Florida does not jail for failure to pay but does incur costs for incarceration for driving with a license that has been suspended due to inability to pay fees and fines.
- The authors were not able to obtain the cost of court collections for a large portion of Texas counties.
- The authors were unable to obtain adequate survey responses from judges, court clerks and their staff, prosecutors, public defenders, and probation and parole staff to document time spent outside courtrooms on fee/fine enforcement and collection; and no cooperation was received from law enforcement agencies.

In addition to the basic fiscal analysis, the authors tallied uncollected court debts in most of the 10 jurisdictions to calculate the extent of accumulating unpaid fees and fines. Courts are rarely able to provide estimates of outstanding balances. The authors therefore examined how these debts accumulated by using several years of fee and fine assessments, credits, waivers, and collections data for each jurisdiction; calculating unpaid balances for each year; and totaling these amounts for the years examined.

Figure 2 illustrates how revenues compare across each county studied over a five-year period. While the trends vary among jurisdictions (see section IV), one major finding of this report is that across states, the amount of uncollected debt increases year over year.

FIGURE 2

Summary of Collections and New Debt from Fees and Fines in Counties Studied, 2013–2017

Cumulative unpaid balances (net of waivers/credits) in thousands of dollars by fiscal year

| | 2013 | 2014 | 2015 | 2016 | 2017 | |
|---------------------------|----------|----------|----------|----------|----------|---------------------|
| Florida | | | | | | 5-Year Total |
| Leon County | | | | | | |
| Assessed | \$3,661 | \$3,240 | \$2,673 | \$2,431 | \$1,148 | \$13,153 |
| Collected | \$2,065 | \$1,825 | \$1,953 | \$1,888 | \$858 | \$8,589 |
| Credits/Waivers/Liens | \$379 | \$217 | \$83 | \$259 | \$64 | \$1,002 |
| Remaining Outstanding | \$1,217 | \$1,198 | \$637 | \$283 | \$226 | \$3,562 |
| Cumulative Unpaid Balance | \$1,217 | \$2,415 | \$3,053 | \$3,336 | \$3,562 | \$3,562 |
| Collection Rate | 56% | 56% | 73% | 78% | 75% | 65% |
| Miami-Dade County | | | | | | |
| Assessed | \$20,872 | \$14,384 | \$15,772 | \$12,178 | \$10,143 | \$73,348 |
| Collected | \$12,245 | \$9,353 | \$9,453 | \$8,297 | \$7,978 | \$47,326 |
| Credits/Waivers/Liens | \$28 | \$33 | \$43 | \$23 | \$12 | \$140 |
| Remaining Outstanding | \$8,598 | \$4,998 | \$6,276 | \$3,858 | \$2,153 | \$25,883 |
| Cumulative Unpaid Balance | \$8,598 | \$13,596 | \$19,872 | \$23,730 | \$25,883 | \$25,883 |
| Collection Rate | 59% | 65% | 60% | 68% | 79% | 65% |
| Madison County | | | | | | |
| Assessed | \$288 | \$291 | \$224 | \$243 | \$257 | \$1,303 |
| Collected | \$124 | \$190 | \$187 | \$175 | \$174 | \$850 |
| Credits/Waivers/Liens | \$60 | \$38 | \$36 | \$74 | \$61 | \$268 |
| Remaining Outstanding | \$104 | \$63 | \$2 | -\$6 | \$22 | \$185 |
| Cumulative Unpaid Balance | \$104 | \$167 | \$169 | \$163 | \$185 | \$185 |
| Collection Rate | 43% | 65% | 83% | 72% | 68% | 65% |
| New Mexico | | | | | | 4-Year Total |
| Bernalillo County | | | | | | |
| Assessed | \$5,371 | \$5,294 | \$4,558 | \$4,170 | N/A | \$19,393 |
| Collected | \$3,062 | \$2,704 | \$2,267 | \$1,862 | N/A | \$9,895 |
| Credits/Waivers/Liens | \$1,703 | \$2,077 | \$2,089 | \$2,193 | N/A | \$8,062 |
| Remaining Outstanding | \$606 | \$513 | \$203 | \$115 | N/A | \$1,437 |
| Cumulative Unpaid Balance | \$606 | \$1,119 | \$1,322 | \$1,437 | N/A | \$1,437 |
| Collection Rate | 57% | 51% | 50% | 45% | N/A | 51% |
| Santa Fe County | | | | | | |
| Assessed | \$987 | \$1,243 | \$1,370 | \$1,138 | N/A | \$4,738 |
| Collected | \$675 | \$843 | \$952 | \$724 | N/A | \$3,193 |
| Credits/Waivers/Liens | \$172 | \$143 | \$350 | \$352 | N/A | \$1,016 |
| Remaining Outstanding | \$141 | \$256 | \$69 | \$63 | N/A | \$528 |
| Cumulative Unpaid Balance | \$141 | \$397 | \$465 | \$528 | N/A | \$528 |
| Collection Rate | 68% | 68% | 69% | 64% | N/A | 67% |

Continues>

FIGURE 2-CONTINUES

Summary of Collections and New Debt from Fees and Fines in Counties Studied, 2013–2017

Cumulative unpaid balances (net of waivers/credits) in thousands of dollars by fiscal year

| | 2013 | 2014 | 2015 | 2016 | 2017 | |
|---------------------------|----------|----------|----------|----------|----------|---------------------|
| New Mexico | | | | | | 4-Year Total |
| Socorro County | | | | | | |
| Assessed | \$289 | \$281 | \$231 | \$207 | N/A | \$1,008 |
| Collected | \$156 | \$155 | \$140 | \$119 | N/A | \$569 |
| Credits/Waivers/Liens | \$105 | \$112 | \$102 | \$88 | N/A | \$406 |
| Remaining Outstanding | \$29 | \$14 | -\$10 | \$0 | N/A | \$33 |
| Cumulative Unpaid Balance | \$29 | \$43 | \$33 | \$33 | N/A | \$33 |
| Collection Rate | 54% | 55% | 60% | 58% | N/A | 56% |
| Texas | | | | | | 5-Year Total |
| El Paso County | | | | | | |
| Assessed | \$34,690 | \$34,568 | \$34,364 | \$31,272 | \$14,109 | \$149,003 |
| Collected | \$22,497 | \$19,075 | \$19,844 | \$19,083 | \$8,132 | \$88,631 |
| Credits/Waivers/Liens | \$11,267 | \$12,602 | \$10,587 | \$7,970 | \$3,532 | \$45,958 |
| Remaining Outstanding | \$926 | \$2,890 | \$3,933 | \$4,220 | \$2,445 | \$14,414 |
| Cumulative Unpaid Balance | \$926 | \$3,816 | \$7,749 | \$11,969 | \$14,414 | \$14,414 |
| Collection Rate | 65% | 55% | 58% | 61% | 58% | 59% |
| Jim Hogg County | | | | | | |
| Assessed | N/A | N/A | N/A | N/A | N/A | N/A |
| Collected | \$206 | \$215 | \$196 | \$292 | \$237 | \$1,147 |
| Credits/Waivers/Liens | N/A | N/A | N/A | N/A | N/A | N/A |
| Outstanding | N/A | N/A | N/A | N/A | N/A | N/A |
| Cumulative Unpaid Balance | N/A | N/A | N/A | N/A | N/A | N/A |
| Collection Rate | N/A | N/A | N/A | N/A | N/A | N/A |
| Marion County | | | | | | |
| Assessed | N/A | N/A | N/A | N/A | N/A | N/A |
| Collected | \$352 | \$287 | \$324 | \$394 | \$366 | \$1,722 |
| Credits/Waivers/Liens | N/A | N/A | N/A | N/A | N/A | N/A |
| Outstanding | N/A | N/A | N/A | N/A | N/A | N/A |
| Cumulative Unpaid Balance | N/A | N/A | N/A | N/A | N/A | N/A |
| Collection Rate | N/A | N/A | N/A | N/A | N/A | N/A |
| Travis County | | | | | | |
| Assessed | \$48,412 | \$51,563 | \$49,307 | \$41,497 | \$38,006 | \$228,784 |
| Collected | \$34,090 | \$36,619 | \$35,703 | \$29,164 | \$26,929 | \$162,505 |
| Credits/Waivers/Liens | \$11,882 | \$10,112 | \$9,827 | \$8,026 | \$8,694 | \$48,541 |
| Remaining Outstanding | \$2,440 | \$4,833 | \$3,777 | \$4,307 | \$2,382 | \$17,738 |
| Cumulative Unpaid Balance | \$2,440 | \$7,272 | \$11,049 | \$15,356 | \$17,738 | \$17,738 |
| Collection Rate | 70% | 71% | 72% | 70% | 71% | 71% |

FIGURE 3

Summary of Collections and New Debt from Fees and Fines in States Studied, 2012–2018

Thousands of dollars by fiscal year

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | |
|------------------------------|-------------|-----------|-----------|-----------|-----------|-------------|-------------|---------------------|
| Florida | | | | | | | | 7-Year Total |
| Assessed | \$489,689 | \$482,927 | \$461,447 | \$453,718 | \$484,594 | \$427,737 | \$441,829 | \$3,241,942 |
| Collected | \$158,353 | \$153,664 | \$158,921 | \$181,877 | \$182,065 | \$167,865 | \$172,217 | \$1,174,960 |
| Credits/ Waivers/Liens | \$144,993 | \$131,850 | \$90,252 | \$134,769 | \$164,812 | \$123,622 | \$141,872 | \$932,170 |
| Remaining Outstanding | \$186,343 | \$197,413 | \$212,275 | \$137,073 | \$137,717 | \$136,250 | \$127,740 | \$1,134,812 |
| Cumulative Unpaid Balance | \$186,343 | \$383,757 | \$596,032 | \$733,104 | \$870,821 | \$1,007,071 | \$1,134,812 | \$1,134,812 |
| Collection Rate | 32% | 32% | 34% | 40% | 38% | 39% | 39% | 36% |
| New Mexico | | | | | | | | 5-Year Total |
| Assessed | \$17,855 | \$23,806 | \$24,445 | \$23,699 | \$23,344 | N/A | N/A | \$113,149 |
| Collected | \$9,196 | \$14,474 | \$15,036 | \$14,521 | \$13,431 | N/A | N/A | \$66,659 |
| Credits/ Waivers/Liens | \$2,558 | \$5,398 | \$6,347 | \$6,420 | \$6,760 | N/A | N/A | \$27,483 |
| Remaining Outstanding | \$6,101 | \$3,933 | \$3,062 | \$2,759 | \$3,152 | N/A | N/A | \$19,007 |
| Cumulative Unpaid Balance | \$6,101 | \$10,034 | \$13,096 | \$15,855 | \$19,007 | N/A | N/A | \$19,007 |
| Collection Rate | 52% | 61% | 62% | 61% | 58% | N/A | N/A | 59% |
| Texas | | | | | | | | 7-Year Total |
| Assessed | \$1,142,695 | \$965,942 | \$932,339 | \$808,289 | \$786,583 | \$824,876 | \$769,166 | \$6,229,890 |
| Collected | \$585,584 | \$602,778 | \$581,181 | \$526,207 | \$525,762 | \$509,393 | \$480,884 | \$3,811,790 |
| Credits/ Waivers/Liens | \$384,010 | \$246,049 | \$236,683 | \$194,202 | \$205,294 | \$205,974 | \$204,143 | \$1,676,355 |
| Remaining Outstanding | \$173,101 | \$117,115 | \$114,475 | \$87,880 | \$55,527 | \$109,509 | \$84,139 | \$741,746 |
| Cumulative Unpaid Balance | \$173,101 | \$290,216 | \$404,691 | \$492,572 | \$548,098 | \$657,607 | \$741,746 | \$741,746 |
| Collection Rate | 51% | 62% | 62% | 65% | 67% | 62% | 63% | 61% |

Additional Research Needed

More research is needed to determine the many costs of imposing and collecting criminal fees and fines. The network of courts and criminal justice agencies involved in levying, processing, and collecting fees and fines is vast, and the full scope of practices and costs is not fully understood. Public personnel involved include judges, court clerks, and administrators; prosecutors and public defenders; police and sheriffs; and parole and probation officers. In some jurisdictions, this network includes DMV staff who process driver's license suspensions, state tax agency personnel who process requests to deduct amounts owed from tax refunds, police and sheriffs who make arrests for failure to pay or for driving with a suspended license, and correctional officers who incarcerate those with outstanding debt. In some places, this network also includes businesses, such as private collection agencies or private probation services. Despite numerous contacts, including visits, phone calls, and emailed surveys, much of the cost of this network remains for future and more intensive research to determine.

Further, juvenile justice, noncriminal traffic infractions, and restitution were beyond the scope of this analysis, though the costs of all three are considerable.

- The juvenile justice system operates separately from the adult criminal system. But it mirrors the adult system in certain respects, often including the imposition of considerable fees and fines. The authors did not include the juvenile justice system in this study.
- Traffic violations vary from state to state in terms of the range of penalties imposed and whether common types are regarded as infractions or criminal misdemeanors (or worse, felonies). For example, in Texas even seemingly minor “moving violations” that occur while a driver is operating a vehicle are classified by state law as misdemeanors, while this is not the case in Florida and New Mexico. In its analysis, this report focuses on criminal fees and fines imposed in misdemeanor cases in 10 local jurisdictions and both misdemeanor and felony cases statewide for Florida, New Mexico, and Texas. It does not include fees and fines associated with noncriminal traffic infractions.
- Restitution amounts imposed by the courts as recompense to crime victims are also not considered in this report.
- Finally, the authors did not attempt to quantify massive costs associated with collateral consequences for individuals, families, and communities

faced with significant fee and fine charges they cannot afford to pay. Loss of income to those who are incarcerated or who lose their license, attendant loss of future earning potential and tax revenue, costs to families and communities disproportionately affected, and other costs were beyond this study's scope.

The costs of collection estimated by this study are therefore lower (and perhaps significantly so) than the full and true costs. Further study of the full costs of collection will help states, counties, and municipalities better understand the inefficiency of relying on fees and fines to generate revenue.

Cost Shifting Hides Some Costs of Debt Collection

Significant hidden costs are not reflected in court and other public safety budgets because of a tangled web of costs, functions, revenues, and records among state, county, and municipal governments. For example, if you commit a traffic infraction or misdemeanor in Socorro County, New Mexico, the sheriff's deputy who tickets or arrests you is paid by the county. The judge who hears your case in the municipal court is paid by the city, the attorney who prosecutes your case is paid by the district, and the lawyer who serves as your public defender — if you're entitled to one — is paid by the state.⁷⁸ This cost shifting across levels of government makes it difficult to quantify the total cost of enforcing fees and fines. It also complicates the task of understanding the incentives to impose fees in the first place.

While criminal fines and certain fees may appear as revenue sources in state budgets (often indistinct from noncriminal fee revenue), much of the cost of enforcing and collecting these fees is borne by counties and municipalities. Even when the costs are shouldered by the states, they are stretched across multiple agencies, making them difficult to aggregate.

These different jurisdictions may fund their justice systems using a combination of tax revenue, “fees for service,” and money from state and federal programs, leading to webs of intergovernmental charges.

In some cases, cost shifting has led to conflicts between states and cities. For example, in Austin, Texas, the mayor accused the state of creating an unfunded mandate by requiring the city to collect fees without providing funding adequate to cover the cost of collections.⁷⁹ The typical speeding ticket in the city carried \$103 in fees, \$76 of which went to the state.⁸⁰

Often, cost shifting takes place between municipalities and counties, further obscuring the costs of collecting fees and fines. For example, when municipal courts in Austin impose jail time for failure to pay fees and fines,

Consequences of Fees and Fines

>> **Criminal justice debt** creates a downward spiral of collateral consequences for those who cannot afford fee and fine payments. Shanetra Roach, a defendant in Austin, told the Brennan Center in 2018 that she received a speeding ticket in 2004. Her failure to pay triggered a driver's license surcharge of \$250 per year for three years. When she could not afford these payments, her driver's license was suspended. In the 14 years since, she has been arrested three times, all on warrants derived from her inability to pay the initial ticket. The debt has grown to \$1,800 in driver's license surcharge fees, and she is doing community service to satisfy \$1,200 in outstanding court costs. This debt has prevented her from getting jobs that she is well qualified for. "It's a monkey on a person's back," she said. "It's pushing people further and further into a hole."⁸⁴

>> **Some penalties** for failure to pay debts are imposed by statute, while others are imposed at the discretion of a judge or even a court clerk.⁸⁵ Common penalties include bench warrants, license suspension, disenfranchisement, and incarceration, and can result in lower credit scores, fueling a cycle that impedes reentry.

- **Bench warrants.** Bench warrants authorize an arrest. The arrest often occurs when the defendant encounters law enforcement in an unrelated incident, most commonly a traffic stop. The issuance of a bench warrant may trigger an additional fee that is added to the defendant's criminal justice debt.
- **License suspension.** In 43 states, driver's license suspensions are authorized or mandated for failure to pay.⁸⁶ License suspension can make finding or keeping a job hard, sometimes impossible. Driving on a suspended license can lead to additional fees and fines, along with incarceration.

- **Disenfranchisement.** In many states, disenfranchisement can be imposed on a discretionary basis or can even be a requirement of the criminal justice system. Thirty states continue to disenfranchise voters on the basis of wealth by requiring payment of all legal financial obligations for voting rights restoration, according to a new report from the Campaign Legal Center and the Civil Rights Clinic at Georgetown University Law Center.⁸⁷ This is effectively a modern-day poll tax, despite the 24th Amendment's promise of the right to vote without such a tax.⁸⁸
- **Incarceration.** In almost all 50 states, a formerly incarcerated person may be reincarcerated if he or she is found to be willfully delinquent in payments. A 2016 report by the *Atlantic* found that "the determination of whether an individual is 'willfully' trying to make payments is very much up to judges; some judges decide that a former prisoner's inability to get a job can constitute a lack of willful attempts to pay fees and fines — resulting in them ending up back in jail and facing even more fines."⁸⁹ This often leads to disparate outcomes for those charged with the same offense in different counties, or even in different courtrooms in the same courthouse.
- **Lower credit scores.** Criminal justice debt can also damage credit, impairing an individual's ability to obtain a loan or a mortgage or to secure housing. Additionally, such debt on a credit report can provide employers a backdoor means of learning whether an applicant has a criminal history. And wage and tax garnishment can discourage individuals from participating in legitimate employment, pushing them toward the underground economy.⁹⁰

defendants are confined in a Travis County facility.⁸¹ Austin reimburses the county for jail costs but does not report those costs to the state office charged with compiling data on the costs of fee and fine compliance.⁸²

The disconnect between the government agencies that benefit from fees and fines and those that bear the costs of enforcement is widened when people are jailed for failure to pay. Counties pay 85 percent of local jail costs,

and costs per inmate can range from \$55 to \$180 per day.⁸³ This can create a cost spiral: As states prod courts to impose fees because of the revenue they generate, they shift significant collection costs to counties. In turn, counties ask courts to fund more of their operations through additional fees to offset the costs of collecting the fees the state imposed.

IV. Key Variations Among Jurisdictions

This section examines key variations in collections practices and demographics among the 10 jurisdictions studied. Appendix A provides a detailed fiscal analysis for criminal fees and fines imposed by misdemeanor courts in each of the 10 jurisdictions.

A. Collections Practices

This study covers 10 counties in three states: Florida, New Mexico, and Texas. Figure 4 summarizes the range of collections practices used in each of these states, the available alternatives to payment, and how the ability to pay fees and fines is determined.

To enforce payment of fees and fines, nonpayment carries an escalating series of penalties in most counties. These practices can carry high costs for defendants and can also have profound effects on the amount of net revenue collected in each county. For example:

- While the full costs of collecting criminal fees and fines could not be determined, documented collection costs are significantly higher in counties where courts jail for nonpayment than in counties where courts do not. Although Florida courts do not jail for failure to pay, they do jail many who are arrested for driving on a suspended license, which may be a consequence of failing to pay fees and fines. Counties studied in New Mexico and Texas, where courts jail for nonpayment, had lower collection rates — and higher collection costs — than counties studied in Florida, although Florida also imposes counterproductive license suspensions that likely do not improve collections and result in costly jailing for driving with a suspended license.
- Statewide warrant roundups occur in Texas and New Mexico but not in Florida. These warrant roundups are a partnership between state and local law enforcement aimed at clearing uncollected debt for low-level offenses. They usually involve a public information campaign regarding old warrants and checkpoints where law enforcement personnel run people's license plates and IDs to check for outstanding warrants.

In theory, defendants in each county in this analysis have the same alternatives to payment. In practice, there is wide variation both between and within states in how often these alternatives are offered to defendants. In most jurisdictions, decisions regarding waivers, community service credits, incarceration for nonpayment, and tailored determinations based on ability to pay are left to the discretion of individual judges.

