Office of Court Administration

Collection Improvement Program

Software Vendor Reporting Requirements for the OCA Monthly Collection Report

Overview

The Office of Court Administration's (OCA) Collection Improvement Program is a set of principles and processes for managing cases in which defendants are not prepared to pay all court costs, fees, and fines at the point of assessment and additional time to pay is requested. In 2005, the 79th Texas Legislature enacted S.B. 1863 (Code of Criminal Procedure, Article 103.0033), which requires cities with a population of 100,000 or more and counties with a population of 50,000 or more, to implement collection improvement programs based on OCA's model Collection Improvement Program. Compliance with this statute requires the reporting of monthly data to OCA. Smaller cities and counties that have implemented or wish to implement voluntary programs can also receive support from OCA. To be officially counted as a voluntary program, the city or county must report monthly to OCA in the same format used by mandated program participants.

The monthly collection report captures data that will be used to analyze collection program processes to identify targets for future improvement and to identify best practices. Because jurisdictions currently may not be able to provide all the information requested in the monthly report, OCA will initially accept incomplete reports. Jurisdictions unable to submit complete reports must plan to make the necessary modifications to their collection software to provide the requested data in the future.

Communicating with OCA

The following software development issues require OCA notification. Contact Berny Schiff, Collections Financial Analyst, at 512-936-7557 or berny.schiff@courts.state.tx.us regarding the following situations.

- If you recently made or are planning to make enhancements to your monthly collection report to include more detail, notify OCA. We may want to contact your customers to request that they rerun reports to capture previously omitted data.

- If you are unable to separate court costs and fees from fines, contact OCA with an estimate of when this capability will be incorporated into your software. Until that capability is implemented, report the total for court costs, fees, **and** fines.

- If your system cannot separate jail time served from community service performed, leave this field blank but contact OCA with the estimated date that you will be able to provide this information.

- If you are unable to provide aging information, contact OCA with an estimate of when this function will be included in your system.

Monthly Collection Report Instructions

The OCA Monthly Collection Report data must be entered by the jurisdiction into OCA's Court Collection Reporting Website **no later than 20 days** following the end of the month for which data are being reported. To provide the most accurate data, the jurisdiction should run its monthly collection report after all transactions have been processed for the month. While updates may have been made to the data after submission of a report to OCA, **the jurisdiction should not submit an amended report for the month unless the change significantly affects the jurisdiction's report** (for example, the amount collected on a case was incorrectly entered as $10,000.00 instead of $100.00). To modify previously submitted data, the jurisdiction must contact its OCA Regional Collection Specialist, who will set the online reporting system to allow an update of previously submitted data.

Reporting by Court Level

Data must be reported separately for each **court level**—district courts, county-level courts, justice courts, and municipal courts—even if one collection program serves courts from different levels. For example, if one collection program serves all the district and county-level courts in the county, and each of two justice courts in the county have separate collection programs, data are to be reported as follows:

> **Program 1** (serving all district and county-level courts):
>
> - One report for all district courts in the county
>
> - One report for all county-level courts in the county
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> **Program 2** (serving JP Precinct 1):
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> - One report for JP Precinct 1
>
> **Program 3** (serving JP Precinct 2):
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> - One report for JP Precinct 2
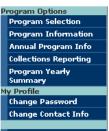
Court Collection Reporting Website

OCA's Court Collection Reporting Website accepts data entry on a monthly basis. Because manual data entry of the monthly report requires only a small time commitment, electronic data transfer from vendor software systems to the Court Collection Report Website is not planned at this time.

While each court level must enter its data separately, the data to be submitted is the same for each court type. The entry page indicates the court level being displayed. The fields (boxes) under the Dollar Amount and Dollars Collected columns are the data fields to be completed. The data in the Percentage Collected column are calculated by the system. The OCA Monthly Collection Report developed by a software vendor should replicate the format on this screen to expedite data entry. The following screen shots show the Monthly Collection Report for a Collection Improvement Program serving both county-level and justice courts but only the county-level screen is shown in this example.

Office of Court Administration
Collection Improvement Program
Court Collection Reporting Website

Collections Reporting: August 2008

Currently Selected Program

Program ID   26
Program Description   Tom Green County, County and Justice Courts Compliance Office
Court levels included: County-level Courts; Justice Courts

County-level Courts Assigned to Program
Tom Green County Court at Law
Tom Green County Court at Law No. 2

1 → Number of cases in which court costs, fees, and fines were assessed during the reporting period | 146

County-level Court Court Costs and Fees

	Dollar Amount	Percent of Assessed
2 → Dollar amount assessed	$43,609.00	
3 → Dollar amount collected	$26,528.00	60.83%

Enter values in either Indigency or Non-Indigency or BOTH
If cost waived has not been separated, enter value in Non-Indigency.

