



Improving Quality of Service for Court Users: Dallas County Financial Management Counseling Pilot Project

An Evaluative Analysis of a Pilot Project



April 2002

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Texas Office of Court Administration



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Improving Quality of Service for Court Users:
Dallas County Financial Management Counseling
Pilot Project

April 2002

A Joint Project by

Texas Office of Court Administration
214 W. 14th Street, Suite 600
Tom C. Clark Building
Austin, TX 78701
(512) 463-1625

Dallas County Clerk's Office
501 Main Street
Records Building
Dallas, TX 75202
(214) 653-7131

Research Staff

Texas Office of Court Administration:

Mary J. Cowherd, Deputy Director for Research, Court Services, and
Judicial Information

Danielle W. Toussaint, Research Project Manager

Jim Lehman, Collections Project Manager

Rene Henry, Financial Management Specialist

Randall Hansen, Judicial Research Specialist

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EXECUTIVE SUMMARY

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EXECUTIVE SUMMARY

Dallas County initiated a pilot program in 1993 that took a private sector, proactive approach to the collection of fines, fees, and costs, designed to enforce compliance with court orders. For years, the general perception among virtually everyone involved in the criminal justice system was that very few criminal offenders were financially able to pay fines, fees, and costs. By utilizing basic private sector collection techniques and procedures, the Dallas County model quickly proved that criminal offenders have greater resources to meet financial responsibilities than had been previously assumed. There remained, however, the perception that such an aggressive approach placed an undue hardship on at least some defendants by requiring them to satisfy their obligations to the courts within a relatively short period of time.

In January 2000, OCA approached Dallas County with a new concept designed to complement the county's highly successful collections program. The concept centered upon the development of a program that would target "at risk" cases that were likely to fall into the Collections Department's "uncollected" category. The program, known as the Dallas County Financial Management Counseling Pilot Project, provided for the hiring of a financial management counselor (FMC). The FMC would evaluate an offender's financial situation and work directly or indirectly with his/her personal creditors to delay or reduce monthly payments while the offender participated in the program. In other words, the concept was specifically designed to provide assistance to the "working poor."

This report provides an evaluative analysis of the Dallas County Financial Management Counseling Pilot Project. The evaluative findings presented in this report are based on financial data collected during the program's pilot period (10/9/00 - 12/31/01) and pre-pilot period (7/01/99 - 10/06/00); survey questionnaires collected from judges, collectors, program participants, and program non-participants; and extensive interviews with judges, collectors, and program participants.

The results strongly suggest that the program was not only cost-effective, but that it resulted in increased compliance among the targeted high-risk group. Specifically, it was found that:

Satisfaction with FMC Program

- A large majority of the FMC Program participants "strongly agreed" or "somewhat agreed" that they would recommend the FMC Program to others (80 percent), and believed that the FMC Program should become a permanent part of the Dallas County Collections Department (90 percent).

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- Over 80 percent of the participants found the counselor helpful in resolving their credit problems, while 75 percent of the participants agreed that they would have been unable to make the required payments without the FMC's assistance.
- The percentage of collectors who believed that the counselor was "extremely helpful" in resolving credit problems increased by 75 percent over the duration of the program (from 33 percent to 60 percent).
- The percentage of collectors who would recommend continuing this program increased by 93 percent over the duration of the program (from 43 percent to 83 percent).
- Over 90 percent of the program non-participants believed that the FMC Program was worthwhile and should be available to those who choose to use it.
- Over 55 percent of the judges said that they would recommend this program to other jurisdictions, but only after they learned more about the program and in particular, its costs and benefits.

Changing Perceptions of the Criminal Justice System

- Over 50 percent of the participants reported that their feelings towards the justice system had become more positive after working with the FMC.
- Participants who reported more positive feelings toward the justice system as a result of the experience were more likely to believe that the FMC had been helpful in temporarily resolving their credit problems, had treated them fairly, was knowledgeable about financial matters, and had handled their confidential financial information responsibly.