FIGURE 4

Collections Practices Across Jurisdictions

| | TEXAS | FLORIDA | NEW MEXICO |
|---|-------|---------|------------|
| Enforcement | | | |
| Referrals to Private Collection Agencies | Yes | Yes | Yes* |
| License Suspensions for Failure to Pay | Yes | Yes | No |
| Vehicle Registration Holds for Failure to Pay | Yes | No | No |
| Arrest Warrants Issued for Failure to Pay | Yes | No | Yes |
| Arrest Warrants Issued for Failure to Appear | Yes | Yes | Yes |
| Statewide Warrant Roundup Program | Yes | No | Yes |
| Collections Courts | No | No | No |
| Online Payment Options | Yes | Yes | Yes |
| Wage Garnishment for Restitution | No | Yes | Yes |
| Bank Account Garnishment for Restitution | Yes | Yes | Yes |
| Property Liens for Restitution | Yes | Yes | Yes |
| Alternatives to Payment | | | |
| Jail Credits | Yes | Yes | Yes |
| Community Service | Yes | Yes | Yes |
| Waivers for Fines and Fees | Yes | Yes | Yes |
| Payment Plans/ Installment Payments | Yes | Yes | Yes |
| Ability to Pay | | | |
| Ability-to-Pay Hearings Before Issuing Warrants | Yes | N/A | Yes* |
| Ability-to-Pay Determinations at Sentencing | Yes | Yes | Yes* |

* Practices occur in some, but not all, courts or counties.

Source: New Mexico Criminal Code; Florida Criminal Code; Texas Penal Code.

FIGURE 5

Variations in Demographics, 2016

| | TEXAS | | | | NEW MEXICO | | | FLORIDA | | |
|--|-----------|----------|----------|----------|------------|----------|----------|----------|------------|----------|
| | Travis | El Paso | Jim Hogg | Marion | Bernalillo | Santa Fe | Socorro | Leon | Miami-Dade | Madison |
| Demographics | | | | | | | | | | |
| Population | 1,176,584 | 834,825 | 5,262 | 10,140 | 674,855 | 147,514 | 17,098 | 285,890 | 2,702,602 | 18,518 |
| Population Density (per sq. mi.) | 1,188 | 824 | 5 | 27 | 581 | 77 | 3 | 429 | 1,423 | 27 |
| Poverty Rate | 12.2% | 22.7% | 27.9% | 22.6% | 16.2% | 14.0% | 25.4% | 19.0% | 18.2% | 31.9% |
| Median Income | \$68,350 | \$43,244 | \$31,403 | \$36,938 | \$50,386 | \$57,945 | \$34,008 | \$49,941 | \$46,338 | \$31,816 |
| Unemployment Rate | 3.2% | 4.9% | 9.6% | 7.0% | 5.8% | 5.2% | 7.3% | 4.5% | 5.1% | 5.2% |
| Percentage of White (not Hispanic or Latino) | 49% | 12% | 6% | 71% | 39% | 43% | 35% | 57% | 14% | 54% |
| Percentage of Black or African American | 8% | 3% | 0% | 24% | 3% | 1% | 0% | 31% | 18% | 39% |
| Percentage of Hispanic or Latino (of any race) | 34% | 82% | 94% | 4% | 50% | 51% | 50% | 6% | 67% | 5% |
| Collections | | | | | | | | | | |
| Assessments Per Capita | \$32.30 | \$12.82 | N/A | N/A | \$6 | \$8 | \$12 | \$4 | \$4 | \$14 |
| Collections Per Capita | \$22.89 | \$7.78 | \$45 | \$36 | \$3 | \$5 | \$7 | \$3 | \$3 | \$9 |
| Collection Rate | 71% | 61% | N/A | N/A | 45% | 64% | 58% | 75% | 79% | 68% |

Sources: U.S. Census Bureau (2013–2017 ACS 5-year estimates, 2016 SAIPE); Bureau of Labor Statistics; Florida Court Clerks & Comptrollers; New Mexico Judicial Information Division; Texas Collection Improvement Program; Texas Office of Court Administration; Brennan Center calculations.

B. Demographics

The jurisdictions in this analysis represent a wide range of racial, ethnic, political, and economic diversity. A summary of the demographics of each county is shown in figure 5. These demographic differences highlight how the system of fines and fees plays out differently across communities. These are some results comparing 2016 data across our target counties:

- Collections per capita were highest in Texas, where they averaged \$28 per person across four target counties. In Florida and New Mexico, collections per capita were much lower, each at \$5.⁹¹
- Assessments per capita were generally higher in rural areas. In Florida, rural Madison County had the state’s highest assessments per capita. Likewise, in New Mexico, another rural county, Socorro, had the state’s highest assessments per capita.⁹² Unfortunately, the authors were unable to compare rural counties in Texas because assessment per capita data for rural counties was unavailable.
- In all target counties across the three states, rural counties had higher collections per capita than other counties. Governments in rural areas are frequently poorly funded and may be more reliant on revenue generated from fees and fines. This may lead rural governments to prioritize generating this fee and fine revenue. For example, in Texas, Jim Hogg and Marion Counties — both rural — had higher collections per capita than urban El Paso and Travis Counties. Compared with El Paso and Travis, Marion and Jim Hogg have a larger proportion of residents that face financial burdens, indicated by the counties’ lower median household incomes. In Florida, Madison County also had the highest collections per capita in 2016. Those in rural Madison County face more financial burdens than their urban counterparts in Miami-Dade and Leon Counties. Finally, New Mexico’s rural Socorro County had the highest collections per capita in 2016. As in rural counties in Texas and Florida, the residents of Socorro are more financially burdened than their counterparts in the urban Santa Fe and Bernalillo Counties, also both in New Mexico.

V. Statewide Analysis

This section provides a set of statewide analyses of criminal fees and fines imposed by both misdemeanor and felony courts in Texas, Florida, and New Mexico. Figure 6 shows statewide totals for assessments, waivers, and collections for misdemeanor and felony courts in each of the three states studied, as well as some enforcement costs in Texas and New Mexico, including jail costs.

A. Texas

Between 2012 and 2018, Texas criminal courts imposed as much as \$8.7 billion in fees and fines, which is a projected estimate for a state in which most, but not all, courts report to the state.⁹³ In an average year, the amount of these legal financial obligations could total \$47 for every person in the state — a significant source of revenue both for the state’s general revenue fund and for local court programs.⁹⁴ Rather than raise this revenue from general taxes, however, Texas criminal courts assess criminal defendants in cases ranging from minor traffic infractions to serious felonies.

While Texas lacks statewide data, its Office of Court Administration collects information from more than 70 counties and most cities with a population greater than 100,000; this represents about 72 percent of Texas by population.⁹⁵ The data suggests that the average amount of fees and fines charged to each defendant between 2012 and 2018 was \$268.⁹⁶ However, the size of criminal fees and fines imposed varies tremendously by court and type of charge. Additional findings include:

- In general, district courts, which handle mainly felony cases, assessed an average of \$957 per defendant between 2012 and 2018. These courts, however, administered just 3 percent of the cases in which fees and fines were imposed.
- For county courts, which tend to handle serious misdemeanors, the average assessment per person was \$606. The county courts administered 7 percent of fee and fine cases.
- For justice of the peace courts (justice courts) and municipal courts, which tend to handle traffic cases and some misdemeanors, the average fee and fine amount assessed were \$222 and \$213, respectively. Together these courts hear 90 percent of cases in which fees and fines were assessed.⁹⁷ Overwhelmingly, the criminal cases handled by justice and municipal courts are traffic violations — 87 percent in the justice courts and 78 percent in the municipal courts.⁹⁸

FIGURE 6

Statewide Fiscal Analysis for Texas (2017), New Mexico (2016), and Florida (2017)

Thousands of dollars

| | TEXAS | NEW MEXICO | FLORIDA |
|--|------------------|-----------------|------------------|
| Total Fees and Fines Assessed | | | |
| Total Assessments | \$763,058 | \$23,344 | \$427,737 |
| Waivers | -\$46,091 | N/A | -\$9,173 |
| Community Service Credits | -\$10,722 | -\$603 | -\$4,055 |
| Jail Credits | -\$140,476 | -\$4,358 | -\$403 |
| Conversions to Liens | N/A | N/A | -\$109,993 |
| Other Credits | \$0 | -\$1,800 | \$0 |
| Total Adjustments | -\$197,289 | -\$6,760 | -\$123,622 |
| Net Amounts Owed | \$565,769 | \$16,584 | \$304,115 |
| Revenue Collected | | | |
| Collections | \$465,391 | \$13,431 | \$167,865 |
| Collections as a Percentage of Assessments | 61% | 58% | 39% |
| Costs | | | |
| Collections Unit Costs | \$16,314 | N/A | N/A |
| Jail Costs | \$134,170 | \$5,267 | N/A |
| Total Costs | \$150,484 | \$5,267 | N/A |
| Costs as a Percentage of Collections | 32% | 39% | N/A |
| Revenue Minus Cost | | | |
| Net Gain | \$314,906 | \$8,164 | N/A |

Source: New Mexico Judicial Information Division; Texas Collection Improvement Program; Brennan Center calculations.

FIGURE 7

Assessments, Cases, and Types of Cases by Type of Court, 2012-2018

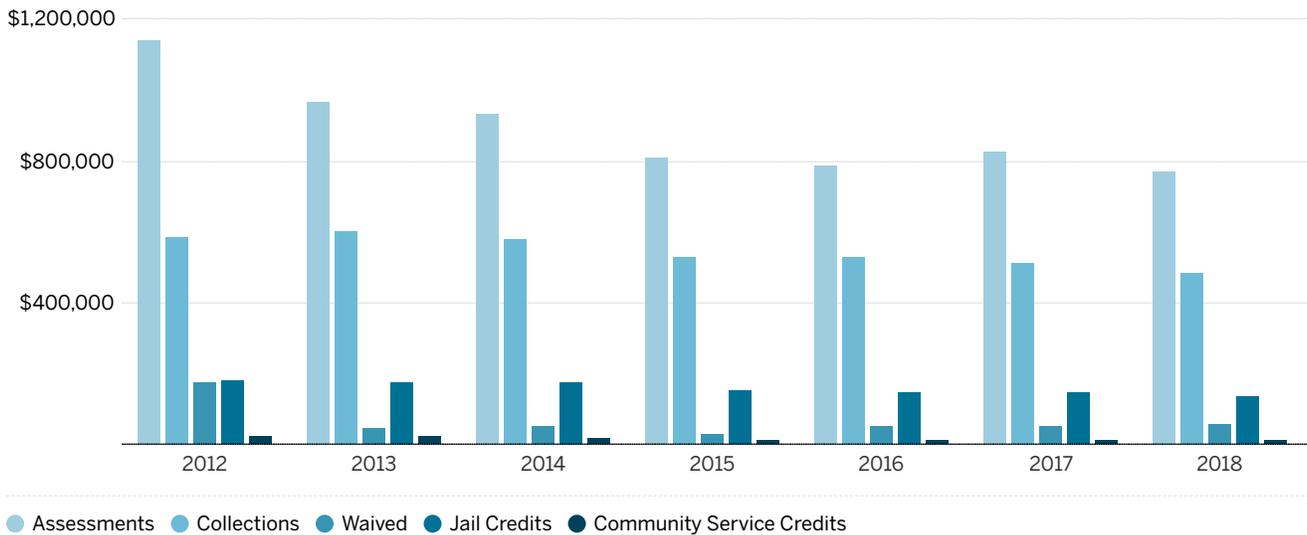
| | AVERAGE ASSESSMENT | PERCENTAGE OF FEE/FINE CASES | COLLECTION RATE | MAIN TYPES OF CRIMINAL CASES |
|-----------------------------|--------------------|------------------------------|-----------------|------------------------------|
| District Courts | \$957 | 3% | 33% | Serious Felonies |
| County Courts | \$606 | 7% | 49% | Serious Misdemeanors |
| Justice of the Peace Courts | \$222 | 23% | 82% | Traffic Cases |
| Municipal Courts | \$213 | 67% | 64% | Traffic Cases |
| All Courts | \$268 | 100% | 61% | - |

Source: Texas Collection Improvement Program; Annual Statistical Report for the Texas Judiciary, Fiscal Year 2018.

FIGURE 8

Reported Texas Criminal Fee and Fine Assessments, Collections, Waivers, and Credits, 2012-2018

Thousands of dollars



Source: Texas Collection Improvement Program.

FIGURE 9

Average Texas Jail Credits and Cost of Incarceration, Associated with Jail Credits 2012–2017

| | AVERAGE ANNUAL CREDITS | AVERAGE ANNUAL COST | PERCENTAGE OF TOTAL COST |
|-----------------------------|------------------------|---------------------|--------------------------|
| District Courts | \$5,129,365 | \$3,982,078 | 3% |
| County Courts | \$37,811,999 | \$28,996,783 | 21% |
| Justice of the Peace Courts | \$16,154,378 | \$13,443,971 | 10% |
| Municipal Courts | \$109,324,473 | \$91,182,746 | 66% |
| Total | \$168,420,216 | \$137,605,577 | 100% |

Source: Texas Collection Improvement Program.

In an average year, Texas courts collect about 61 percent of the criminal fees and fines levied. That means 39 percent cannot be collected, and much of that will not ever be collected.

Between 2012 and 2018, Texas data indicates that 21 percent of fees and fines on average were credited.

- 14 percent of fees and fines was satisfied by time served in jail. This accounted for more than half of all amounts waived or credited.
- 6 percent was waived, usually for indigency or other hardship.
- 1 percent was satisfied by community service credits, usually given for some number of hours of work for a community nonprofit or other local organization.

Jail credits are an expensive proposition. For example, between 2012 and 2018, Texas criminal courts issued more than \$1 billion in credits for jail time; this represents more than 10 million days of incarceration. Some of these credits were issued by courts to defendants already serving sentences for crimes. However, some credits were associated with jailing solely to satisfy outstanding court debts, a type of incarceration that serves no useful public safety purpose. Texas spent more than \$825 million on these jail stays between 2012 and 2018, an average of more than \$137 million a year.⁹⁹ There is no revenue associated with jail credits. For Texas courts and jurisdictions, jail credits only represent costs. For Texas courts reporting such costs, the average daily cost of jailing is \$81.08.

Not every case of jailing associated with the use of jail credits represents incarceration simply for the purpose

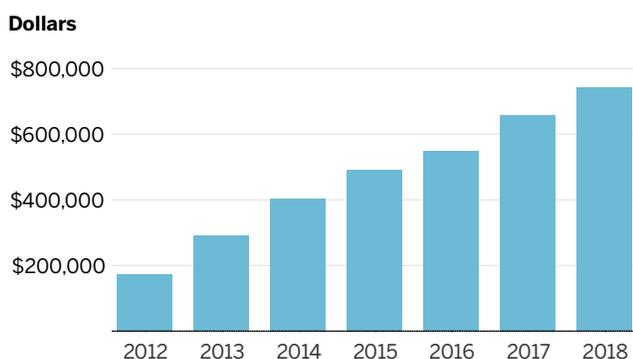
of satisfying fees and fines; there may be other offenses involved beyond failure to pay. However, until recently, the use of both voluntary and involuntary jail stays to satisfy court debts was common. During the period studied, municipal courts, which handle traffic cases and low-level misdemeanors that do not typically involve jailing, granted the majority of jail credits statewide, suggesting that jail stays were used to satisfy fee and fine debt. In 2017 Texas passed legislation intended to limit involuntary jailing for nonpayment of fees and fines.¹⁰⁰ Data released by the Texas judiciary shows a decline in the number of people incarcerated for nonpayment from 523,059 in 2017 to 456,220 in 2018.¹⁰¹ But this still represents the incarceration of nearly half a million people for inability to pay.

Significantly, despite the use of waivers and credits, there is also a growing balance of unpaid fee and fine debt in Texas. While there is no official accounting of total uncollected criminal fees and fines in the state, between 2012 and 2018 almost \$742 million was not collected, credited, or waived, averaging \$106 million in added debt per year. Without action by the Texas judiciary or legislature to remediate this debt, it will continue to grow.

One important consideration for the courts is that if fees and fines are not collected soon after they are imposed, the rate of collections falls to a comparative trickle, further highlighting that many of these debts are unlikely to be collected. For example, during 2016 courts took in 66 percent of their fee and fine collections in the first 30 days after imposition. After that, collections slowed to 5.5 percent in the next 30 days and continued to drop from there. This indicates that people who can pay these debts tend to pay them within the first 30 days; those who cannot will struggle to pay for a much longer period, and many older debts may never be paid.

FIGURE 10

Texas Growth of Uncollected Criminal Fees and Fines, 2012–2018



Source: Texas Collection Improvement Program.

FIGURE 11

Drop-Off in Collections Over Time in Texas, 2016

| DAYS UNTIL COLLECTION | AMOUNT COLLECTED (IN MILLIONS) | PERCENTAGE COLLECTED |
|-----------------------|--------------------------------|----------------------|
| 0 to 30 Days | \$342.7 | 66% |
| 31 to 60 Days | \$285.6 | 6% |
| 61 to 90 Days | \$205.0 | 4% |
| 91 to 120 Days | \$160.8 | 3% |
| 121 Days and Over | \$115.6 | 22% |

Source: Texas Collection Improvement Program.

Promising Reforms in Texas

>> **Over the past** several years, Texas has passed a series of reforms aimed at improving inefficient fee and fine collection practices that placed significant burdens on indigent defendants.

>> **Texas Senate Bill 1913** was passed in 2017 to alleviate criminal justice debt.¹⁰² The law broadly requires judges to conduct ability-to-pay hearings, allows waivers or reductions of fees and fines, and offers alternatives to jail sentences.¹⁰³ This has led to a decline of 11.4 percent in arrest warrants, and data released in 2018 by the Texas Office of Court Administration shows a drop over a year in the number of people incarcerated for failure to pay fines from 523,059 to 456,220.¹⁰⁴

>> **In 2019**, Texas built on Senate Bill 1913 and passed new legislation, Senate Bill 1637, to mitigate the burdens imposed on defendants facing unaffordable fees and fines.¹⁰⁵ The law changed the state's imposition and collection of fines and fees by requiring courts to administer ability-to-pay hearings upon notice to the court that defendants are unable to pay, though judges have the authority to waive the hearing if an inability to pay is already apparent.¹⁰⁶ If defendants are unable to pay, alternative options must be offered, including full or partial waivers of the fees and fines, deferred payment plans, or community service.¹⁰⁷ If community service is also shown to be an undue hardship (for reasons such as child-care responsibilities, health concerns, employment, or homelessness), then the fees and fines must be waived.¹⁰⁸ Under Senate Bill 1637, judges also have greater discretion to waive certain fees and are no longer required to issue warrants for failure to appear.¹⁰⁹ The bill came soon after a ruling by a federal

judge in Texas in 2018 that it is unconstitutional to set bail without considering ability to pay.¹¹⁰

>> **Also in 2019**, lawmakers in Texas unanimously approved a bill to repeal the Driver Responsibility Program (DRP), limiting the practice of license suspensions for unpaid fines.¹¹¹ Under the DRP, which was enacted in 2003, drivers were penalized with hefty fines for traffic offenses ranging from speeding to driving without insurance, and if the surcharges were not paid within 105 days, their licenses were automatically suspended.¹¹² These fines recurred annually, and failure to pay or a failure to appear in court prevented drivers from renewing their licenses.¹¹³ Some 1.8 million drivers with unpaid surcharges related to traffic violations have had their licenses suspended.¹¹⁴

>> **The DRP was created** to fund trauma centers in rural areas of the state that lacked access to emergency medical care due to underfunding.¹¹⁵ However, most of the license suspensions under the DRP were not imposed for serious public safety violations, such as driving while intoxicated or speeding. Likewise, though the number of trauma centers in Texas has increased through DRP surcharges, less than 12 percent of the driving offenses generating these charges were of the type that send people to trauma centers.¹¹⁶ In fact, the magnitude of license suspensions under the program has led to an increase in uninsured and unlicensed drivers.¹¹⁷ Once the repeal of the DRP goes into effect, the decline in trauma center funding will be offset by an increase in minimum fines for traffic citations, from \$30 to \$50, and more than 1.5 million Texans will be eligible for license reinstatement.¹¹⁸

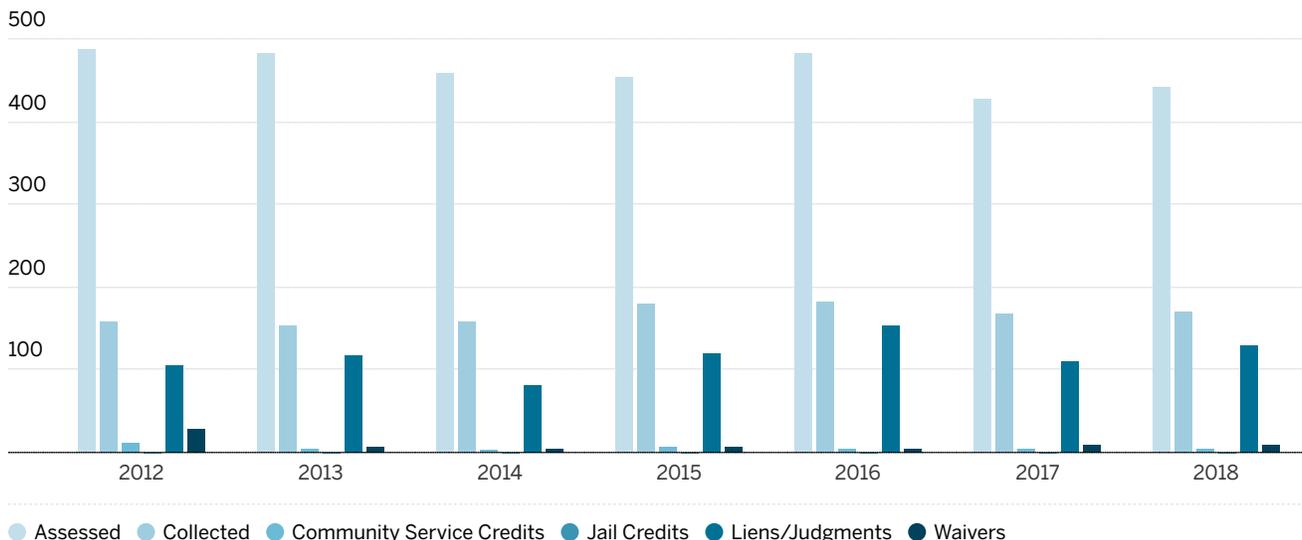
The full cost of collecting these debts is unknown, but it comes to at least 25 percent of revenue, based on incomplete reporting to the state, and an average of more than \$120 million a year for incarceration of those with debt outstanding. The full cost is likely higher. Further, in 2015, the best recent year for compliance with cost-reporting requirements, Texas criminal courts spent \$27.4 million in salaries, benefits, and other operating costs, and used 750 employees, for collection activities. Again, these costs understate what Texas spends on collection of criminal fees and fines. First, reporting is incomplete — many of the courts required to participate in data reporting for the

state's Collection Improvement Program do not do so. Second, the program's reporting requirements cover only about 72 percent of the state's population. Third, these costs do not include expenses of other public employees involved in the collection of these debts (e.g., time spent by judges, public defenders, prosecutors, and other employees during court appearances; warrant service for nonpayment; and community corrections officers' time monitoring probationer and parolee compliance with fee and fine sanctions). Only with more complete reporting can the full cost to local, county, and state agencies be fully tallied.