	Dollar Amount	Percent of Assessed
5 → Dollar amount waived: Indigency	$0.00	
6 → Dollar amount waived: Non-Indigency	$857.00	
7 → Dollar amount waived: Total = Indigency + Non-Indigency	$857.00	1.97%
8 → Dollar amount of jail time served credit given	$8,172.68	18.74%
9 → Dollar amount of community service credit given	$628.00	1.44%
Total of collections, waived amounts and credited amounts	$36,185.68	82.98%

County-level Court Court Costs and Fees Aging Schedule

Time span from date of assessment through date of payment	Dollars Collected*	Percentage Collected
0-30 days	$11,741.00	26.92%
31-60 days	$4,058.00	12.33%
61-90 days	$3,486.00	9.31%
91-120 days	$2,143.50	4.80%
120+ days	$5,099.50	
Total	$26,528.00	

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*DO NOT include the dollar amount of credits for jail time served or community service performed or the dollar amount of waived court costs and fees.

County-level Court Court Fines

	Dollar Amount	Percent of Assessed
Dollar amount assessed	$36,227.25	
Dollar amount collected	$23,035.00	63.58%
Dollar amount waived	$1,503.00	4.15%
Dollar amount of jail time served credit given	$8,697.32	24.01%
Dollar amount of community service credit given	$300.00	0.83%
Dollar amount of other reduction	$300.00	0.83%
Total of collections, waived amounts and credited amounts	$33,835.32	93.40%

(2) → Dollar amount assessed
(3) → Dollar amount collected
(4) → Dollar amount waived
(8) → Dollar amount of jail time served credit given
(9) → Dollar amount of community service credit given
(10) → Dollar amount of other reduction

County-level Court Court Fines Aging Schedule

Time span from date of assessment through date of payment	Dollars Collected*	Percentage Collected
0-30 days	$6,985.00	19.28%
31-60 days	$1,631.00	5.57%
61-90 days	$1,685.00	6.26%
91-120 days	$4,032.00	9.80%
120+ days	$8,702.00	
Total	$23,035.00	

(11)

*DO NOT include the dollar amount of credits for jail time served or community service performed or the dollar amount of waived court fines.

County-level Court Total Court Costs, Fees, and Fines

	Dollar Amount	Percent of Assessed
Dollar amount assessed	$79,836.25	
Dollar amount collected	$49,563.00	62.08%
Dollar amount waived	$2,360.00	2.96%
Dollar amount of jail time served credit given	$16,870.00	21.13%
Dollar amount of community service credit given	$928.00	1.16%
Dollar amount of other reduction	$300.00	0.38%
Total of collections, waived amounts and credited amounts	$70,021.00	87.71%

County-level Court Total Court Costs, Fees, and Fines Aging Schedule

Time span from date of assessment through date of payment	Dollars Collected*	Percentage Collected
0-30 days	$18,726.00	23.46%
31-60 days	$5,689.00	9.15%
61-90 days	$5,171.00	8.03%
91-120 days	$6,175.50	7.20%
120+ days	$13,801.50	
Total	$49,563.00	

*DO NOT include the dollar amount of credits for jail time served or community service performed or the dollar amount of waived total court costs, fees, and fines.

Please describe, if applicable, any significant changes that have occurred during the month that might explain a variation in the collection rate.

Last update by Berny Schiff at 10/3/2008 8:00:13 AM

[Save] [Submit] [Reset] [Cancel]

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Explanation of Data Fields

① **Number of cases in which court costs, fees, and fines were assessed during the reporting period**—Report the number of initial cases in which court costs, fees, and fines were assessed during the month. Do not count a case but do include the associated dollar amounts when an additional fee such as Failure to Appear Fee, Time Payment Fee, Warrant Fee, etc. is added later and the case was counted in a previous month. Exclude the dollar amounts associated with a case and do not count a case if the primary assessment in the case is one of the following:

- an administrative fee for dismissing the case ($10 or $20),
- a teen court fee ($10 or $20),
- a juvenile court fee ($5), or
- an expungement fee ($30).

The assessment date is the date on which a defendant becomes obligated to pay court costs, fees, and fines. The full amount of court costs, fees, and fines are generally due on the assessment date. The law allows the offender several ways to satisfy this obligation:

- immediate payment in full,
- partial payments made over time,
- partial payments made with community service or jail time, or
- completion of community service or jail time.

While a local jurisdiction may call this date the plea date, conviction date, sentence date, disposition date or judgment signed date, these terms actually have a slightly different legal definition. Local jurisdictions are required to capture the assessment date but do not always do so. Your software must capture the assessment date, although you may call the field by another name (i.e., plea date, conviction date, etc.). Your software should restrict the changing of this date so that the assessment date cannot be changed. [For example, some jurisdictions may want to change the assessment date to a date when full payment is received for defendants making payments or when a plea (guilty or nolo contendere) is taken but payment is postponed to a later date. This change in assessment date would be incorrect.] In some cases, the receipt date of a payment may be the assessment date. For example, if a payment is received for a citation, it can be assumed that the offender is pleading guilty or nolo contendere. The date the first payment is received is the assessment date (even if the payment is not for the full amount owed).
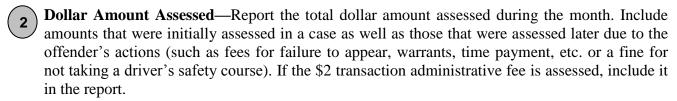
Amounts Assessed and Collected

Data must be reported separately for court costs and fees only, for fines only, and for the overall total. If your software is currently unable to report court costs and fees separately from fines, report the overall total of court cost, fees, and fines.