Compliance with Court Orders

- In a statistical comparison of two samples of defendants who were considered "high-risk" due to their heavy debt-loads, a significantly greater number of defendants paid their fines, fees, and costs in full in the pilot sample (91 percent) than in the pre-pilot sample (63 percent).
- In a statistical comparison of two samples of defendants who were considered "high-risk" due to their heavy debt-loads, there was a significant increase in the percentage of money collected (92 percent) for the pilot sample when compared to the pre-pilot sample (71 percent).

EXECUTIVE SUMMARY

- During the 15-month pilot period (10/00-12/01), 83 percent of the defendants who were referred to and/or participated in the FMC Program paid their fines, fees, and costs in full.
- During the entire pilot period (10/00-12/01), 97 percent of the money assessed by the court was collected from defendants who were referred to and/or participated in the FMC Program.

Cost-Effectiveness

- Given the actual expenditures (\$47,625) for the 15-month pilot period (10/00-12/01), the net revenue realized from the pilot program most likely ranged from \$61,688 to \$136,489.

There has long been the perception that defendants with lower-paying jobs are unable to pay their fines, fees, and costs without creating an undue financial hardship. However, this program challenges that notion. Defendants with high debt to income ratios were specifically targeted for this project, and after financial counseling, a large percentage were able to fully meet their court-ordered obligations without suffering severe financial setbacks.

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INTRODUCTION

In the early 1990's, officials in Dallas County, Texas took a hard look at their fine collections process and concluded that something was wrong. A significant source of county revenue was being neglected or ignored as fines, fees, and costs routinely went unpaid. Of even greater concern was that by failing to pay court-ordered fines, fees, and costs, lawbreakers were in effect calling into question the authority and efficacy of the courts and the justice system.

In response, Dallas County initiated a pilot program in 1993 that took a private sector, proactive approach to the collection of fines, fees, and costs, designed to enforce compliance with court orders. For years, the general perception among virtually everyone involved in the criminal justice system was that very few criminal offenders were financially able to pay fines, fees, and costs. By utilizing basic private sector collection techniques and procedures, the Dallas County model shattered this perception and quickly proved criminal offenders have greater resources to meet financial responsibilities than had been previously assumed.

The new program was so successful that the state Office of Court Administration (OCA) adopted the Dallas County model to use as the basis of its plan to improve court collections statewide. There remained, however, the perception that such an aggressive approach placed an undue hardship on at least some defendants by requiring them to satisfy their obligations to the courts within a relatively short period of time. In actuality, the collections process was designed to evaluate financial ability and provide enforcement alternatives, such as community service and public work programs, to offenders with severe financial shortcomings. Still, the hardship perception continued, with the emphasis shifting to those considered the "working poor."

In January 2000, OCA approached Dallas County with a new concept designed to complement the county's highly successful collections program. The concept centered upon the development of a program that would target "at risk" cases in which collections were unlikely. These cases involved defendants with "debt to income" ratios so out of balance that the addition of fines, fees, and costs to their debt load would likely cause them to default on their personal financial obligations, the court-ordered fines, fees and costs, or both. In other words, the concept was specifically designed to provide assistance to the "working poor."

The program, known as the Dallas County Financial Management Counseling Pilot Project, provided for the hiring of a financial management counselor (FMC). The FMC would evaluate an offender's financial situation and work directly or indirectly with his/her personal creditors to delay or reduce monthly payments while the offender participated in the program.

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If successful, the concept would offer a win/win proposition for all concerned. The program was intended to benefit the courts, defendants, and county in the following ways:

- 1) defendants would receive much needed guidance in the management of their personal finances, which would better enable them to make their payments to the court and to other creditors;
- 2) the counseling component would serve to improve the rate of compliance with court orders to pay fines, fees, and costs, which generate much needed revenue for the county and state, and encourage respect for the law;
- 3) the financial management counseling services for defendants may create a feeling of goodwill between the defendants and the courts, which may enhance their level of trust and confidence in the judicial system;
- 4) increased revenues realized from the increase in fines, fees, and costs can be used to enhance this and other court services to further improve the experience for defendants and other court users; and
- 5) give the county an opportunity to avoid the expenses associated with uncollected fines, fees, and costs (i.e., issuance and service of arrest warrants and jail costs).