FIGURE 12

Florida Criminal Fee and Fine Assessments, Collections, Waivers, and Credits, 2012–2018

Millions of dollars



Source: Annual Assessments and Collections Reports, Florida Court Clerks & Comptrollers Association.

B. Florida

Between 2012 and 2018, Florida criminal courts imposed \$3.2 billion in fees and fines, an annual average of \$22 for every person in the state.¹¹⁹ This revenue is used to fund criminal justice and local court programs.¹²⁰ Rather than raise this revenue from taxes, Florida criminal courts assess these amounts on criminal defendants in cases ranging from traffic infractions to serious felonies. In fiscal year 2018 alone, these fees and fines totaled almost \$442 million.¹²¹

In an average year, Florida courts collect only \$168 million, or 36 percent of total criminal fees and fines assessed, meaning that nearly two-thirds, or \$295 million, of court debts are simply not collected. On average, circuit courts collect just 27 percent of amounts assessed, while county courts collect 73 percent.

Florida courts appear to recognize that a significant portion of these debts cannot be collected. In fiscal year 2018, circuit courts treated 23 percent of criminal fees and fines assessed as “at risk” for collection because of indigency.¹²² County courts considered 26 percent of assessments at risk for the same reason.¹²³

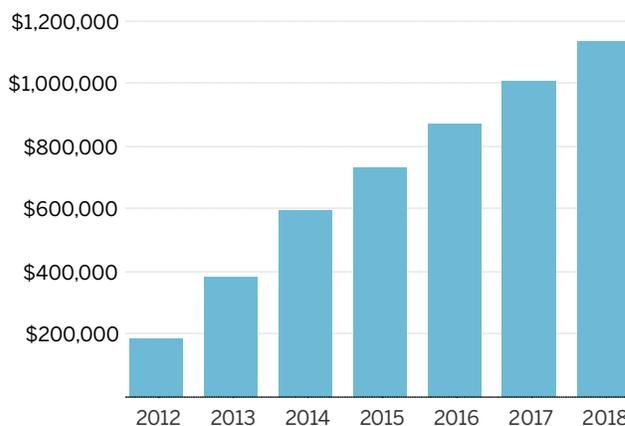
However, courts only sparingly waive or offer credits against amounts owed. In the period studied, they waived just 2 percent of the total, credited 1 percent in exchange for community service, and credited less than 1 percent for jail time served. This totaled just \$16 million a year on average.

By contrast, conversions to liens and civil judgments are used liberally by Florida courts. On average, 25 percent of fees and fines imposed are converted this way, even though Florida courts have low expectations for eventual payment. These civil conversions are used routinely by

FIGURE 13

Florida Growth of Uncollected Criminal Fees and Fines, 2012–2018

Dollars



Source: Annual Assessments and Collections Reports, Florida Court Clerks & Comptrollers Association.

License Suspension Costs

>> **Forty-three states** use the threat of driver’s license suspension to coerce the payment of amounts owed to courts.¹²⁷ Nationwide, more than 7 million people have had their driver’s licenses suspended for failure to pay court or administrative debt, a number that could well be much higher because states do not uniformly report such data.¹²⁸ In Texas alone, 1.8 million people have had their driver’s license suspended for failure to pay fines and fees.¹²⁹ In Florida, more than 1.1 million license suspension notices were issued in 2018, just for failure to pay court debts. As in most states, suspensions take place with no ability-to-pay determination, resulting in people losing their licenses with little opportunity to present their case.¹³⁰

>> **Driver’s license suspensions** impose a significant cost on those affected, as most Americans drive to work. Without a car, it’s often hard to hold down a job. In a New Jersey study of suspended licenses, almost half of those affected lost their jobs and were unable to find another.¹³¹ People face other hardships without a driver’s license, including an inability to drive children to school or even to buy groceries. At a recent Texas Senate hearing on a surcharge program responsible for many driver’s license suspensions for failure

to pay, Sen. Don Huffines (R–Dallas) said the program led to a “permanent underclass” and split “society by those who can pay the fines and those who can’t.”¹³²

>> **There are also significant costs** to state and local governments. Processing and executing license suspensions consumes staff time and other resources. Efforts to apprehend and punish those who drive without a valid license also impose a cost on police, courts, prosecutors, public defenders, and jails. While comprehensive data on these public costs is unavailable, examples in a few states suggest they may be substantial:

- In 2019, an Oregon legislative proposal to eliminate license suspension for failure to pay fines led the Oregon Department of Transportation to predict savings of almost \$1 million by eliminating processing costs and the need to address drivers’ questions about suspensions.¹³³
- Colorado estimated its annual requirements for non-safety-related suspensions of driver’s licenses under a new state code and found a cost of 18,646 man-hours to process and hold hearings involving 16,800 suspension cases — roughly nine full-time-equivalent employees.
- In Washington State, failure to pay a fine or appear in court on a moving violation currently results in driver’s license suspension. In 2015 almost 38,000 cases of driving following such a suspension were prosecuted at a cost of \$925 per case. More than 14,000 convictions were secured, many including jail time, at a net cost — less any fines revenue — of \$182 per case. In total, the estimated cost to the state in 2015 alone was \$37.5 million.¹³⁴ Additional fees imposed to offset these costs are expected to cover less than half the state’s expenses: Washington forecasts revenue of \$10.6 million in driver’s license reinstatement fees and \$4.7 million in hearing fees for 2019 through 2021.¹³⁵

Reasons for Driver’s License Suspension Notices in Florida (2018)

| | |
|---|-----------|
| Delinquency on Child Support Payments | 134,079 |
| Failure to Pay Court Financial Obligations (Traffic, Misdemeanor, and Felony) | 1,118,601 |
| Other | 387,446 |
| Total Suspensions and Revocations | 1,640,126 |

Source: Fines and Fees Justice Center.

circuit courts in felony cases, where they total 36 percent of assessed criminal fees and fines, and less so by county courts for misdemeanor cases, at 11 percent.

Besides indigency, another factor making criminal fees and fines difficult to collect is incarceration. In 2018 the circuit courts rated 55 percent of amounts imposed as at risk for collection purposes because the defendants were jailed or serving prison sentences.¹²⁴ The compara-

ble figure for county courts was just 4.4 percent.¹²⁵ In total, for the factors the judiciary considers as impediments to collection, 86 percent of circuit court criminal assessments and 38 percent of county court assessments were rated “at risk” of non-collection in 2018.¹²⁶ In other words, of the \$442 million assessed in 2018, two-thirds, or \$295 million, was considered uncollectible by the courts.

With little use of waivers and credits, defendants in

Disenfranchisement in Florida

>> In 2018, Florida voters passed Amendment 4, a historic initiative restoring voting rights to the 1.4 million people in the state with past felony convictions.¹³⁶ Minorities, especially black and low-income people, were vastly overrepresented in this group. But in May 2019, Florida enacted a law requiring they pay all fees, fines, and restitution in order to be eligible to

vote again.¹³⁷ The average income of the formerly incarcerated people who registered to vote between January and March of 2018 is nearly \$15,000 below that of an average Florida voter.¹³⁸ Disenfranchisement for failure to pay court debts disproportionately removes the poor from voter rolls, depriving them of a voice in their government.

Florida face a growing balance of fee and fine debt. While the total amount of uncollected criminal fees and fines in the state is unknown, an average of more than \$162 million a year was added to the balance between 2012 and 2018, for a total of more than \$1.1 billion over the seven-year period. Without action by the Florida judiciary or legislature to remediate this debt, it almost certainly will continue to grow. While Florida courts appear to recognize that indigency poses a problem for collections, extremely low usage of indigency waivers and community service credits fuels spiraling uncollected court debt that serves neither the courts nor those held liable for unpaid amounts.

The cost to Florida of collecting criminal fees and fines is unknown. With no systematic collection and reporting of data, it is impossible to tally the costs for the courts, the law enforcement agencies that perform warrant service or enforcement of driver's license suspensions due to nonpayment, or probation and parole services that must remind their clients of payment requirements.

C. New Mexico

Between 2012 and 2016, New Mexico's district, magistrate, and metropolitan courts assessed an estimated \$113 million in fees and fines. In an average year, this amounts to about \$54 for every person in the state.¹³⁹ While data for county courts is unavailable, even this partial total is significant, coming to more than \$23 million in 2016 alone.

- Magistrate courts, which handle mainly misdemeanors and traffic violations, assessed an average of

\$16,219,194 per year between 2012 and 2016. These courts handled, on average, 70 percent of the cases in which fees and fines were imposed.

- District courts are courts of general jurisdiction handling a wide range of cases. These courts assessed an average of \$1,712,418 per year and administered 6 percent of fee and fine cases on average.
- The Bernalillo Metropolitan Court combines the county's municipal and magistrate courts in a single court serving New Mexico's most populous county. The court assessed an average of \$4,698,242 per year and administered 24 percent of the state's fee and fine cases on average.

The authors observed the following yearly averages for 2012 through 2016:

- Of the \$1.7 million assessed in district courts, \$326,462 was converted into credits and only \$298,000 was collected, leaving \$1,088,111 uncollected.
- Magistrate courts had the highest amount of fee and fine activity. Of the approximately \$16.2 million in fees and fines imposed, \$3,332,494 in credits were awarded and \$10,609,152 in fees and fines were collected, leaving \$2,277,549 uncollected.
- The Bernalillo Metropolitan Court awarded \$1,837,685 million in credits and collected \$2,424,789 million in fees and fines, leaving \$435,768 uncollected out of \$4.7 million assessed.

On average, credits as a percentage of assessments was rather low for district and magistrate courts — at 19 percent and 21 percent, respectively — compared with 39 percent for the Bernalillo Metropolitan Court.

Jail credit was the most common type of credit applied by the magistrate and metropolitan courts. From 2012 to 2016, magistrate courts applied a total of \$16.6 million credits, of which \$11.3 million, or 68 percent, were jail credits. In the metropolitan court, there were \$9.2 million credits, of which \$6.5 million, or 71 percent, were jail credits. The amount of jail credits issued in district courts was relatively low from 2012 to 2016, totaling \$9,709. Across the district, magistrate, and metropolitan courts from 2012 to 2016, a total of \$17,835,136 in jail credits was issued. This corresponds to 300,502 days in jail — which cost a total of \$21,814,692.¹⁴⁰

Although credits and waivers are supposed to reduce the amount of debt owed, considerable amounts of uncollected fees and fines still accumulate each year. Figure 16 shows that uncollected fees and fines have piled up

Reforms in New Mexico

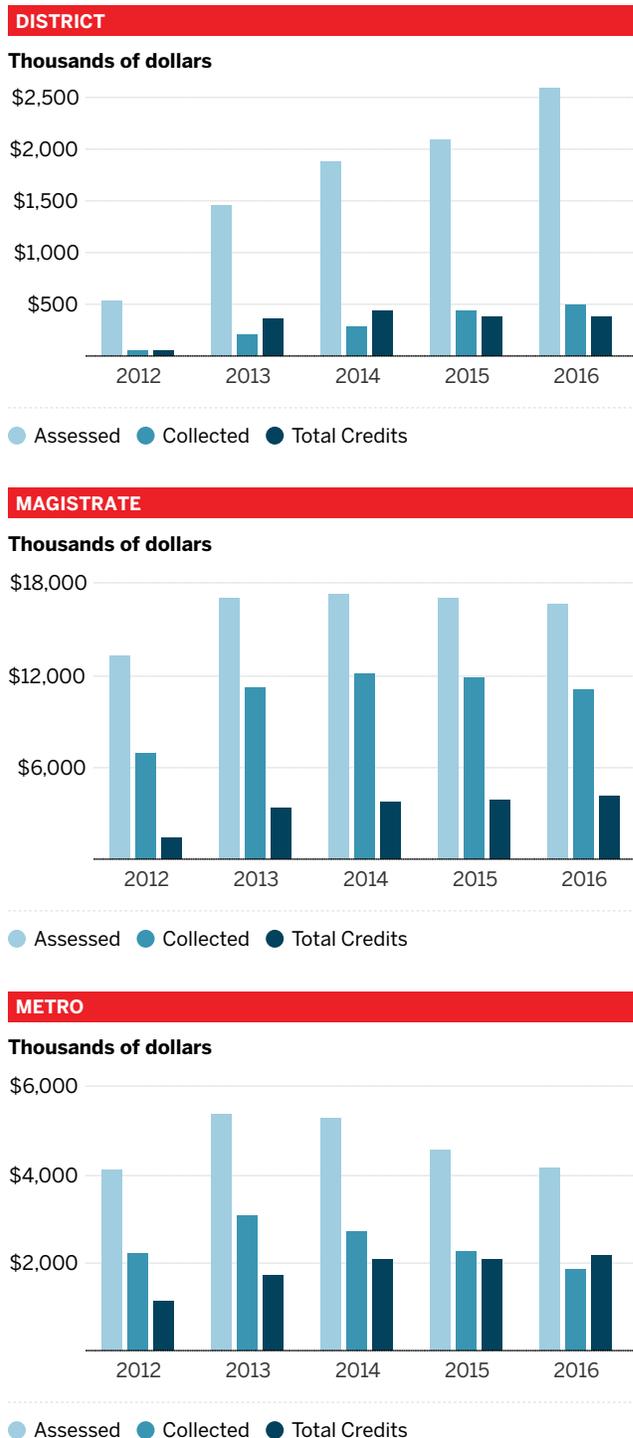
>> **Bernalillo Metropolitan Court** has hosted “Safe Surrender” events for the past several years, inviting people to work with a judge to address their outstanding bench warrants and avoid the risk of arrest.¹⁴⁵ Prosecutors and defense attorneys are available at these one-day events for individual meetings ahead of appearances before a judge. New Mexico courts have promoted this opportunity — including through an active Twitter account — to encourage people to voluntarily appear and resolve pending issues.¹⁴⁶ The program does not provide a formal amnesty, but judges promise to resolve or at least offer new opportunities to settle amounts owed for every case.¹⁴⁷ People who appear on a traffic citation are almost guaranteed to have their cases resolved, while those appearing on warrants for public safety violations and other types of misdemeanors can expect to have an opportunity to set a future court date without being arrested.¹⁴⁸

>> **In 2010, New Mexico defendants** spent a median of 147 days in jail while awaiting trial.¹⁴⁹

Judges often set the bail high to keep defendants in custody and avoid the risk of releasing dangerous people — though wealthier defendants or those using bail bond companies could still bail out.¹⁵⁰ In 2016 New Mexico voters approved Constitutional Amendment 1 to protect the right to pretrial release for non-dangerous defendants.¹⁵¹ The new bail measures prohibit judges from jailing defendants simply because of financial inability to pay bail, and they allow a defendant to file a motion to request release on nonmonetary conditions.¹⁵² Although the amendment also grants judges broad authority to deny bail to defendants charged with a felony who are deemed dangerous or flight risks, its provisions for reform are an important step in allowing future litigation against unfair monetary bail practices.¹⁵³ And though prosecutors have pushed back against the reforms, the New Mexico Supreme Court is committed to continuing on the path to bail reform and noted that crime rates appear to have dropped since the measure was implemented.¹⁵⁴

FIGURE 14

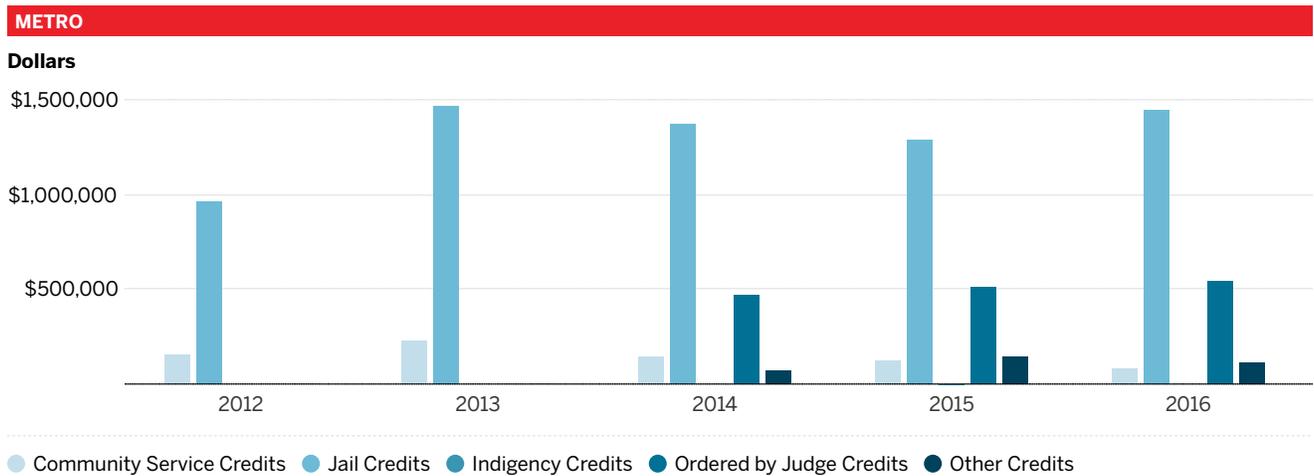
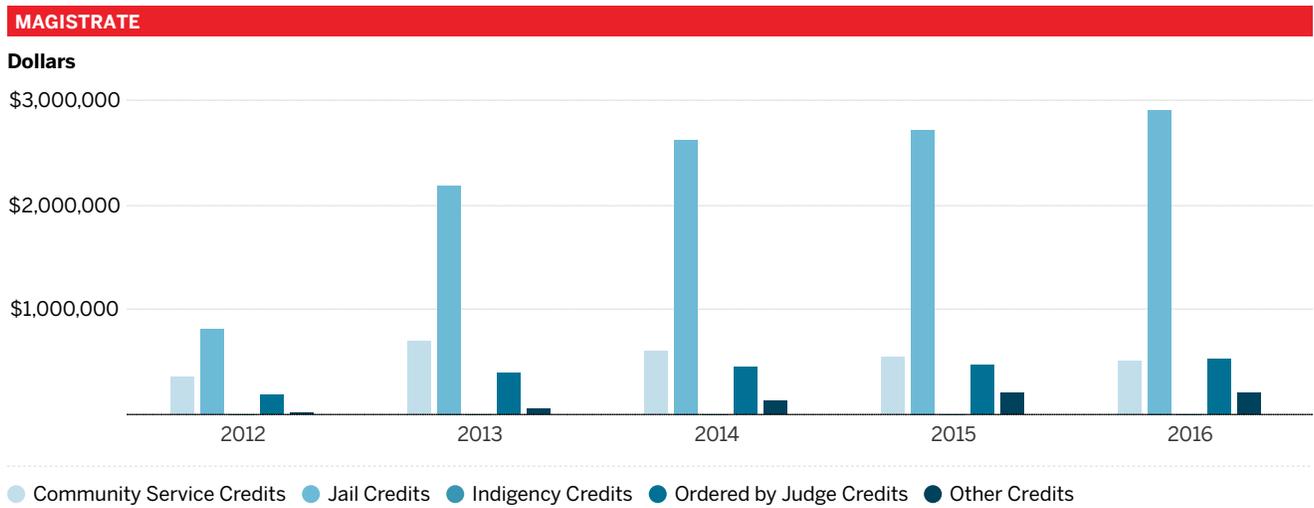
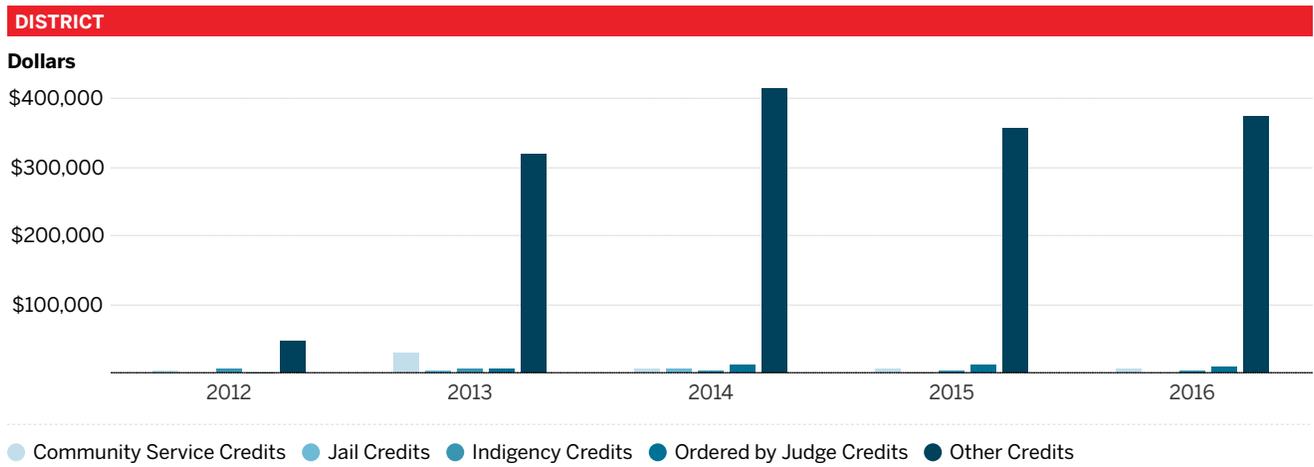
New Mexico Criminal Fee and Fine Assessments, Collections, and Credits, 2012–2016



Source: New Mexico Judicial Information Division.