The report should include **all amounts assessed or collected** (i.e., both amounts retained by the local jurisdiction and amounts remitted to the State). Monies received from a defendant must be allocated to court costs and fees first (both state and local) and then to fines[1] unless a defendant is sentenced to community supervision (probation) and the judge orders differently. Generally,

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[1] Attorney General Opinion GA-147, http://www.oag.state.tx.us/opinions/opinions/50abbott/op/2004/htm/ga0147.htm

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the local jurisdiction retains the fines that it collects but remits a portion of the collected court costs and fees to the State.

(2) **Dollar Amount Assessed**—Report the total dollar amount assessed during the month. Include amounts that were initially assessed in a case as well as those that were assessed later due to the offender's actions (such as fees for failure to appear, warrants, time payment, etc. or a fine for not taking a driver's safety course). If the $2 transaction administrative fee is assessed, include it in the report.

If a judge reduces the amount assessed after the month in which the original assessment was made, the difference between the amount originally assessed and the amount subsequently assessed should be added to the appropriate **Dollar Amount Waived** category for the month in which the assessment was reduced. The amount of a subsequent reduction must never be subtracted from the **Dollar Amount Assessed** category because this may cause the assessed amount to be negative.

If, at the time a case is first entered into your collection/case management system, your system automatically calculates the estimated amount due:

- Do not include this amount in the **Dollar Amount Assessed** until there is an assessment date.

- Do not include initially dismissed cases but do include cases that may be dismissed later, such as deferred adjudication/disposition cases including cases in which the offender took a driver safety class and court costs were assessed.

(3) **Dollar Amount Collected**—Report the total dollar amount collected during the month. This amount will generally not equal the actual total dollars that have been collected for the month because some cases are excluded from the monthly report. (See the section on **Number of cases in which court costs, fees, and fines were assessed during the reporting period** for more information about excluded cases.)

(4) **Dollar Amount Waived**—Report the dollar amount waived during the month. A judge may waive fines but generally cannot waive court costs and fees in a non-community supervision (non-probation) case unless there is a determination of indigency. Although not specifically allowed by statute, some judges administratively close older cases that are deemed uncollectible. When this occurs, the fines amount remaining to be paid is added to the **Dollar Amount Waived** under the Fines category and the amount remaining to be paid in court costs and fees is added to **Dollar Amount Waived: Non-Indigency** under the Court Costs and Fees category.

For court costs and fees, the amount waived should be divided into the following categories:

(5) **Dollar Amount Waived: Indigency**—Report the total dollar amount waived because defendants were indigent.

(6) **Dollar Amount Waived: Non-Indigency**—Report the total dollar amount waived for reasons other than indigency.

(7) **Dollar Amount Waived: Total = Indigency + Non-Indigency**—The sum of **Dollar Amount Waived: Indigency** and **Dollar Amount Waived: Non-Indigency** is calculated

automatically (not manually entered). Until your system is able to separate the dollar amounts waived for indigency versus non-indigency, all waived court costs and fees amounts should be entered in the **Dollar Amount Waived: Non-Indigency** field.

(8) **Dollar Amount of Jail Time Served Credit Given**—Report the dollar amount credited for jail time served.

(9) **Dollar Amount of Community Service Credit Given**—Report the dollar amount credited for community service performed.

(10) **Dollar Amount of Other Reduction** (Fines Only)—Report the amount of reduction for fines in which the software automatically deducts a fine amount, rather than when the judge reduces a fine amount. When the judge reduces the fine amount, the amount is added to the **Dollar Amount Waived** field.

The following example is of a transaction in which an amount would be added to **Dollar Amount of Other Reduction**:

> The software automatically enters the court costs, fees, and fine amounts owed on the assessment date when the defendant requests and is granted approval to take a driver safety course. When the defendant completes the driver safety course and provides proper documentation in a timely manner to the court, the fine is dismissed and the fine amount is automatically subtracted from what the defendant owes. This subtracted amount is what is added to **Dollar Amount of Other Reduction.** If your software does not add the fine amount on the assessment date, then nothing is added to the **Dollar Amount of Other Reduction**. If the defendant does not take the driver safety course and the fine is assessed later, this amount is added to the **Dollar Amount Assessed** in the month in which it occurs.

(11) **Aging Collection Schedule**—Report the **Dollars Collected** for cases in which the time span from the date of assessment to the date of the received payment was:

- 0 to 30 days,
- 31 to 60 days,
- 61 to 90 days,
- 91 to 120 days, or
- more than 120 days.

For example, if the OCA Monthly Collection Report is for November 2008, the date of assessment was November 1, 2008 and the date the payment was received was November 1 through November 30, 2008, then the payment amount(s) would be added to the 0 to 30 days category. The sum of all of the aging categories for a month's collection should equal the total **Dollar Amount Collected** for the month.