FIGURE 15

Comparison of Credits in New Mexico, 2012–2016

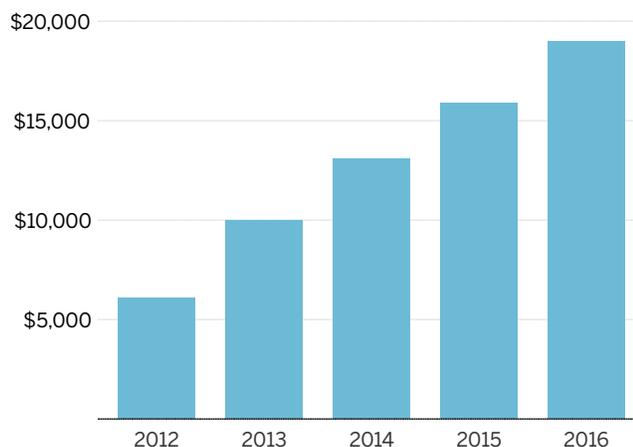


Source: New Mexico Judicial Information Division.

FIGURE 16

New Mexico Growth of Uncollected Fees and Fines, 2012–2016

Thousands of dollars



Source: New Mexico Judicial Information Division.

each year in New Mexico since 2012. The average increase was almost \$4 million per year, with approximately \$19 million uncollected in total.

The accumulation of uncollected debt is a problem for New Mexico. The rate of uncollected debt in counties throughout New Mexico correlates with the poverty rate within each county. This relationship underscores

how fees and fines tend to be a serious problem for the communities that can least afford them. (The authors could not perform a similar analysis for Florida and Texas because of lack of available data. In Texas, revenue data for rural and less-populated counties is unavailable, which would bias the results. Likewise, for Florida, the authors did not have access to sufficient data at the county level.)

Not only do fees and fines appear to be an inefficient way to collect revenue, but they are also poorly targeted and perpetuate social and economic disparities for people who cannot afford to pay them. For example, Hidalgo, Luna, and Quay Counties have relatively high poverty rates as well as rather high amounts of uncollected fee and fine debt per capita between 2012 and 2016.¹⁴¹

- Hidalgo County, with a poverty rate of 24.8 percent, has \$78.45 of uncollected fees and fines per person.¹⁴²
- Luna County, with a poverty rate of 28.3 percent, has \$47.96 of uncollected fees and fines per person.¹⁴³
- Finally, Quay County, with a poverty rate of 23.9 percent, has \$28.05 of uncollected fees and fines per person.¹⁴⁴

By comparison, New Mexico has a statewide poverty rate of 19 percent and uncollected fees and fines of \$9.30 per person.

VI. Conclusion

In recent years, states and municipalities have come to rely on criminal fees and fines, shifting the burden for funding courts, the criminal justice system — and, sometimes, general government operations — from the general public to defendants. But these fees and fines undermine rehabilitation and public safety by saddling people with debt just as they are reentering society. This report shows that they also fail at their primary objective: raising revenue.

The ten counties across Florida, New Mexico, and Texas studied here show that criminal fees and fines are an unreliable and inefficient revenue stream. They frequently burden the members of society who are least able to pay, and the costs of collection are many times greater than those of general taxation, effectively canceling out much of the revenue. Particularly costly is the practice of jailing defendants solely for their failure — or inability — to pay these debts.

While it is clear that fees and fines don't deliver, the full costs to jurisdictions certainly exceed those estimated here. Activities involved with fees and fines are spread across agencies and levels of government, and none of the agencies or jurisdictions studied here track the full scope of work involved in imposing and enforcing them. Only with a thorough accounting can jurisdictions appreciate just how inefficient fines and fees are as a source of revenue.

Appendix A: Fiscal Impact Analysis of Individual Jurisdictions

A. New Mexico

New Mexico has a population of 2 million, concentrated mostly in urban areas around Albuquerque, Las Cruces, Rio Rancho, and Santa Fe.¹⁵⁵ The state faces severe economic challenges, with a poverty rate of 20 percent, the second highest in the country.¹⁵⁶ A Republican governor was succeeded by a Democrat in early 2019, and New Mexico leans Democratic in national elections. The state's population is approximately 49 percent Hispanic or Latino, 37 percent white non-Hispanic, 10 percent Native American, and 2 percent black.¹⁵⁷

Every New Mexico county except Bernalillo has three levels of criminal courts.¹⁵⁸ Municipal courts deal mostly with traffic violations, magistrate courts handle low-level

misdemeanors and small claims such as debt collection and landlord-tenant disputes, and district courts oversee serious misdemeanors and felonies. In Bernalillo, the municipal and magistrate courts are combined into a single metropolitan court. Most fee and fine activity occurs in magistrate and municipal courts, but data for municipal courts is limited. Therefore, this report focuses on magistrate courts in Santa Fe and Socorro Counties and the Metropolitan Court in Bernalillo County.

When someone is unable to pay assessed fees and fines in New Mexico, a bench warrant is issued for that person's arrest and an additional \$100 bench warrant fee is added to the court debts. This also triggers an automatic driver's license suspension. To reinstate the license, the defendant must pay \$30 to the DMV. This means that, for each warrant issued by the court, most defendants actually owe \$130.

Figure 17 provides an example of the fees and fines imposed on defendants in New Mexico.

FIGURE 17

Fees and Fines in New Mexico

| Fines | Amount |
|--|---------------|
| Motor Vehicle Code Violation | Up to \$300 |
| Petty Misdemeanor | Up to \$500 |
| Misdemeanor | Up to \$1,000 |
| Universal Fees | |
| Domestic Violence Offender Treatment Fee | \$5 |
| Crime Victims Reparations Fee | \$50 |
| Magistrate Court Automation Fee | \$10 |
| Traffic Safety Fee | \$3 |
| Judicial Education Fee | \$3 |
| Jury and Witness Fee | \$5 |
| Brain Injury Services Fee | \$5 |
| Case-Specific Fees | |
| DUI Chemical Testing Fee | \$85 |
| DUI Community Program Fee | \$75 |
| Controlled Substances Testing Fee | \$75 |
| Public Defender Fee | \$10 |
| Mediation Fee | \$5 |
| Pre-prosecution Diversion Program Fee | \$85/month |
| Misdemeanor Probation Fee | \$15/month |

Source: New Mexico Criminal Code.

1. Bernalillo County

Bernalillo County is home to New Mexico's largest city, Albuquerque. With nearly 675,000 residents, it is also the most populous county in the state.¹⁵⁹ Bernalillo's local government contains a mix of Democrats and

FIGURE 18

Bernalillo County Criminal Fee and Fine Fiscal Analysis, 2016

Thousands of dollars

| Revenue Collected | |
|--|---------------|
| Assessments | \$4,170 |
| Credits | \$2,193 |
| Collections | \$1,862 |
| Percentage of Fees and Fines Collected | 45% |
| Costs | |
| In-Court Costs | \$40 |
| Jail Costs | \$2,138 |
| Total Costs | \$2,178 |
| Cost as a Percentage of Collections | 117% |
| Net Gain (+)/Loss (-) | -\$316 |

Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

Republicans, but like the state as a whole, the county leans Democratic in national elections.¹⁶⁰ Albuquerque was established as a Spanish colonial outpost, and the county’s history is reflected in its demographics: It is 50 percent Hispanic or Latino, 39 percent white non-Hispanic, 4 percent Native American, and 3 percent black.¹⁶¹ While Bernalillo is home to some of New Mexico’s wealthiest citizens, mostly in northeastern Albuquerque and the adjacent suburbs, it also has some of its poorest. The poverty rate in the county is 19 percent, roughly equal to that of the state overall.¹⁶²

Two courts with criminal jurisdiction operate in Bernalillo County — the Bernalillo Metropolitan Court and the Second Judicial District Court. The metropolitan court, which handles traffic and misdemeanor cases, generates the greatest fee and fine volume and is the focus of this analysis. The district court handles felonies.¹⁶³

While the docket changes each day, custody and traffic arraignments occur daily. Once someone is arrested, court rules require arraignment within 24 hours.¹⁶⁴ After the judge arrives, each court appearance typically lasts between two and five minutes. Fees and fines are rarely mentioned, and no indigence determinations were observed in the courtroom. After appearing before the judge, the defendant meets with a clerk who explains the fee and fine obligations, how to convert them to community service hours, the date by which they must be paid, and any other requirements. One judge told the authors that access to community service conversions has greatly

reduced the amount of paperwork for clerks and defendants and has reduced instances of people failing to pay.

If a person fails to make payments, the court issues a warrant. When that person next comes into contact with the justice system, as in a traffic stop, he or she is taken into custody. Typically, arraignment occurs the day following the arrest, at which point a jail credit is applied to this person’s fees and fines, the outstanding amount is waived, and he or she is released.

Figure 18 shows the results of the Brennan Center’s fiscal analysis for traffic and misdemeanor criminal fees and fines imposed by the Bernalillo Metropolitan Court for fiscal year 2016. The \$2.2 million cost estimate for 2016 is conservative because of the difficulty of determining some collections and related law enforcement costs (e.g., for warrant service, arrest, and processing).

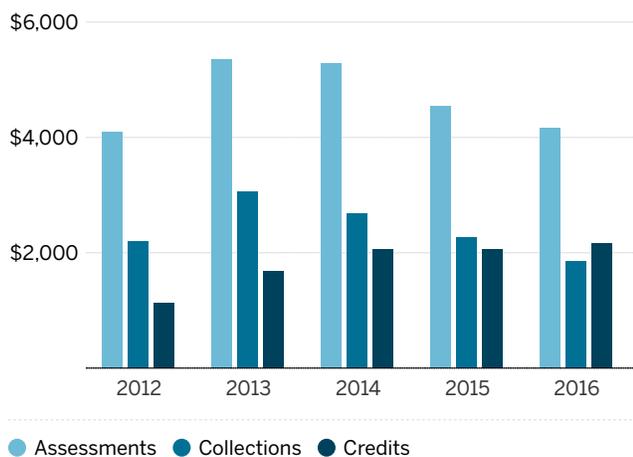
Key findings:

- Court and jail costs for imposing and collecting fees and fines from Bernalillo Metropolitan Court were \$2.178 million in 2016, or 117 percent of what ultimately was collected.¹⁶⁵
- In 2016 the Bernalillo Metropolitan Court assessed more than \$4.1 million in criminal fees and fines. Nearly \$2.2 million was written off, either through waivers or credits for time served in jail or community service. Of the remainder, close to \$1.9 million

FIGURE 19

Bernalillo County Assessments, Collections, and Credits, 2012–2016

Thousands of dollars

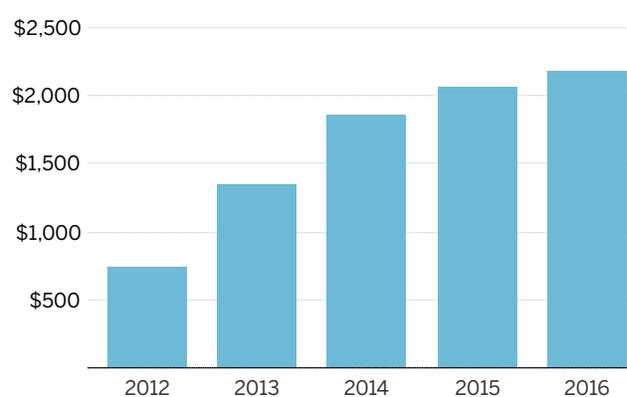


Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

FIGURE 20

Bernalillo County Growth of Uncollected Criminal Fees and Fines, 2012–2016

Thousands of dollars



Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

was ultimately collected. However, more than \$2.1 million was spent on collections activity; therefore, the collected amount reflects a net loss of \$316,000.

- The authors estimate that approximately \$40,000 was spent on the portion of court proceedings dealing with fees and fines.
- Bernalillo County expended an estimated \$2.138 million for jailing due to unpaid fees and fines in 2016. In addition to being costly, jailing is an example of cost shifting from the state-funded Bernalillo Metropolitan Court to local county taxpayers.

Figure 19 shows how criminal fees and fines imposed, collected, and credited have changed over time.

As shown, criminal fees and fines collected fall short of the amounts assessed; on average, 9 percent of the fees and fines charged to defendants went uncollected and not credited or waived between 2012 and 2016. Further:

- Fee and fine assessments and revenues have fallen for Bernalillo County in recent years.
- Assessments have fallen faster than revenue, meaning that a larger portion of fees and fines are being collected each year.

Figure 20 depicts how uncollected amounts in Bernalillo County have grown since 2012.

New Mexico courts do not produce reliable estimates of the total amount of criminal fees and fines that remain uncollected. Therefore, figure 20 shows only the amount of uncollected debt that has accumulated since 2012. This represents just a small subset of the total not collected. Even so, these amounts are considerable.

Uncollected amounts rose between 2012 and 2016, although the rate of growth of uncollected criminal fees and fines appears to have slowed during this period. Much of this court-imposed debt will never be paid and will continue to pose challenges for the courts because of its uncollectibility. Tracking these uncollectible amounts imposes costs on the courts for information technology and personnel. More significantly, enforcing warrants and scheduling repeated hearings for failure to pay takes up valuable law enforcement and court time that would be better spent on serious criminal matters.

2. Santa Fe County

Bordering Bernalillo County is Santa Fe County, which contains New Mexico’s capital city. It is smaller than Bernalillo in area, and its population of just under 150,000 makes it the third-most-populous county in New Mexico.¹⁶⁶ Like Bernalillo, its electorate leans Democratic.¹⁶⁷ The county is about 51 percent Hispanic or Latino, 43

FIGURE 21

Santa Fe County Criminal Fee and Fine Fiscal Analysis, 2017

Thousands of dollars

| Revenue Collected | |
|--|--------------|
| Assessments | \$1,138 |
| Credits | \$352 |
| Collections | \$724 |
| Percentage of Fees and Fines Collected | 64% |
| Costs | |
| In-Court Costs | \$54 |
| Jail Costs | \$239 |
| Total Costs | \$294 |
| Cost as a Percentage of Collections | 41% |
| Net Gain (+)/Loss (-) | \$430 |

Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

percent white non-Hispanic, 2 percent Native American, and 1 percent black.¹⁶⁸ The area around the state capitol attracts many professional workers, and the county is wealthier than the rest of the state. The poverty rate is 14 percent, the lowest of the three New Mexico counties included in this report.¹⁶⁹

Santa Fe County is home to the New Mexico Supreme Court, a court of appeals, a district court, a magistrate court, a municipal court, and a probate court. The district court has general jurisdiction over civil and criminal matters, and the magistrate court handles various low-level civil matters.

Arraignments of defendants held in custody take place via video feed to the county jail. One court employee told the Brennan Center in 2018 that seven people were in custody that day solely because of failure to pay fees and fines.

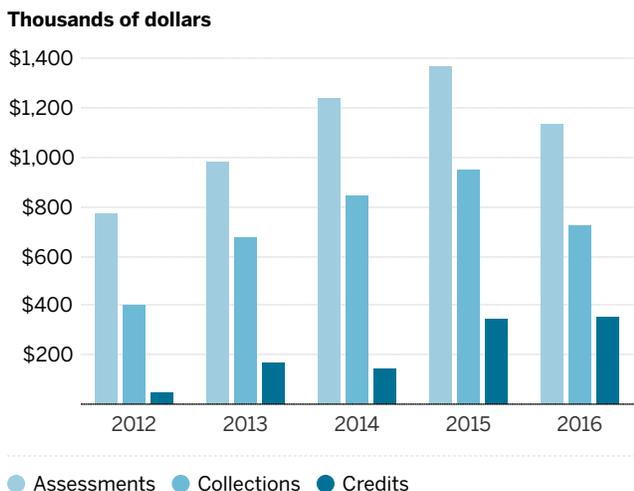
Defendants are able to pay fees and fines in three ways. They can pay the amount in full or through a payment plan, perform community service and reduce their debt at a rate equal to the federal minimum wage (\$7.25 per hour), or serve jail time to earn a credit of \$58 per day (equal to eight hours of the federal minimum wage).

Jail time is considered only if a person fails to make payments or complete community service. The court then sends a notice to appear for a hearing. If the person misses the hearing, the court will issue a warrant for arrest for failure to pay. One judge estimated that about half of the people who receive a notification return to court and the other half are taken into custody.¹⁷⁰

Figure 21 represents the Brennan Center’s fiscal analysis for misdemeanor criminal fees and fines for Santa Fe County

FIGURE 22

Santa Fe County Assessments, Credits, and Collections, 2012–2016



Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

for fiscal year 2016. The total collection cost estimate of \$294,000 is a conservative one because of difficulties in determining some collections and related law enforcement costs (e.g., for warrant service, arrests, and processing).

Key findings:

- In 2016, the Santa Fe Magistrate Court assessed about \$1.1 million in criminal fees and fines, of which \$352,000 was written off through credits, such as community service and jail. Of the remaining \$786,000, \$724,000 was ultimately collected.
- At least \$294,000 was spent on collections activity in court and jailing alone. The collected amount therefore reflects at most \$430,000 in net gain, 38 percent of what was originally assessed.

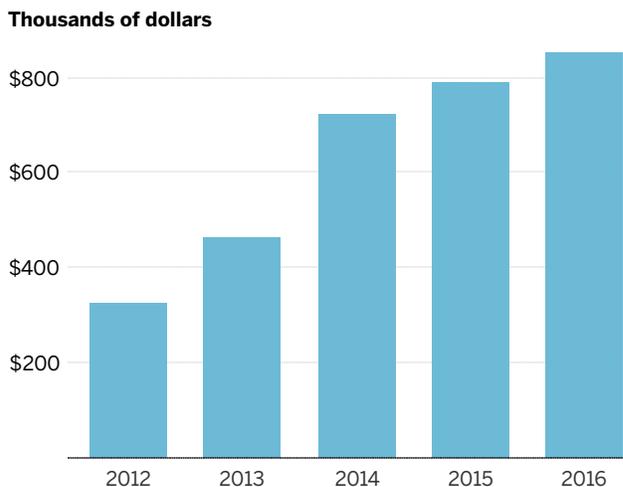
Figure 22 shows how criminal fees and fines imposed, collected, and credited have changed over time in Santa Fe County.

As shown, criminal fees and fines collected do not approach the amounts assessed. On average, from 2012 to 2016, 17 percent went uncollected and was not credited or waived. Further:

- While fee and fine assessments and collections increased through 2015, both were lower in 2016, highlighting the unreliability of criminal fees and fines as a source of funding.

FIGURE 23

Santa Fe County Growth of Uncollected Criminal Fees and Fines, 2012–2016



Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

- Santa Fe County offered a lower amount of credits to defendants than Bernalillo County.

Figure 23 depicts how uncollected amounts in Santa Fe County have significantly grown since 2012.

Reliable estimates of the total amount of criminal fees and fines that remain uncollected are unavailable. Therefore, figure 23 shows only the amount of debt that has accumulated since 2012. This represents just a small subset of the total not collected. Even so, these amounts are considerable: uncollected amounts rose by \$528,367 between 2012 and 2016. Much of this court-imposed debt will never be paid.

3. Socorro County

With a population of just over 17,000, Socorro County is the smallest New Mexico county in this analysis.¹⁷¹ Just over half of the residents in this rural county live in the town of Socorro, 75 miles south of Albuquerque. Much like the rest of the state, Socorro County leans Democratic in county and state elections.¹⁷² The county’s population is approximately 50 percent Hispanic or Latino, 35 percent white non-Hispanic, 10 percent Native American, and 1 percent black.¹⁷³ With a poverty rate of 25 percent, Socorro is one of the poorest counties in New Mexico and the poorest in this analysis.¹⁷⁴

The staff of the Socorro Magistrate Court consists of one elected judge and five clerks. The judge was previously the county sheriff, a position he first held at the age of 25. While he has an extensive background in law enforcement, he does not have a law degree. During busi-

FIGURE 24

Socorro County Criminal Fee and Fine Fiscal Analysis, 2016

Thousands of dollars

| Revenue Collected | |
|--|-------------|
| Assessments | \$207 |
| Credits | \$88 |
| Collections | \$119 |
| Percentage of Fees and Fines Collected | 58% |
| Costs | |
| In-Court Costs | \$14 |
| Jail Costs | \$81 |
| Total Costs | \$96 |
| Cost as a Percentage of Collections | 80% |
| Net Gain (+)/Loss (-) | |
| | \$24 |

Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

ness hours, three clerks work at windows in the lobby. In the mornings, particularly before court starts at 9:00 a.m., the clerks are kept busy by defendants checking in and people making payments. When asked, one clerk said that her entire job revolves around court costs.

According to the clerks, nearly all defendants enter into payment plans to pay their fees and fines. It is rare for a defendant to pay in full at the time of assessment. The standard payment is \$50 per month, although clerks have the discretion to lower this amount. Still, the clerks estimate that 60 to 70 percent of people miss payments and are issued bench warrants.

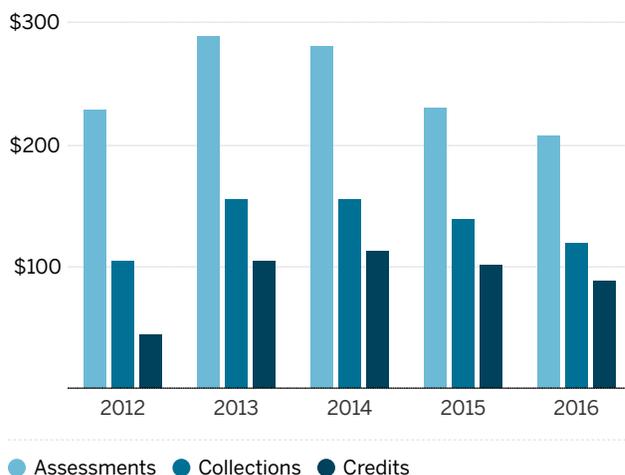
In the courtroom on a day when a Brennan Center staff member was present, the magistrate judge asked each defendant how much he or she would be able to pay. Some defendants expressed an inability to pay anything at all. Many stated that they were unemployed and had no income, and others said they earned no more than \$40 per month. Still, community service was not initially offered as an option to most defendants. Rather, they were entered into payment plans, with some payments as low as \$10 per month. The judge repeatedly instructed defendants to contact the court if they would be unable to make a payment deadline.

Community service was granted only to those defendants who specifically requested it. Of 24 cases observed in which costs were assessed, only three defendants did so. Two requests were granted and the third was denied, though that defendant’s monthly payment was reduced. When conversions to community service were granted,

FIGURE 25

Socorro County Assessments, Credits, and Collections, 2012–2016

Thousands of dollars



Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

community service hours were credited at the federal minimum wage of \$7.25 per hour.

If a defendant misses a payment for a third time, the magistrate judge may charge the defendant with failure to comply and hold that person in jail. Jail time is credited against court fees at \$58 per day. As the former county sheriff, the current judge is aware of the high daily cost of jailing and said that the county would “rather make money than lose money.” Still, in the week observed by a Brennan Center staffer, he sentenced two defendants to jail time for “willfully refus[ing] to pay court costs or perform community service.” One of them was sentenced to 10 days.

Two days per week are dedicated to bench trials and case management, meaning that state prosecutors, public defenders, and law enforcement officers appear in court. Two public defenders handle the bulk of these dockets. One public defender expressed concern about the length of time that cases “languish on” until defendants are able to pay off their debt and ultimately close their cases. She estimated that 10 percent of her clients complete community service and that 30 to 40 percent serve jail time for court costs.

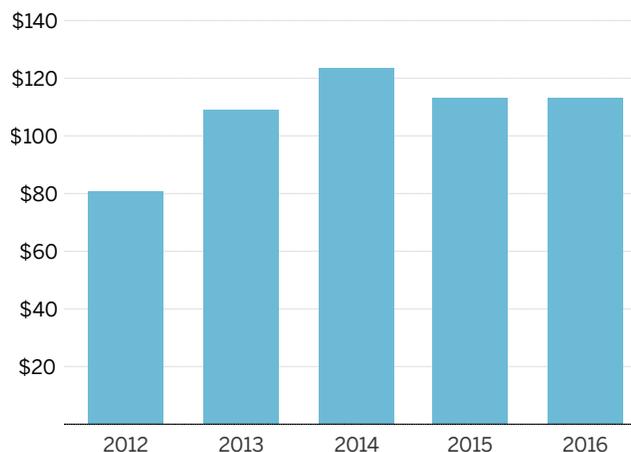
For his part, the magistrate judge is under no illusions about the role of court costs in his courtroom. “This is a money-making machine,” he said. “We collect \$20,000 per month, easy. The state just wants to make money. It’s tough on [the defendants], man.”

Figure 24 represents the Brennan Center’s fiscal analysis of misdemeanor criminal fees and fines for Socorro County for fiscal year 2016. The cost estimate of \$96,000

FIGURE 26

Socorro County Growth of Uncollected Criminal Fees and Fines, 2012–2016

Thousands of dollars



Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

is conservative, as many potential costs of collections and law enforcement could not be tallied.

Key findings:

- In 2016, the Socorro Magistrate Court assessed about \$207,000 in criminal fees and fines.
- The magistrate court wrote off \$88,000 through either waivers or credit given for jail time or community service. Virtually all of the remainder, \$119,000, was collected.
- At least \$96,000 was spent on jail costs and collections activity in court, so the collected amount reflects at most a net gain of \$24,000, 11 percent of what was originally assessed.

Figure 25 shows how criminal fees and fines imposed, collected, and credited have changed over time.

As shown, criminal fees and fines collected fall far short of the amounts assessed. On average for 2012 to 2016, 9 percent went uncollected and was not waived or credited. Figure 26 depicts how uncollected amounts in Socorro County have grown significantly since 2012.

There are no reliable estimates of the total amount of criminal fees and fines that remain uncollected. Therefore, figure 26 shows only the amount of debt that has accumulated since 2012. This represents just a small subset of the total not collected. Even so, these amounts are considerable.

- Uncollected amounts rose by about \$33,000 between 2012 and 2016. Much of this court-imposed debt will never be paid.
- Growing balances of uncollected court debt strain the courts as well as local law enforcement. In fact, an officer in Socorro’s police department told the authors that they stopped processing many warrants requested by the courts for nonpayment.¹⁷⁵

B. Florida

Florida has a population of more than 20 million and a poverty rate of about 14 percent.¹⁷⁶ With more than 90 percent of its population living in cities, it is the most urban state included in this report. Florida has leaned slightly Republican in the most recent national and state elections.¹⁷⁷ Its population is approximately 54 percent white non-Hispanic, 26 percent Hispanic or Latino, and 17 percent black.¹⁷⁸

COURT FEES AS FUNDING

Between 1996 and 2007, the Florida legislature added more than 20 new categories of legal financial obligations, including surcharges and fees, many of which were increased after their introduction.¹⁷⁹ Florida courts have increasingly come to rely on fees to finance core government functions and have removed exemptions for indigence.¹⁸⁰ This is still felt today: across the state, court clerks’ offices are funded primarily through fines and fees.¹⁸¹ As most court fees are statutorily imposed, Florida judges have little to no discretion to waive them, even for indigent defendants.

The shift toward reliance on court fee collections came with a 1998 amendment to the Florida Constitution. The amendment absolved counties and municipalities of fiscal responsibility for clerks of court, requiring that clerks draw on revenue collected from court-imposed fees.¹⁸² In effect, this amendment made the fiscal viability of Florida clerks dependent on their ability to collect fees and fines. As one circuit court public defender described it, “Our clerks are underfunded, and this is their blood. It’s pretty much their source of funding, so they’re in a bind.”¹⁸³ In fact, collections rates are baked in to their performance evaluations. When a county clerk of court drops below a specified collections rate, the office must submit a corrective action plan to the clerk of state and file it with the state legislature.¹⁸⁴

This funding scheme has a distorting effect on court operations. In the observed counties, clerks of court reported employing substantial numbers of full-time staff whose sole mandate is to collect court-imposed fees.

One former public defender noted that clerks are not the only parties interested in maintaining this system, which she described as “a little unholy.” Pieces of the collections pie also go to courts, public defenders, prosecutors, and even state general revenue.¹⁸⁵

COLLECTIONS AGENCIES

Florida law requires clerks to refer court debts to collectors if not fully paid within 90 days. These firms are legally permitted to add surcharges of up to 40 percent.¹⁸⁶ One circuit public defender candidly described the collections agencies: “They’re nasty as hell,” he said. “They scare our clients to death.”¹⁸⁷

ABILITY TO PAY

The Florida Supreme Court has held that due process requires a judicial ability-to-pay determination when the state seeks to enforce collection and the defendant is subject to loss of liberty or property.¹⁸⁸ However, this principle is not always — and likely rarely — satisfied. Because an ability-to-pay inquiry is not required at the point when fines are imposed, clerks need to make these determinations during enforcement of collections. To compound the problem, this due process right may be lost with the use of collections agencies.¹⁸⁹ What is puzzling is that the vast majority of Floridians with court debts qualify for indigent defense. Presumably, the finding of indigency would indicate an inability to pay — yet this is not what happens for many.

Florida law authorizes, but does not require, judges to convert court debts to community service hours in cases of indigency.¹⁹⁰ These are typically credited at \$7.25 per hour, the federal minimum wage. It is reported that clerks in some counties fail to notify defendants of this option or impose an additional processing fee for granting it.¹⁹¹

DRIVER’S LICENSE SUSPENSIONS

Driver’s license suspension for failure to pay criminal fines and fees is a legally permitted and common practice in Florida, and one that is mandatory in noncriminal traffic cases.¹⁹² In fact, in 2018 more than 1.1 million driver’s license suspension notices were issued simply because of Floridians failing to meet court financial obligations.¹⁹³ Across Florida, more than 71 percent of driver’s license suspension notices in 2018 were for failing to pay a court debt.¹⁹⁴ Licenses are often suspended automatically when cases are transferred to private collectors and are not restored until debts are paid in full. Suspensions disproportionately impact low-income defendants who are not able to pay their fees and fines upon assessment. In most cases, defendants are not afforded an ability-to-pay hearing prior to having their driver’s license suspended.¹⁹⁵ While the language of the state law on license suspensions for criminal court debt permits discretion, it is the policy of the clerks of court to read it as mandatory, making suspensions automatic with failure to pay.¹⁹⁶

Reinstating a driver’s license, by contrast, is not automatic. A person must obtain an affidavit from the clerk stating that payments have been satisfied or converted to community service. The affidavit then has to be taken to the DMV as proof of payment to obtain reinstatement.

FIGURE 27

Fees and Fines in Florida

| Fines | Amount |
|---|--------------------|
| Second-Degree or Noncriminal Misdemeanor | \$500 |
| First-Degree Misdemeanor | \$1,000 |
| Third-Degree Felony | \$5,000 |
| First- or Second-Degree Felony | \$10,000 |
| Life Felony | \$15,000 |
| Drug Trafficking | \$25,000–\$750,000 |
| Universal Fees | |
| Misdemeanor & Violation Court Cost Fee | \$20 |
| Court Cost Clearing Trust Fund | \$3 |
| Crimes Compensation Trust Fund | \$50 |
| Fine and Forfeiture Fund | \$60 |
| Operating Trust Fund of the Department of Law Enforcement | \$100 |
| Crime Stoppers Program Fee | \$20 |
| Costs Incurred by Law Enforcement | \$50 |
| Misdemeanor Prosecution Fee | \$50 |
| Felony Prosecution Fee | \$100 |
| Case-Specific Fees | |
| Determination of Indigent Status Fee | \$50 |
| Cost of Representation Fee | \$50 |
| Traffic Offense Surcharge | 5% |
| Teen Court Cost Fee | \$3 |

Source: Florida Criminal Code.

ment. The DMV also imposes reinstatement fees that can reportedly add hundreds of dollars in additional costs.¹⁹⁷ Further, many people must work with multiple agencies to reinstate a license, most commonly the court clerk, DMV, and Department of Revenue.¹⁹⁸

Some counties, notably Leon County, now hold driver’s license reinstatement clinics. By assembling all relevant agencies, attorneys, and judges in one place, such clinics aim to streamline the process of regaining valid driving licenses. Leon County’s first clinic attracted more than 1,200 attendees. Most, however, were unable to have their licenses reinstated, primarily because of the number of agencies involved in the process and the money required.¹⁹⁹

FIGURE 28

Leon County Criminal Fee and Fine Fiscal Analysis, 2017

Thousands of dollars

| Revenue Collected | |
|--|--------------|
| Assessments | \$1,148 |
| Credits/Liens | \$64 |
| Collections | \$858 |
| Percentage of Fees and Fines Collected | 75% |
| Costs | |
| In-Court Costs | \$31 |
| Cost as a Percentage of Collections | 4% |
| Net Gain (+)/Loss (-) | \$827 |

Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

1. Leon County

Leon County sits on the Florida Panhandle and is home to Tallahassee, the state capital and a midsize city. The county population of approximately 285,000 is 57 percent white non-Hispanic, 31 percent black, and 6.1 percent Hispanic or Latino.²⁰⁰ Approximately 19 percent of Leon County residents live in poverty, a rate slightly higher than for Florida overall.²⁰¹ The county has leaned Democratic in recent national and local elections.²⁰²

This research focused specifically on the Leon County Court, where five judges currently sit. The county court handles misdemeanor and criminal traffic cases. Like many lower-level criminal courts, the vast majority of the court’s docket is composed of case management and first appearances.

Within the large court clerk payments office, clerks working from six windows report spending approximately half of their workday on matters related to court fees. A separate cashiering department with a large, full-time staff manages court fee collections.

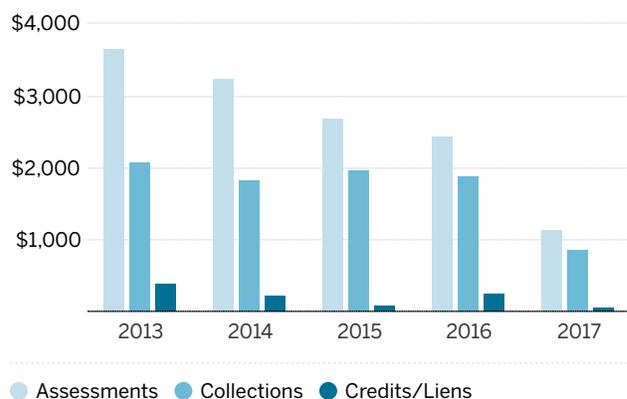
For a week of proceedings observed by a Brennan Center staffer, a single judge presided over all criminal cases. Judges have no discretion to reduce statutorily imposed fees. Clerks stressed this point, and the observed judge emphasized his lack of discretion and his inability to defy or influence the legislature. Public defenders may request that non-mandatory fines be reduced or dismissed, but such motions appear to be rare.

For individuals offered plea deals, an assessment of court fees is included in the offer. In a few observed cases, this amount was found to be miscalculated and was later corrected by a clerk. For each plea entered, the judge asked how the defendant would like to pay the

FIGURE 29

Leon County Assessments, Credits, and Collections, 2013–2017

Thousands of dollars



Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

fees, often expressing sympathy as to the high amount. The overwhelming majority of defendants requested a payment plan. As of October 2018, 92 percent of defendants owing court fees in Leon County had entered into payment plans. The default payment for a criminal traffic offense is \$50 per month. There is also a one-time fee to create a payment plan of \$25, with a lower monthly alternative option.²⁰³

Clerks draft all initial payment plans. The judge informed nearly every defendant that the clerk would be flexible to accommodate their ability to pay, often explaining that there was no expectation that they forgo necessities in order to make payments, particularly if they have children. According to the court manager, “Since we’re a self-funded office, it gets a little hairy. We have to collect the money, but we also want to be mindful of what our customers are able to do without raking them over the coals.” Florida law requires clerks to offer “reasonable” payment plans, with a presumption that 2 percent of a person’s monthly income is a reasonable amount. However, it is not clear that clerks abide by the standard, and the judge privately conceded that he does not conduct formal ability-to-pay hearings.²⁰⁴

Judges do have the discretion to grant community service in lieu of payments. In each case in which community service was granted, the defendant was given 30 to 45 days to complete the hours of service. Defendants who enter into payment plans also can later request to convert outstanding debts to community service. Clerks typically grant these requests. Still, waivers and community service credits are almost never used in Leon County. Overall, they satisfied just 3.3 percent of all assessments from 2013 to 2017.

The observed judge extensively warned defendants of the risks of missing payments or failing to complete community service hours, including the possibility of driver's license suspension and the addition of surcharges imposed by collections agencies — what he described in open court as a “parade of horrors.” Judges have discretion to convert fines and fees to civil judgments, which prevents license suspensions and referrals to collection agencies. The judge exercised this discretion with some indigent defendants. Civil judgments accrue interest, however, and may harm an individual's credit score.

Figure 28 highlights the results of the Brennan Center's fiscal analysis for criminal misdemeanor and traffic criminal fees and fines for Leon County for fiscal year 2017. It includes a conservative estimate of the in-court costs of imposing and collecting fees and fines. It does not include costs associated with license suspension or other time spent on enforcement of fees and fines, because of the lack of available data. License suspension is the primary means of enforcement for unpaid fines and fees in Florida.

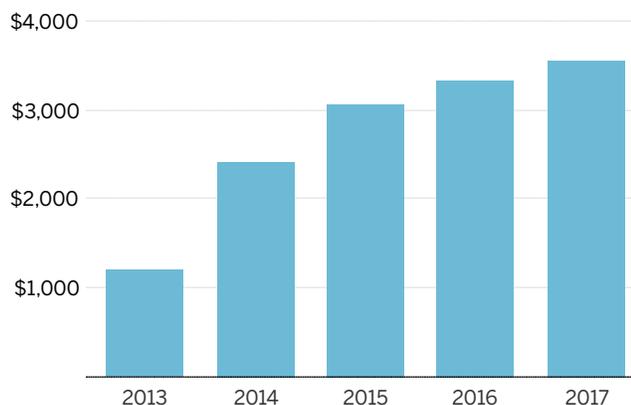
Key findings:

- In 2017, Leon County Court assessed about \$1,148,000 in criminal fees and fines, of which \$64,000 was waived either due to community service (\$44,000) or for other reasons (\$20,000). Of the remaining \$1,084,000, \$858,000 was ultimately collected. At least \$31,000 was spent on collections activity, so the collected amount represents \$827,000 in net gain, 72 percent of what was assessed.

FIGURE 30

Leon County Growth of Uncollected Criminal Fees and Fines, 2013–2017

Thousands of dollars



Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

- In-court costs of collection were relatively low but included a fair amount of license suspensions. Seventeen percent of the 163 cases observed involved license suspension. The observed costs of license suspension fall primarily on defendants and law enforcement, rather than on the court, though the authors were unable to estimate costs for enforcement incurred outside the courtroom.

Figure 29 shows how criminal fees and fines imposed, collected, and credited have changed over time.

As shown, criminal fees and fines collected fell far short of the amounts assessed. About 25 percent, on average, of the fees and fines charged to defendants from 2013 to 2017 went uncollected in Leon County. Assessments have dropped rapidly since 2013, perhaps putting even more pressure on court clerks. While collections held relatively steady through 2016, they dropped off dramatically in 2017.

Figure 30 depicts how uncollected amounts in Leon County have grown significantly since 2013.

Florida courts do not produce reliable estimates of the total amount of criminal fees and fines that remain uncollected. Therefore, figure 30 shows only the amount of uncollected debt that has accumulated since 2013. This represents just a small subset of the total not collected. Even so, these amounts are considerable. Despite rising collection rates, the balance of uncollected amounts rose by almost \$3.6 million between 2013 and 2017. Much of this court-imposed debt will never be paid.

2. Miami-Dade County

Miami-Dade County is a large county at the southeastern tip of Florida. With a population of close to 2.7 million, it is the most populous county in Florida, and it contains Miami, the largest city included in this analysis. A diverse area with a large Cuban expatriate population, it is 67 percent Hispanic or Latino, 18 percent black, and 14 percent white non-Hispanic.²⁰⁵ Miami-Dade County leans Democratic in national elections but elects both Democrats and Republicans at the state and local levels.²⁰⁶ The county has a poverty rate of approximately 18 percent, just above that of the state as a whole.²⁰⁷

The county's court divisions include civil court, criminal court, juvenile services, probate and mental health court, small claims court, and traffic court. The Miami-Dade Criminal Court is composed of circuit criminal and county criminal courts. Generally, the county criminal court handles most misdemeanor and criminal traffic cases, while the circuit criminal court deals with felonies.

In traffic court proceedings observed by Brennan Center staff, the judge's goal was to move defendants through the process quickly so they could get back to work. Most defendants in court for criminal traffic arraignments were

there due to suspended licenses. In cases for which the defendant showed up, the judge often reduced a citation to a lesser offense. The judge was clearly concerned about the well-being of the defendants, at one point saying, “Knock it down to a parking ticket so he doesn’t lose his license and his livelihood.”²⁰⁸

The chief assistant public defender said that public defenders handle a vast number of license suspension cases, but Miami-Dade has no data on how many of these cases stem from failure to pay. Defendants who are not directed to a pretrial diversion program must pay a \$50 public defender application fee if they need a public defender, as well as a \$50 cost of defense fee.²⁰⁹

On the walls of Miami-Dade courtrooms are posters that detail the fines that a defendant might incur. For a DUI offense, there is a \$500 fine plus a \$622.25 surcharge. Criminal traffic fines vary according to the offense, with a \$358 fine for driving without a valid license, a \$476.25 fine for reckless driving, and a \$411.25 fine for leaving the scene of an accident.

One judge explained various options defendants have regarding their traffic citations. For example, a defendant with many tickets or infractions may enter the Drive Legal Program, which, according to the judge, “helps close out cases, converts fines to community service, and is a good program for those with a financial situation.” To participate, defendants must pay a program fee of \$100. Another option is a pretrial diversion program, in which defendants pay a \$200 fee for a four-hour class in order to dismiss a ticket. During the observed court sessions, most traffic arraignments resulted in pretrial diversion or admission to the Drive Legal Program. Miami-Dade courthouse officials are conscious of the financial burden that fees and fines impose on defendants and have sought to address the issue. Still, waivers and community service credits are almost never used in the county courts, satisfying less than 1 percent of all fees and fines assessed.

Figure 31 highlights the results of the Brennan Center’s fiscal analysis for criminal fees and fines for Miami-Dade County for fiscal year 2017. The estimated in-court costs of imposing and collecting fees and fines are a small part of the total costs of fee and fine collection. Because license suspension is the primary means of enforcement for unpaid fines and fees in Florida, large costs of collection — such as DMV employee time, law enforcement time spent enforcing warrants, and costs of incarceration for those caught driving on a suspended license — were not measurable for this report and are not reflected in the costs listed in figure 31 or the discussion below.

Key findings:

- In 2017, the Miami-Dade County Court assessed more than \$10 million in criminal fees and fines.

FIGURE 31

Miami-Dade County Criminal Fee and Fine Fiscal Analysis, 2017

Thousands of dollars

| Revenue Collected | |
|--|----------------|
| Assessments | \$10,143 |
| Credits/Liens | \$12 |
| Collections | \$7,978 |
| Percentage of Fees and Fines Collected | 79% |
| Costs | |
| In-Court Costs | \$267 |
| Cost as a Percentage of Collections | 3% |
| Net Gain (+)/Loss (-) | \$7,711 |

Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

About \$12,000 was waived for community service. Just over \$7.9 million was collected. At least \$267,000 was spent on collections activity, so the collected amount represents \$7.7 million in net gain, 79 percent of what was assessed.

- In-court costs of collection were relatively low but included a large proportion of license suspensions — 37 percent of the 49 cases observed. The costs of license suspension fall not just on the court but also on defendants, the DMV, and law enforcement.

Figure 32 shows how criminal fees and fines imposed, collected, and credited have changed over time.

As shown, criminal fees and fines collected fall short of the amounts assessed. A large portion (34 percent, on average) of the fees and fines charged to defendants went uncollected each year between 2013 and 2017. Further, while assessments have dropped steadily since 2013, collections have not. In fact, collection rates have increased dramatically, from 58 percent in 2013 to 79 percent in 2017.

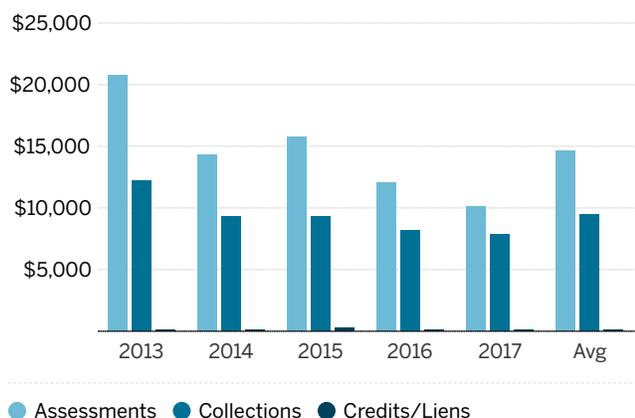
Figure 33 depicts how uncollected amounts in Miami-Dade County have significantly grown since 2013.

Florida courts do not produce reliable estimates of the total amount of criminal fees and fines that remain uncollected. Therefore, figure 33 shows only the amount of uncollected debt that has accumulated since 2013. This represents just a small subset of the total not collected. Even so, these amounts are considerable: uncollected amounts rose by almost \$17.3 million between 2013 and 2017. Much of this court-imposed debt will never be paid.

FIGURE 32

Miami-Dade County Assessments, Credits, and Collections, 2013–2017

Thousands of dollars

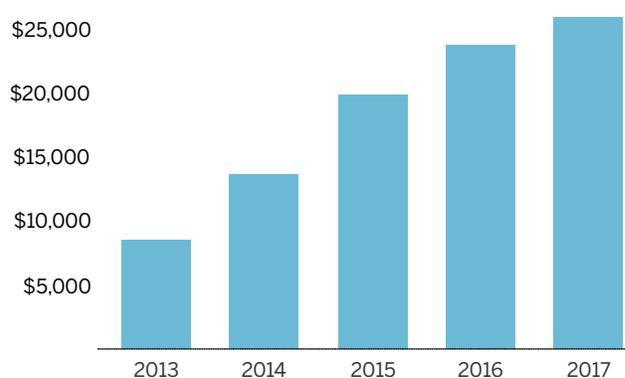


Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

FIGURE 33

Miami-Dade County Growth of Uncollected Criminal Fees and Fines, 2013-2017

Thousands of dollars



Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

3. Madison County

Madison County is a rural county on Florida’s northern border with Georgia. It has a population of roughly 18,000 and is the poorest county in the state, with a poverty rate of more than 30 percent in 2016.²¹⁰ Madison is 54 percent white non-Hispanic, 39 percent black, and 6 percent Hispanic or Latino.²¹¹ The county leans Republican in federal elections, and its voters are largely polarized along racial lines. In local races, voters elect both Democrats and Republicans.²¹²

The Madison County courthouse is a small, historic building that serves as the centerpiece of the town of Madison. Beyond a one-block radius, the county’s poverty becomes apparent.

The courthouse contains the clerk’s office, the county judge’s chambers, and two additional clerks’ offices: one for misdemeanors, the other for felonies. Three clerks handle all criminal traffic and misdemeanor cases. Court for these dockets is held once every two weeks.

Approximately 100 criminal traffic and misdemeanor cases are handled in the county court per month, and a significant portion are related to failure to pay court-imposed fees. For September 2018, 17 people were scheduled to appear on charges related to failure to pay, with outstanding debts ranging from \$200 to \$400.²¹³ A clerk said this was typical, estimating that there are generally 20 such cases monthly. The clerk reported that more than half of the people who face court fees enter into payment plans. Although the county has a high rate of indigency, she said that she had never witnessed an ability-to-pay hearing.

In addition to these cases, the traffic clerk reported processing approximately 15 driver’s license suspensions

per month that result directly from failure to pay fees and fines.²¹⁴ The suspensions processed in September 2018 were triggered by payment deadlines that had passed two months prior, in July. The traffic clerk said she tries to allow people more time to pay before triggering the suspensions, suggesting that clerks have some discretion about when suspensions are issued.

The elected clerk of court is under no illusions about the ability of individuals within the jurisdiction to pay court debts. “Madison is a poor county,” he said. “You can’t squeeze much out of a stone.”

Madison County stands out among Florida counties in that its courts do not rely as heavily on the collection of fees to support its operating costs. This is largely due to the highly active Madison County Sheriff’s Office, whose

FIGURE 34

Madison County Criminal Fee and Fine Fiscal Analysis, 2017

Thousands of dollars

| Revenue Collected | |
|--|-------|
| Assessments | \$257 |
| Credits/Liens | \$61 |
| Collections | \$174 |
| Percentage of Fees and Fines Collected | 68% |

Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

deputies patrol the interstate running through the county and issue a comparatively large number of speeding tickets. (This practice has led to accusations of racial profiling against the Madison County Sheriff’s Office.²¹⁵) Most ticketed people do not contest such citations, resulting in a large source of income for Madison County.

As is true across Florida, fees are statutorily imposed. One public defender noted that it is rare for defendants to come away from a misdemeanor conviction in Madison County without at least \$450 in fees.

Figure 34 highlights the results of the Brennan Center’s fiscal analysis for criminal fees and fines for Madison County in 2017. It includes fee and fine amounts imposed by the Madison County Court as well as revenue collected; the authors were unable to obtain cost data for the court.

Key finding:

- In 2017, the Madison County Court assessed about \$257,000 in criminal fees and fines. Of this amount, there was \$61,000 in credits, of which 88 percent was reduced to a civil judgment or lien. Smaller portions were waived for community service or for other reasons. Some \$174,000 was collected, 68 percent of what was assessed.

Figure 35 shows how criminal fees and fines imposed, collected, and credited have changed over time.

As shown, the criminal fees and fines collected fall well short of the amounts assessed. A large portion (30 percent, on average) of criminal fees and fines charged to defendants each year between 2013 and 2017 went

uncollected. Further:

- Since 2013, roughly 1.2 percent of fees and fines assessed have been waived or satisfied through community service. Significant amounts of debt have been converted to liens in recent years.
- Unlike other Florida jurisdictions in this analysis, assessments have changed little in recent years. However, collection rates have varied widely, from 83 percent in 2015 down to as low as 43 percent in 2013, highlighting the unreliability of criminal fees and fines as a source of revenue.

Figure 36 depicts how uncollected amounts in Madison County have varied since 2013, while trending upward.

Florida courts do not produce reliable estimates of the total amount of criminal fees and fines that remain uncollected. Figure 36 therefore shows only the amount of uncollected debt that has accumulated since 2013. This represents just a small subset of the total not collected. Even so, these amounts are considerable. Uncollected debt rose by \$80,000 between 2013 and 2017, and much of this court-imposed debt will never be paid.

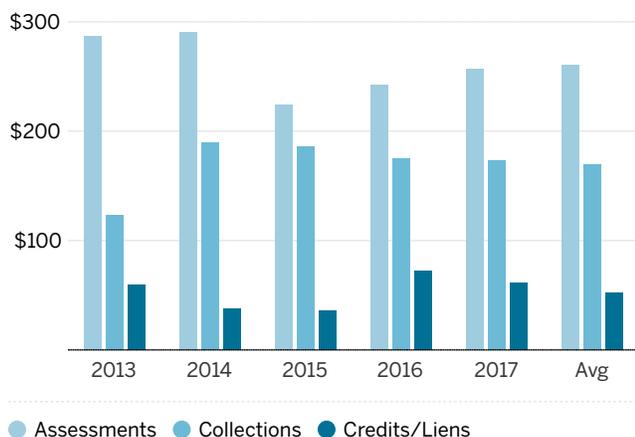
C. Texas

Texas has a population of just over 25 million, approximately 85 percent of which is urban. Its poverty rate is 17 percent, well above the 13.4 percent national rate.²¹⁶ The state has a Republican governor and has voted solidly Republican in national elections.²¹⁷ Its population is 44

FIGURE 35

Madison County Assessments, Credits, and Collections, 2013–2017

Thousands of dollars

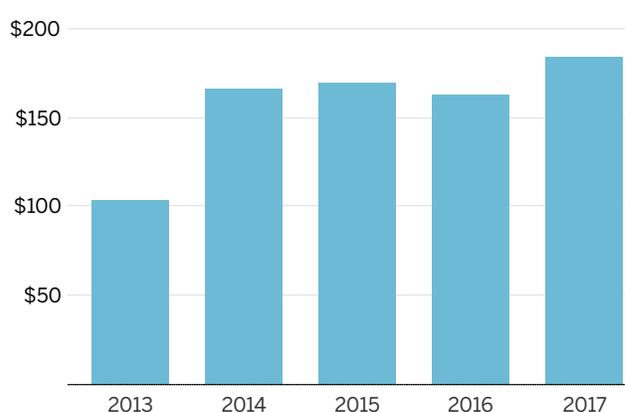


Source: New Mexico Administrative Office of the Courts; Brennan Center calculations.

FIGURE 36

Madison County Growth of Uncollected Criminal Fees and Fines, 2013–2017

Thousands of dollars



Source: Florida Court Clerks & Comptrollers; Brennan Center calculations.

percent white non-Hispanic, 38 percent Hispanic or Latino, and 12 percent black.²¹⁸ The counties examined here vary considerably in their demographics and follow diverse fee-and-fine practices.

In 2016, 95 percent of warrants issued in Texas were for unpaid fees and fines.²¹⁹ Texas has the nation’s highest rate of incarceration for failure to pay, with a staggering 640,000 people jailed for this reason in 2016 alone.²²⁰ This is done at great cost, and often in contradiction of state and federal law, which prohibits incarcerating people for fees and fines they are unable to pay. (The authors expect that this practice has diminished with changes to state law in June 2017, as discussed on page 26.)²²¹

As of 2017, 1.8 million Texans’ driver’s licenses were suspended for failure to pay fees and fines.²²² Over a three-year period, more than 400,000 new criminal filings were related to driving on licenses suspended for nonpayment of traffic-related fines.²²³

FIGURE 37

Fees and Fines in Texas

| Fines | Amount |
|---------------------------------------|---------------------------------|
| Class A Misdemeanor | Up to \$4,000 |
| Class B Misdemeanor | Up to \$2,000 |
| Class C Misdemeanor | Up to \$500 |
| Universal Fees | |
| Services of Peace Officers | \$0.15/mile traveled by officer |
| Jury Services Fee | \$4 |
| Court Clerk Services Fee | \$40 |
| Written Notice to Appear Issuance Fee | \$5 |
| Execution of Arrest Warrant Fee | \$50 |
| Court Technology Fee | \$4 |
| Juvenile Delinquency Prevention Fee | \$50 |
| Case-Specific Fees | |
| Bad Check Fee | \$10–\$500 |
| Prosecutor Fee for Gambling Offense | \$25 |
| Class B Misdemeanor Court Cost Fee | \$60 |
| Driving While Intoxicated | \$15 |
| Taking and Approving a Bond | \$10 |
| Summoning a Jury | \$8 |
| Pretrial Intervention Program Fee | \$60/month |

Source: Texas Penal Code.

Texas’s Office of Court Administration (OCA) maintained the Collection Improvement Program (CIP), which helped municipal and county courts collect fees and fines assessed to individuals convicted of misdemeanor or felony charges. CIP was canceled by action of the state legislature effective September 1, 2019.

Criminal courts in Texas are separated into four levels. District courts handle felonies and more serious misdemeanors, while less serious misdemeanors and traffic violations are split among county, municipal, and justice of the peace courts. Collection of legal debt is not always handled by the courts; probation and other collections offices bring in a large portion of fee and fine revenue.

Figure 37 illustrates the array of fees and fines an individual convicted of a misdemeanor in Texas may face.

1. Travis County

Travis County is a large county in central Texas that encompasses Austin, the state capital and county seat. Its population of 1.2 million is 49 percent white non-Hispanic, 34 percent Hispanic or Latino, and 9 percent black, making it less diverse than Texas as a whole.²²⁴ The county votes Democratic in national elections, and relatively few local positions are held by Republicans.²²⁵ The county has a larger proportion of wealthy residents than most of Texas. However, despite its high median income of \$61,000, 13 percent of the county’s residents live in poverty.²²⁶

FIGURE 38

Travis County Criminal Fee and Fine Fiscal Analysis, 2017

Thousand of dollars

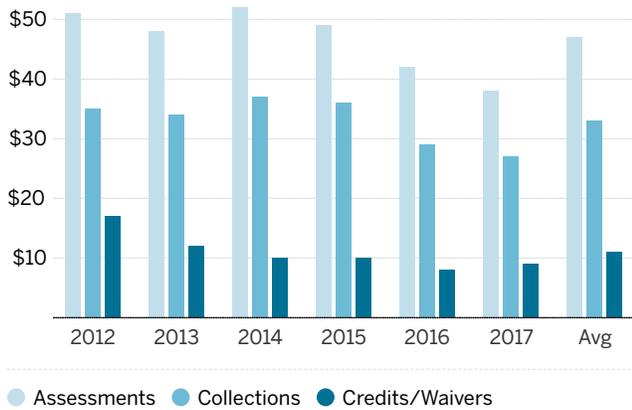
| Revenue Collected | |
|--|-----------------|
| Assessments | \$38,006 |
| Credits/Waivers | \$8,694 |
| Collections | \$26,929 |
| Percentage of Fees and Fines Collected | 71% |
| Costs | |
| In-Court Costs | \$3,186 |
| Court Collections Costs | \$1,610 |
| Jail Costs | \$4,627 |
| Total Costs | \$9,423 |
| Cost as a Percentage of Collections | 35% |
| Net Gain (+)/Loss (-) | \$17,506 |

Source: Texas Collection Improvement Program; Brennan Center calculations. (Excludes waivers in June and August 2016 due to likely errors in reported assessments.)

FIGURE 39

Travis County Assessments, Credits, and Collections, 2012–2017

Millions of dollars

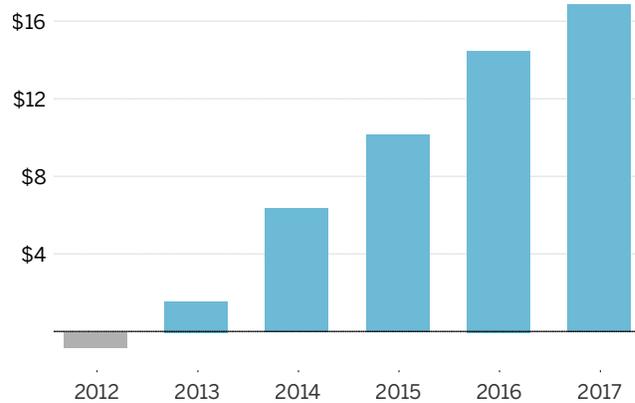


Source: Texas Collection Improvement Program; Brennan Center calculations.

FIGURE 40

Travis County Growth of Uncollected Criminal Fees and Fines, 2012–2017

Millions of dollars



Source: Texas Collection Improvement Program; Brennan Center calculations.

Within Austin, low-level criminal charges are divided among several courts. For this report, proceedings at the county and municipal court and the Downtown Austin Community Court (a special municipal court) were observed, and one justice of the peace was interviewed. Each of these courts applies its own policies and procedures to assess indigency.

COUNTY COURT

At the Blackwell-Thurman Justice Center in downtown Austin, county judges often conduct brief, informal ability-to-pay proceedings during plea hearings. Judges may ask defendants how much they can afford to pay, what their monthly income is, and whether they are responsible for dependents. One judge observed by the authors waived fees for defendants with income of less than 150 percent of the federal poverty level. The standard is 125 percent, but the judge recognizes that “people still struggle at 150 percent.” A second judge was less inclined to waive fees, explaining, “I don’t do it automatically. This is how we fund our department.”²²⁷

The vast majority of fees and fines assessed result in payment plans or community service hours. Judges frequently impose costs in tandem with jail time so that fees and fines will be fully satisfied by the time the individual spends in jail.²²⁸

MUNICIPAL COURT

Municipal court judges rotate traffic, mitigation, and jury trial dockets. Criminal cases at the municipal court are limited to Class C misdemeanors, for which the maximum penalty is a fine.

Indigence determinations vary; one judge reported that he assesses individuals as indigent if their income is less than 200 percent of the federal poverty level. Individuals unable to pay fees and fines may make an additional appearance in mitigation, or “walk-in,” court. Here, individuals can request an indigence hearing, adjustment of a payment plan, or conversion of costs to community service.

For nearly all defendants appearing in mitigation court, the presiding judge offers a choice between a payment plan and community service credited at \$15 per hour. Most opt for community service. One single mother, referring to payments, explained, “It’s really hard to do that with four kids.” A number of those appearing in mitigation court have outstanding debts nearly a decade old.

JUSTICES OF THE PEACE

The jurisdictions of the five justices of the peace overlap with that of the municipal court, and they assess a substantial amount of fees and fines. Defendants may qualify for community service in lieu of payments, and if they can demonstrate that community service would also be onerous, the justices may waive outstanding debts.

One justice of the peace has adopted a discretionary practice of refraining from issuing warrants for arrests for failure to pay. Instead, the court issues letters to individuals requesting that they appear. The judge began doing this in the wake of the U.S. Justice Department’s report on law enforcement practices in Ferguson, Missouri.²²⁹

DOWNTOWN AUSTIN COMMUNITY COURT

The jurisdiction of the Downtown Austin Community Court (DACC) encompasses the downtown Austin area. Homeless people make up the largest population served by this court, and many struggle with mental health issues. The court has a staff of 10 social workers who operate alongside the prosecutor and judge to provide restorative justice.²³⁰

DACC judges rely heavily on community service to satisfy fees and fines. Many defendants fail to complete their community service and cycle in and out of court. Jail credit is available for those arrested. Social workers may grant credit against fees and fines for a client who has completed activities such as showing up for a doctor’s appointment or receiving a housing assessment.

Figure 38 highlights the results of the Brennan Center’s fiscal analysis for traffic and misdemeanor criminal fees and fines in Travis County for fiscal year 2017. Its estimate of the in-court and jail costs of imposing and collecting fees and fines is a conservative one.

Key findings:

- In 2017, Travis County’s county, municipal, and justice of the peace courts assessed approximately \$38 million in criminal fees and fines. More than \$8.6 million was written off through waivers, community service, or jail time.
- Collection costs related to fees and fines were \$9.4 million in 2017, or 35 percent of what ultimately was collected.²³¹
- The authors estimate that almost \$3.2 million was spent on the portion of court proceedings dealing with fees and fines.
- Travis County spent an estimated \$4.6 million for jailing due to unpaid fees and fines in 2017.

Figure 39 shows how criminal fees and fines imposed, collected, and credited have changed over time.

As shown, a good portion of assessed criminal fees and fines were collected. Still, each year an average of 6 percent of the fees and fines charged to defendants went uncollected. Further, the use of jail credits has fallen since 2010, reflecting growing pressure on the Austin Municipal Court to end jailing for unpaid debt.²³²

Figure 40 depicts how uncollected amounts in Travis County have significantly grown since 2012.

Texas courts do not produce reliable estimates of the total amount of criminal fees and fines that remain uncollected. Therefore, figure 40 shows only the amount of uncollected debt that has accumulated since 2012. During this period alone, the growth of these balances has been considerable:

- Uncollected balances net of credits for Travis County’s county, justice of the peace, and municipal courts have grown by an estimated \$17.7 million from 2012 to 2017.
- The use of credits, especially in later years — 2016 and 2017 — shows a willingness to correct uncollected balances. However, issuing credits can inflict extra costs. For example, the cost of jailing people for fees and fines was about \$4.6 million in 2017.

2. El Paso County

El Paso County is the westernmost county in the state of Texas and shares a border with Ciudad Juárez in the Mexican state of Chihuahua. The county’s population of more than 800,000 is largely binational and 82 percent Hispanic or Latino, 12 percent white non-Hispanic, and 3 percent black.²³³ El Paso County has a strong Democratic tilt in national and local elections. The poverty rate is nearly 23 percent, significantly higher than that of the state overall.²³⁴

There are eight justice of the peace precincts in the city of El Paso; these were described to the authors as the “last outpost of cowboy justice.” These courts handle both criminal and civil cases, while five municipal courts in the city have jurisdiction over traffic violations and Class C misdemeanors. The county courts at law handle more serious Class A and B misdemeanors.

FIGURE 41

El Paso County Criminal Fee and Fine Fiscal Analysis, 2017

Thousands of dollars

| Revenue Collected | |
|--|----------------|
| Assessments | \$14,109 |
| Credits/Waivers | \$3,532 |
| Collections | \$8,132 |
| Percentage of Fees and Fines Collected | 58% |
| Costs | |
| In-Court Costs | \$68 |
| Court Collections Costs | \$733 |
| Jail Costs | \$2,917 |
| Total Costs | \$3,718 |
| Cost as a Percentage of Collections | 46% |
| Net Gain (+)/Loss (-) | \$4,414 |

Source: Texas Collection Improvement Program; Brennan Center calculations.

For this report, the authors interviewed justice of the peace court staff, observed proceedings at the main El Paso Municipal Court branch, and collected data for all three levels of courts.

JUSTICE OF THE PEACE COURTS

Located across El Paso County, justices of the peace have jurisdiction over traffic and criminal cases carrying fines not exceeding \$500. These courts handle a high volume of fees and fines. One judge sets up monthly payment plans on the basis of what defendants say they can afford per month. At another justice of the peace court, defendants who are unable to pay a fine in full are sent directly to Financial Recovery Services, a division of the county Budget and Fiscal Policy Department responsible for obtaining payments imposed during the judicial process.

EL PASO MUNICIPAL COURT

Three blocks from the county courthouse sits the municipal courthouse, handling mostly traffic offenses, such as driving without insurance or without a valid license. Indigency, failure to appear, and “show cause” hearings occur monthly or bimonthly. According to a court coordinator, many failure-to-appear charges are referred directly to the Texas Department of Public Safety, which may deny the renewal of a driver’s license.²³⁵

In most cases, the judge informs the defendant of the fines incurred but does not address fees. Defendants may enter into payment plans or request community service in lieu of payments.

One judge reported that approximately 25 percent of municipal court cases deal with failure to pay. This judge

considers a defendant’s individual circumstances when addressing such cases. Recently the judge worked with a homeless person and a domestic violence survivor to craft manageable payment plans.

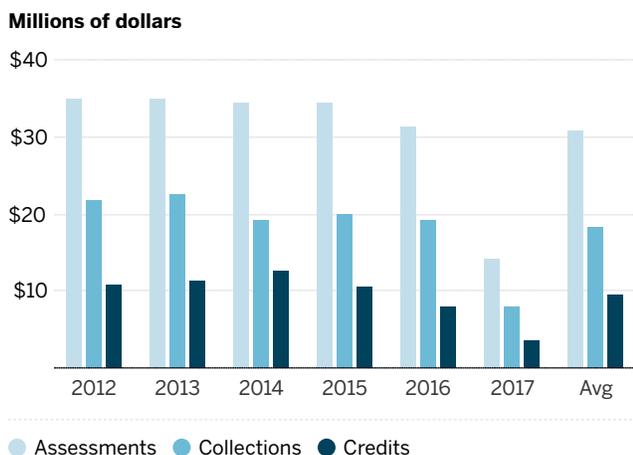
Figure 41 highlights the results of the Brennan Center’s fiscal analysis for criminal fees and fines for El Paso County for fiscal year 2017. The estimate of the in-court and jail costs of imposing and collecting fees and fines is a conservative one.

Key findings:

- In 2017, El Paso county, municipal, and justice of the peace courts assessed about \$14 million in criminal fees and fines. More than \$3.5 million was written off, either through waivers or through time served in jail or community service. Of the remaining \$10.5 million, \$8.1 million was ultimately collected.
- About \$3.7 million was spent on collections activity in 2017 on in-court and jail costs alone. The \$8.1 million in collections translates into about \$4.4 million in net gain, just 31 percent of what was originally assessed.
- In-court costs, jail costs, and other collections costs for imposing and collecting fees and fines from these courts were just over \$3.7 million in 2017, or 46 percent of what ultimately was collected.²³⁶ Of that, most was for jailing for unpaid fees and fines.

FIGURE 42

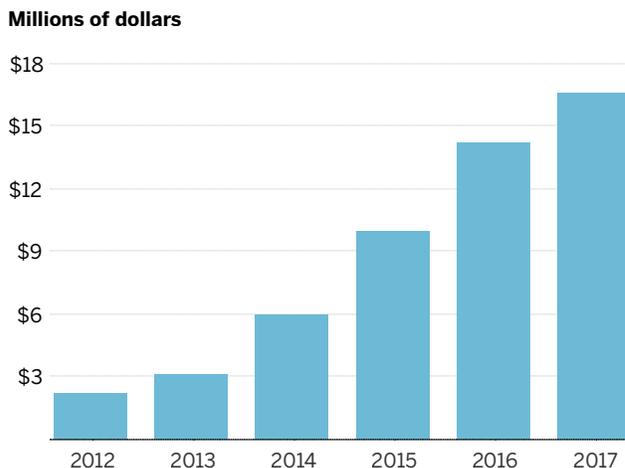
El Paso County Assessments, Credits, and Collections, 2012–2017



Source: Texas Collection Improvement Program; Brennan Center calculations.

FIGURE 43

El Paso County Growth of Uncollected Criminal Fees and Fines, 2012–2017



Source: Texas Collection Improvement Program; Brennan Center calculations.

- The authors estimate that approximately \$68,000 was spent on the portion of court proceedings dealing with fees and fines, and that \$733,000 was spent on the salaries, benefits, and operating expenses for collections staff.

Figure 42 shows how criminal fees and fines imposed, collected, and credited have changed over time.

As shown, on average, 10 percent of the fees and fines charged to defendants each year from 2012 to 2017 went uncollected. Further:

- Jail credits have consistently been the most-used form of credits within El Paso from 2012 to 2017.
- The use of jail credits has varied significantly since 2012, satisfying 26 percent of fees and fines in 2012, peaking at nearly 30 percent in 2014, and falling to 22 percent in 2017. The year with the second-lowest collections, 2016, saw the highest use of jailing.²³⁷ This may indicate that fines were particularly ill-targeted that year, leading to higher incidences of failure to pay. As of 2017, community service credits were little used in El Paso, suggesting that people who are unable to pay either have costs waived or are jailed.

Figure 43 depicts how uncollected amounts in El Paso County have significantly grown since 2012.

Texas courts do not produce reliable estimates of the total amount of criminal fees and fines that remain uncollected. Figure 43 therefore shows only the amount of uncollected debt that has accumulated since 2012. During this period alone, the growth of this uncollected debt was considerable. Uncollected amounts grew by \$14.4 million between 2012 and 2017. Much of this court-imposed debt will never be paid.

3. Jim Hogg County

Jim Hogg County is a small, rural county on the southern tip of Texas with a population of about 5,300. Like many of the counties on the border, it is largely Hispanic or Latino (94 percent).²³⁸ About 6 percent is white non-Hispanic, and 1 percent is black.²³⁹ It is a strongly Democratic county with a poverty rate of almost 30 percent, above that of the state overall. Jim Hogg County has a median household income of \$34,769.²⁴⁰

Jim Hogg County has six courts in the county seat of Hebbronville: a district court, a county court, and four justice of the peace courts. The district court holds original jurisdiction over felony criminal cases. The county court has original jurisdiction over all criminal cases involving Class A and Class B misdemeanors. There are four justice of the peace precincts, all with original jurisdiction over lower-level Class C misdemeanor criminal cases.²⁴¹

One judge told the authors that the justices perform many duties outside the scope of the justice of the peace court and are also on call 24/7, sharing one full-time clerk and one part-time clerk. According to the judge, they “prefer people out there working to support their families rather than arrested on [failure-to-pay] warrants.” The judge said surcharges incurred on fines can lead to a vicious cycle: with costs increasing but wages remaining stagnant, “people get desperate.”²⁴²

If a defendant does not pay fees and fines, the judge first sends a courtesy letter of notice. If there is no response, the court issues a show cause order, which allows the defendant to provide justification for the lack of payment. If the defendant again fails to respond, the judge then issues an arrest warrant if the individual resides in Jim Hogg County. For nonresidents, the failure-to-pay and failure-to-appear charges are entered into OmniBase, a service that administers the Texas Department of Public Safety’s Failure to Appear Program.²⁴³ Once a defendant is entered into this system, the defendant’s license is put on hold. While the license is not immediately suspended, it cannot be renewed until the fees and fines are paid.

Defendants have several options for paying. They can arrange a monthly payment plan, opt for community service for credit of \$100 per eight-hour day, or be jailed for credit of \$100 per day. The justice of the peace court offers at-clerk payment processing at the court, or defendants can use a third-party payment service, which charges a 3 to 5 percent processing fee. The judges offer ability-to-pay hearings, but most people opt out of them due to the amount of paperwork required.²⁴⁴ According to the judge, about 75 percent of people pay their fines rather than opt for community service or jail.

County and district courts differ from justice of the peace court in their practices. Neither court offers

FIGURE 44

Jim Hogg County Criminal Fee and Fine Fiscal Analysis, 2017

Thousands of dollars

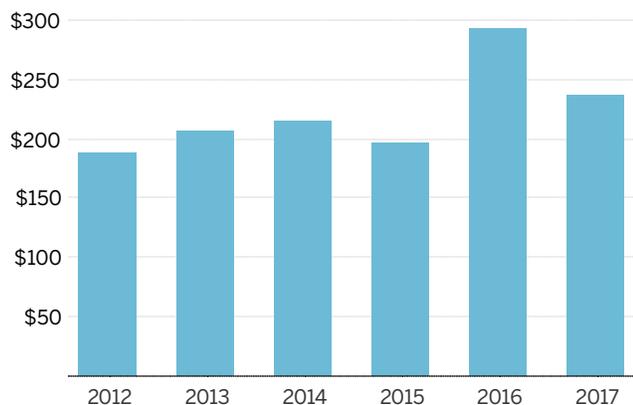
| Revenue Collected | |
|-------------------------------------|-------|
| Collections | \$237 |
| Costs | |
| Court Costs | \$10 |
| Cost as a Percentage of Collections | 4% |
| Net Gain (+)/Loss (-) | |
| | \$227 |

Source: Texas Office of Court Administration; Brennan Center calculations.

FIGURE 45

Jim Hogg County Collections, 2012–2017

Thousands of dollars



Source: Texas Collection Improvement Program; Brennan Center calculations.

payment plans for amounts under \$500; larger amounts can be split into two payments.²⁴⁵ According to the person who serves as clerk to both the county and district courts, “a lot of indigency” and numerous “out of towners” mean that defaults are common, and so courts have little faith in payment plans. When a payment plan is allowed, it is structured such that defendants have 90 days to pay what can amount to staggering costs. According to the Jim Hogg County investigator, before a case is over, a defendant can easily owe more than \$2,000 in fees and fines.

Figure 44 shows court costs and collections in Jim Hogg County’s justice of the peace courts in 2017. The Texas Office of Court Administration collects little data on rural county courts, so the value of assessments, credits, and waivers in Jim Hogg County is not available.

Key findings:

- In 2017, the Jim Hogg justice of the peace courts collected about \$237,000 in criminal fees and fines. Around \$10,000 was spent on in-court collections activity, so net gain came to \$227,000.²⁴⁶
- Clerks estimated that they spend, on average, 11 hours per week on issues related to fees and fines, at a total cost of \$8,000 per year. The judge estimates that she spends, on average, four hours a week on issues related to fees and fines, at a cost of \$2,200 per year.²⁴⁷

Figure 45 shows how the amount of criminal fees and fines collected has changed over time.

FIGURE 46

Jim Hogg County Alternatives to Payment of Criminal Fees and Fines, 2012–2017

Number of cases



Source: Texas Office of Court Administration; Brennan Center calculations.

As shown, Jim Hogg County collections stayed fairly constant from 2012 to 2017, apart from an unexplained spike in 2016.

Figure 46 depicts the number of cases in which fines and fees were waived for indigence or satisfied through jail or community service credit. The dollar value of these waivers and credits was not reported.

As illustrated above, waivers, the main alternative to collection, rose significantly in 2017. Despite a recent spike in the number of fines and fees waived for indigence, collections have not declined dramatically, as demonstrated above in figure 45.

4. Marion County

Marion County is a rural county in eastern Texas with a population of just over 10,000. It is majority non-Hispanic white, at 71 percent, with a significant black minority of 24 percent and only a small Hispanic or Latino population, at almost 4 percent.²⁴⁸ Marion County is primarily Republican. It has a poverty rate of nearly 23 percent, higher than that of the state overall.²⁴⁹

The Marion County courthouse sits in Jefferson and houses four courts: the district, county, municipal, and justice of the peace courts. There are two sitting district court judges, who handle felonies, and two justices of the peace, one of whom also serves as a municipal court judge. Only the two district court judges have law degrees. The staff includes one municipal clerk, two county clerks, one justice of the peace clerk, and two contracted public defenders, one of whom also serves as city prosecutor.²⁵⁰

FIGURE 47

Marion County Criminal Fee and Fine Fiscal Analysis, 2017

Thousands of dollars

| Revenue Collected | |
|-------------------------------------|--------------|
| Collections | \$366 |
| Costs | |
| Court Costs | \$29 |
| Cost as a Percentage of Collections | 8% |
| Net Gain (+)/Loss (-) | |
| | \$336 |

Source: Texas Office of Court Administration; Brennan Center calculations.

JUSTICE OF THE PEACE

This court handles Class C misdemeanors, small claims, and civil suits. Most of its cases are traffic citations issued by highway patrol officers outside the town limits. The court holds hearings once every three to six months, with about 40 cases on the docket each time. Many cases are related to failure to pay, and most defendants fail to appear. If the defendant does not contact the clerk within 60 days of failure to appear, a collections company sends a pre-warrant notice. A show-cause hearing is scheduled, and if the defendant again does not show up, the clerk issues an arrest warrant.

The justice of the peace handles all ability-to-pay determinations. In applying for indigency, defendants must fill out an affidavit attesting to their inability to pay and submit supporting documentation, including their most recent bank statement, tax return, and utility bills. The justice of the peace reviews the application and either grants or denies indigency, which is solely within the judge’s discretion.²⁵¹

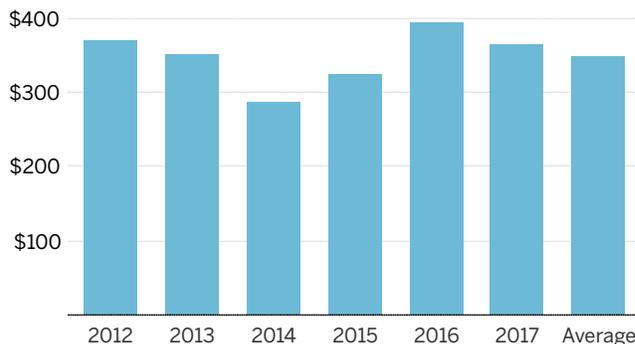
MUNICIPAL COURT

This court handles all traffic citations issued by city police. Hearings are scheduled once every month; a typical docket contains 30 to 40 cases. The municipal court clerk handles about 30 cases per week, roughly half of which are related to failure to pay court fees. When defendants plead guilty or no contest, they have 14 days to pay. If they plead not guilty, the case is scheduled for a subsequent hearing. Defendants who do not show up have 10 days to pay before an arrest warrant is issued. All defendants can enroll in a monthly payment plan or receive credits for community service (\$10 per hour) or jail time (\$100 per day). The average defendant will end up owing \$250 to \$500 in court fees and fines.²⁵²

FIGURE 48

Marion County Collections, 2012–2017

Thousands of dollars



Source: Texas Collection Improvement Program; Brennan Center calculations.

COUNTY COURT

This court deals only with Class A and B misdemeanors; most of the cases are for driving while intoxicated or minor drug possession charges. Like the justice of the peace and municipal courts, there is no set schedule for county court. Instead, hearings are scheduled once every month, and the typical docket contains around 40 cases. The county clerk is responsible for collections from defendants not on probation; the probation office collects the money from those on probation at each monthly visit and then issues a check to the county at the end of each month. As of October 2018, there were 311 probationers and parolees, whom the county clerk described as the “vast majority” of defendants.²⁵³

Across these courts, several officials criticized the fee and fine process in Marion County. They noted that only a small percentage of the assessed fees and fines are eventually collected, largely due to residents’ poverty.

Figure 47 highlights the results of the Brennan Center’s fiscal analysis for criminal fees and fines for Marion County. Its conservative estimate of the in-court costs of imposing and collecting fees and fines is based on surveys of judges and clerks in these courts. The Texas Office of Court Administration collects little data on rural county courts, so the value of assessments, credits, and waivers in Marion County is not available.

Key findings:

- In 2017, Marion County’s county, municipal, and justice of the peace courts collected about \$366,000 in criminal fees and fines.²⁵⁴ At least \$29,000 was spent on court collections activity, so the net gain was no more than \$336,000.

- In the county and justice of the peace courts, clerks spend 12 to 13 hours per week on fees and fines. In municipal court, they spend around five hours per week. This represents costs of approximately \$24,600 per year.²⁵⁵
- The county court spends roughly five hours per week and the justice of the peace courts spend a half hour per week on fees and fines. This represents costs of approximately \$4,900 per year.²⁵⁶

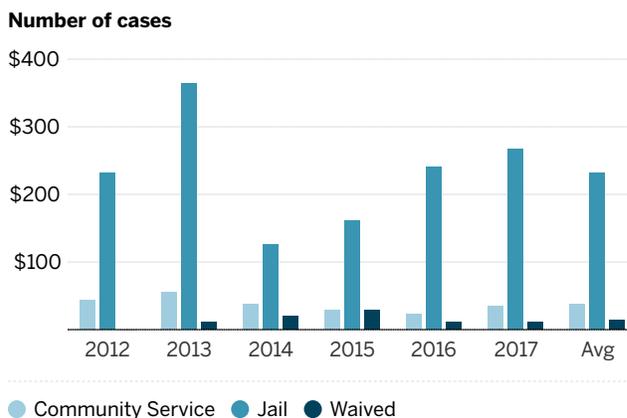
Figure 48 shows how the amount of criminal fees and fines collected has changed over time. Collections stayed relatively constant from 2012 to 2016 but decreased in 2017.

Figure 49 depicts the number of cases in which fines and fees were waived for indigence or satisfied through jail or community service credits. The dollar value of these waivers and credits was not reported.

As shown, 80 percent of the cases in which fees and fines were satisfied by a method other than payment were, in an average year, satisfied by jail credits. Also in an average year, fees and fines were waived for indigence in slightly more than 6 percent of cases satisfied by a method other than payment.

FIGURE 49

Marion County Alternatives to Payment of Criminal Fees and Fines, 2012–2017



Source: Texas Office of Court Administration; Brennan Center calculations.

The county court reported \$261,000 in fees and fines outstanding as of October 2018.

Appendix B: Methodology

To obtain the data for the fiscal analysis, the authors conducted interviews and requested quantitative data from stakeholders in each of the selected counties. The information collected through interviews includes both qualitative data, relating to processes, policies, and practices, and quantitative data, including caseloads, hours worked, and time spent on fees and fines.

Once collected, this data was used to estimate costs by jurisdiction and arrayed with revenues in the broader fiscal analysis. Much of the cost data was calculated using salary data and time-use information collected through interviews, in addition to other factors, including criminal caseloads, employee compensation, and other input from state databases. Revenue data was calculated from reports that indicate the amounts of fees and fines collected, waived, and uncollected. Other criminal justice revenues and costs exist but were either beyond the scope of this study or unavailable. For example, this study did not consider the costs and revenues of bail and bond systems or restitution. The authors were also unable to estimate costs of warrant enforcement and driver's license suspensions by departments of motor vehicles.

Cost Data Collection

For most of the study's jurisdictions, the collected cost data includes time spent by court and other public employees in court proceedings ("in-court costs") dealing with criminal fee and fine matters. For some jurisdictions, the cost data also includes costs of time spent by court employees assessing and collecting criminal fines and court fees and detention costs of people jailed for failure to pay or failure to appear on fee/fine-only charges. Further, for some jurisdictions, the cost data includes estimates of jailing costs, derived from reported jailing costs and jail credits issued. Cost data was collected in the following ways:

Surveys

The authors attempted to collect quantitative cost information by administering surveys asking how court and other criminal justice personnel spend their time, and how much of that time is spent on assessing and collecting fees and fines. Surveys were emailed to judges, prosecutors, public defenders, court clerks, DMV employees who suspend licenses, police officers who arrest people for failure to pay, probation/parole officers who participate in collections, court budget/finance officers, and state tax agencies that collect fees and fines through

offsets to tax refunds. Many surveys were distributed via statewide public agencies.

The authors distributed surveys to more than 3,000 members of the Texas justice system. In New Mexico, surveys went to more than 200 members of the state judiciary.

While some surveys were completed and returned by email, and others were completed online, there were not enough useable responses to incorporate the data into meaningful cost estimates.

Public Data

Quantitative public budget data was collected from courts and other agencies that make such data available online, including the following:

- Salaries and staffing for courts, prosecutors, public defenders, police/sheriff's departments, DMVs, and state tax agencies, with a goal of estimating the costs of assessing and collecting fees and fines and associated sanctions. Of these, the most heavily used salary and staffing data sets were online "sunshine" portals made available to the public by state agencies or news sites.
- Some daily jail cost data, collected from federal, state, or public advocacy organizations' online reports and obtained data (e.g., the Vera Institute's Price of Prisons Survey, reported rates paid by U.S. Marshals for detention in local jails, and Texas Collection Improvement Program data).
- Budget data, collected from municipal, county, and other agency budget documents.

Direct Data Requests

Where online public data and surveys proved inadequate, direct requests were made to agencies for quantitative budget data, such as salaries and staffing for courts and supporting agencies. For example, the Texas Office of Court Administration shared data from its Collection

Improvement Program, with reports of court collection costs for all 71 of the state's most heavily populated counties (except for Harris County). The New Mexico Administrative Office of the Courts supplied extensive criminal case data, including information on fees and fines, for the courts supported by the state (Bernalillo Metropolitan Court, magistrate courts, and district courts).

Court Watching

Over the course of this study, Brennan Center staff observed over 1,000 cases across 16 different courts in seven counties. The study sent project staff to nine of the study jurisdictions to observe court proceedings for up to a week. (Court watching was feasible only in seven of the counties because three largely rural counties only had part-time courts that were not in session during staff visits.) These court observations were used to gauge time spent on fee and fine matters for in-court cost estimates. Because of the low level of survey response from targeted jurisdictions, court watching was the primary tool for estimating the time courts spend on fees and fines (staff were not able to perform court watching in Jim Hogg, Marion, and Madison Counties). Court observations and interviews with judges, clerks, public defenders, and defendants were helpful in determining how processes and procedures, including ability-to-pay determinations and payment plans, vary from court to court.

Revenue Data Collection

Revenue data includes all criminal fines and court fees collected by local or state agencies in the jurisdictions, excluding restitution and child support payments, which were not relevant to this study.

Public Data

Some quantitative public data on criminal fee and fine revenue and collections was gleaned from state associations for court clerks. For example, in Florida, public quantitative data on fee and fine assessments and collections came from online reports prepared by the Florida Court Clerks & Comptrollers.

Direct Data Requests

Some data relating to assessments and revenues was collected directly from state agencies. This information was collected by contacting state-based judicial agencies, such as administrative offices of courts, and requesting that statistical data be provided for analysis. For example, the Texas Office of Court Administration shared data on court fee and fine collections for 71 of the state's most heavily populated counties. The New Mexico Administrative Office of the Courts supplied extensive criminal case data, including information on fee and fine assessments and collections for each of the courts funded by the state.

Supplemental Research

During site visits and interviews, and through other research, qualitative data was collected to illuminate how courts and supporting agencies operate when imposing and collecting criminal fees and fines.

Site Visits and In-Person Interviews

During site visits, interviews were held with court officials, prosecutors, public defenders, police officers and sheriffs, and probation/parole departments in many jurisdictions. While the interviews focused on collecting quantitative survey data, the visits were also used to document the process of criminal fee and fine assessment and collection in each jurisdiction. Many site visits also included court watching. In courts that were rarely were in session (thus preventing court watching), these visits and interviews were a primary data collection tool.

Phone Interviews

Additional interviews were conducted by phone with state judiciary and public defender agencies to supplement information collected by other means.

Surveys

The surveys provided space for notes and comments by respondents. These were reviewed and followed up on with additional questions when feasible.

Literature and Statistical Review

The authors analyzed reports and articles published by governmental, advocacy, and news organizations to document how criminal fees and fines are assessed and collected in each jurisdiction. They also compiled demographic information from public sources, such as the U.S. census, to provide context for each jurisdiction, including ethnic makeup, average income, and poverty level.

County Fiscal Analyses

Fiscal analysis traditionally involves a diverse array of analyses focused on budgets, costs, and revenues. When applied to a governmental project or activity, such analysis is often used to compare changes in costs and changes in revenues over a period of time. The result of this comparison is often the "net fiscal impact" or, in this context, "net gain." This is the type of analysis attempted for this report. It can indicate whether a governmental activity is a financially sensible one — and whether taxpayers should pay for it if it fails to cover enough of its costs. While the revenue data collected for courts in each jurisdiction focuses on criminal misdemeanors, the data for the Bernalillo Metropolitan Court in Albuquerque includes both non-criminal traffic and misdemeanor criminal fees and fines.

Balance Sheet Approach

At its core, the fiscal analysis employed in this report makes use of a simple balance sheet approach. For the most recent fiscal year obtainable, the identified costs of levying and collecting criminal fees and fines are subtracted from the sums collected for each jurisdiction to obtain the “net gain” in revenue. In practice, this meant identifying and quantifying as much cost information related to fees and fines as possible and subtracting it from reported revenue collected from state court agencies and clerks’ associations.

Additional Fiscal Analysis Measures

The authors also refer in the fiscal analysis to “percentage of fees and fines collected” and “cost per \$100 of revenue collected.” While “net gain” indicates the revenue (or loss) yielded by the activities associated with imposing and collecting criminal fees and fines, measuring “percentage of fees and fines collected” shows how much of what is assessed during a year is ultimately collected during that year, an indicator of how well fee and fine assessments and collections efforts are targeted.

“Cost per \$100 of revenue collected” is a standard measure of the efficiency of revenue collection. For example, if the cost of collecting fees and fines is higher than the cost of collecting tax revenue, it is a less fiscally prudent means of funding court (or other government) operations.

County Unit of Analysis

The authors conducted this fiscal analysis by examining criminal fees and fines levied by courts, as well as costs, in 10 counties in Florida, Texas, and New Mexico. They were chosen to represent a cross section of geographic, economic, political, and demographic conditions found across the country. The authors examined criminal fees and fines levied by courts, whether these courts were state or locally funded. While the project presents a fiscal balance sheet for criminal fees and fines by county, depending on the jurisdiction, it may contain a mix of costs incurred by the cities, counties, and the respective states. Similarly, depending on the state, the revenue collected may represent a mixture of amounts ultimately transferred to the state and the locality or retained by the court for court operations. As a result, some of the costs and revenues in this report may be found on the various balance sheets of cities, counties, and states, rather than all in one place. The benefit of this report’s approach is that it takes disparate information that is difficult for taxpayers, let alone government officials, to decipher and analyzes it in a way that sheds light on court-related fee and fine activity in each county.

Estimated Costs

In-Court Costs

Judges, court clerks, prosecutors, public defenders, and sometimes probation officers attend court proceedings at which criminal fees and fines are imposed. Because the authors found no courts or other agencies that record or track the cost of this employee time, the authors produced estimated costs in the following manner:

- **Time spent.** For each county, the authors gathered data on time spent by personnel on criminal fees and fines, as described before. This data was used to determine the average time spent on criminal fees and fines per case inside the courtroom. To build yearly estimates, this “time per case” measure was annualized using yearly caseload statistics. For cases related solely to fees and fines (such as failure to pay and failure to appear on a summons related to a fine-only case), the fraction of such cases observed during court watching was assumed to hold steady across the entire year.
- **Salaries and benefits.** The authors took salary and benefits information obtained as described above and used this data to construct an average hourly compensation cost for each type of personnel (e.g., judges, court clerks, prosecutors, public defenders, and probation/parole officers).²⁵⁷
- **Cost of time spent.** For in-court criminal cases, court watching was used to estimate time spent on fees and fines, and that time was assumed to be representative for the most recent year of the analysis. The average hourly compensation cost for each type of personnel was multiplied by the average number of hours per year spent in court proceedings while fee and fine matters were being handled to determine the cost of time spent on fees and fines. This information was used to project an annual estimate for the in-court cost of fees and fines in each jurisdiction. For this analysis, average hourly compensation includes an estimate of the cost of benefits, assumed at 40 percent for personnel in courts in New Mexico and Florida. The 40 percent rate documented for the New Mexico judiciary was substantially similar to the rate modeled for Florida court personnel using standard benefits rates and information. For Texas’s decentralized court system, local county and municipal budgets available online were consulted to calculate both benefits rates and other direct cost information to supplement the compensation data. Court watching was performed in seven counties. In two additional jurisdictions, Jim Hogg and Marion Counties in Texas, courts

were not in session when the team attempted site visits, so informal estimates of time spent in court were based on interviews with judges or clerks. No court watching was performed in Madison County, Florida.

Court Collection Costs

Court personnel and sometimes staff from other agencies, such as parole/probation offices, state tax agencies, other public agencies, and private collection agencies, collect court-imposed criminal fees and fines. The authors focused on court collection costs reported by the courts or state judiciary agencies, as cost information for other forms of fee and fine collection proved difficult to obtain.

Jailing Costs

Sometimes courts order individuals to jail for nonpayment of fees and fines, and sometimes police arrest individuals on a warrant and have them jailed because of nonpayment. Defendants in some jurisdictions also may elect to earn credit against fees and fines owed by spending time in jail. Much of the jail costs determined by the authors is attributable to this involuntary and voluntary jailing for the purpose of earning “jail credits” against fees and fines. However, defendants in some jurisdictions jailed for other crimes may sometimes receive credits against fees and fines owed. The authors were unable to determine the portion of calculated jailing costs attributable to these cases. The authors were also unable to estimate jailing costs in Florida, because incarceration in target counties there takes place only as a result of license suspension, and the proportion of license suspensions resulting from unpaid fines and fees could not be obtained. Estimated jailing costs for New Mexico and Texas were calculated as follows:

- New Mexico.** In Santa Fe and Socorro Counties, time spent in jail was estimated on the basis of the value of jail credits earned against fines and fees in magistrate courts, compiled by the state Administrative Office of the Courts (AOC). In Bernalillo County’s Metropolitan Court, jail credit data compiled by AOC also was used. Jail credits were translated into time served using a daily jail credit of \$58, equal to eight hours at the federal minimum wage, the amount typically awarded by judges in these jurisdictions. Jail costs were estimated based on the daily jail rate estimated for the Bernalillo Metropolitan Correctional Facility in the Vera Institute’s Price of Jails report and the daily rate paid to other county jails by the U.S. Marshals Service. Where no Vera or U.S. Marshals daily jail rate was available for the county, an average of the U.S. Marshals rate for other counties was used.

- Texas.** Jail credits reported to the Collection Improvement Program (CIP) was used to estimate jail costs. The jail credits reported in each county were divided by the reported jail credit rates for the courts in these counties to estimate total days of incarceration. For years in which the jail credit rates were not reported, an average rate was substituted. The total days of incarceration were then multiplied by the per diem cost of incarceration reported to CIP. When the per diem cost was not reported, the average per diem cost of incarceration was used in its place.

Uncollected Fees and Fines

Interviews with state judiciary and local court officials revealed, with rare exception, that little is known about outstanding balances of court-imposed fees and fines. While the authors were unable to estimate such balances, they obtained data on assessments, waivers, credits, and collections to calculate the accumulated balances of unpaid fees and fines for most study jurisdictions over a multiyear period. The uncollected balance remaining after waivers, credits, and collections were accounted for was calculated for each year. These amounts were then cumulatively summed. The total represents the accumulated unpaid balance over several years.

Statewide Analyses

Several years’ worth of data on criminal fee and fine assessments, collections, waivers, credits, and other actions was obtained for felony and misdemeanor courts in Florida, New Mexico, and much of Texas. While little cost data was available, jailing costs associated with criminal fees and fines were estimated for Texas and New Mexico.

Texas

Comprehensive revenue data covering cities and counties representing 72 percent of Texas by population came from CIP. A statewide projection for fee and fine assessments was estimated. Several years of criminal fee and fine assessments, collections, waivers, and credits were analyzed based on the jurisdictions reporting to CIP.

Jail costs were analyzed using the data courts reported to CIP. Jail credits issued by the courts in each jurisdiction were divided by the reported jail credit rates for the courts in these counties to estimate total days of incarceration. For years in which the jail credit rates were not reported, an average rate was substituted. The total days of incarceration was then multiplied by the per diem cost of incarceration reported to CIP. When the per diem cost was not reported, the average per diem cost of incarceration was used in its place.

The growth in balances owed of unpaid criminal fee and fine debt was calculated by netting collections, waivers, credits, and liens from amounts assessed by the courts.

The collectibility of criminal fees and fines was analyzed using aging information reported by courts to CIP.

Florida

Several years of extensive criminal fee and fine data covering assessments, collections, waivers, and credits for the felony and misdemeanor courts in each of Florida's counties was obtained from reports formerly located on the website of the Florida Court Clerks & Comptrollers Association, which is charged with annual reporting to the state. (Except for the most recent annual report, this data was later removed from the Florida Court Clerks & Comptrollers Association website.) This data was analyzed to provide a comprehensive statewide view of fee and fine activity over several years. The growth in balances owed of unpaid criminal fee and fine debt was calculated by netting collections, waivers, credits, and liens from amounts assessed by the courts. No cost data was obtainable on a statewide basis for Florida.

New Mexico

Comprehensive data covering several years and criminal fee and fine assessments, collections, waivers, and credits was obtained from the state's Administrative Office of the Courts. This data covered all state-funded district and magistrate courts statewide as well as state-funded Bernalillo Metropolitan Court, which handles the bulk of the county's misdemeanor and felony criminal cases. The data does not include the activity of locally funded municipal or county courts.

While the data provided was transactional, case-related data, it was analyzed to determine totals for assessments, collections, waivers, and credits for the years 2012 through 2016.

The data also was used to calculate jail costs associated with criminal fees and fines. Jail credits were divided by a \$58-per-day federal minimum wage, the valuation used by New Mexico courts for jail credits, to obtain days of incarceration. The results were then multiplied by a low (\$64.22, cost for Santa Fe) and a high (\$85.63, cost for Bernalillo) estimate of daily incarceration costs to simulate the range of possible incarceration costs.

Note on Rounding in Tables Appearing in Figures

Where numbers appearing in tables in some of the figures appearing in this report are rounded to thousands, some totals may not appear to add up due to rounding.

Challenges and Limitations

- **Surveys.** While the study was built around the use of survey data, few and often no survey responses were obtained from the study jurisdictions. This was despite the help of state administrative offices of courts and other agencies in distributing the surveys, survey redesign, and considerable follow-up by phone and email. The failure to obtain needed data by survey necessitated site visits and limited some of the cost data originally planned to be collected.
- **Court watching.** Court observations were made over a one-week period in most study jurisdictions. The authors assume that proceedings were typical and adequate for the construction of annual estimates. However, this method does not consider potential seasonal or caseload fluctuations that may occur over the year.
- **Budgets.** The authors originally anticipated finding useful cost data in court and other agency budgets, including salaries of court personnel, agency officials, and staff engaged in levying and collecting fees and fines. Little useful information was obtained in this manner, and agency budget/chief financial officer staff generally were not responsive to the authors' emails and surveys.
- **Criminal justice system data.** Sometimes extensive criminal justice system data was made available to the authors by state administrative offices of the courts, as in New Mexico and Texas. However, the nature of the data tracked, the multiple and disparate systems, and sometimes a lack of recordkeeping — all of which vary by state and jurisdiction — meant that some data was unobtainable. For example, the authors were unable to obtain municipal court data in New Mexico or data for courts in less populated counties in Texas. The authors also were unable to identify sources for balance information on outstanding criminal justice debt. In some localities, information is still tracked on paper, making data difficult to compile. In many jurisdictions, information such as the extent of jailing for failure to pay is not tabulated, existing simply as anecdotal information.
- **Procedural requirements for public release of data.** Some agencies and jurisdictions insisted that data requests be made through the procedural requirements of their respective state's freedom of information statutes. These generally proved to be fruitless inquiries, with no mechanism for person-to-person follow-up.

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246 The county court in Marion County does not report its collections each year. Q1 2018 data was provided by the court clerk and annualized.

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254 The county court in Marion County does not report its collections each year. Q1 2018 data was provided by the court clerk and annualized.

255 Brennan Center original research (see Appendix B: Methodology).

256 Brennan Center original research (see Appendix B: Methodology).

257 Our court watchers did not observe in every case all of the types of personnel that we expected to be present in courtrooms. For example, no public defenders were observed in courts in Travis County, Texas, and our cost estimates do not include them. Subsequent research found that there is no public defender system for the adult criminal courts in Travis County, although there is an assigned counsel system.

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