The Collections Department is supervised by the Dallas County Clerk's Office, and it serves 12 courts.¹ The FMC works under the supervision of the Collections Department manager and is primarily responsible for reviewing requests from defendants seeking assistance with personal debt management for the purpose of paying court-imposed fines, fees, and costs. The primary duties of the FMC are the following (*See Appendix A-3 through A-6 for a detailed description of how the program operates*):

- 1) analyze and evaluate a defendant's financial status from information provided during the collections process to determine eligibility for the FMC Program;
- 2) conduct budget analyses and develop viable financial plans for defendants;

¹ The 12 courts include the 11 county criminal courts and County Criminal Court of Appeals #2. At the time the original concept paper for this project was submitted, four justice of the peace courts were served by the Collections Department. However, at the time of this report, the department has temporarily suspended acceptance of new cases from the justice of the peace courts due to a realignment of those courts.

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- 3) contact a defendant's creditors and solicit cooperation in implementing financial plans, which may include temporarily suspending or reducing payments so the defendant can pay his or her fine, fees, and costs and avoid jail time;²
- 4) monitor defendants for compliance with their financial plans; and
- 5) prepare and maintain related required reports, files, and records for use within the Collections Department.

It should be noted that defendants do not pay any fee or other consideration for the services of the FMC.

This pilot program is novel and unique. While many states have developed court-based collection programs, none offer financial management counseling services to assist defendants with heavy debt loads. Not only does such a program target individuals who are more likely to default on their court obligations, it also reinforces the concept that all court-ordered fines, fees, and costs must be paid in full and on time.

Purpose. This report provides a comprehensive evaluation of the FMC Program in Dallas County, which should enable fine collections programs in other Texas counties and other states to decide whether they should provide financial management counseling services within their own fine collections programs. Specific research questions include:

- 1) Do the counseling services improve the rate of compliance with court orders to pay fines, fees, and costs?
- 2) Do the counseling services provide much-needed guidance in the management of personal finances so that court obligations can be met?
- 3) Do the counseling services increase defendants' level of respect for the justice system?
- 4) Does support for the counseling services span across the court system (i.e., judges, collectors, defendants)?
- 5) Are the counseling services cost-effective? (i.e., do the counseling services generate more revenue through payment of otherwise uncollectible fines, fees, and costs than what the program costs?)

² The FMC did not pool the defendant's debt or receive payments from the defendants to be forwarded to other creditors.

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METHODOLOGY

The evaluative findings presented in this report are based on financial data collected during the program's pilot period (10/9/00 - 12/31/01) and pre-pilot period (7/01/99 - 10/06/00); survey questionnaires collected from judges, collectors, program participants, and program non-participants; and extensive interviews with judges, collectors, and program participants.

Selection of Dallas County for the Pilot Project. A crucial element for testing the financial management counseling concept was the selection of a test site. The selected site would have to:

- have an existing fine collections program;
- be large enough to provide a sufficient number of cases and offenders for a thorough evaluation of the effectiveness of the pilot program, including offenders who are unable to pay their fines, fees, and costs due to problems with their personal finances;
- be willing to accept the challenge and expense of an untested novel concept, and;
- be willing to fund and continue the project if it proved effective.

Dallas County offered a unique opportunity to test the financial management counseling concept. First and foremost, Dallas County had an established fine collections program. Second, Dallas County is the second largest county in Texas and one of the ten largest counties in the United States. Exposure to a broad range of offenders, including the target group (i.e., the "working poor"), was virtually guaranteed. Third, the Dallas County collections program served as the base model for most of the existing collections programs in the state of Texas. If the concept positively impacted this program, it was reasonable to expect it would likely have a similar impact on other similar collections programs. Fourth, the Dallas County Clerk's office, under which the Collections Department operates, is known for its willingness to examine and try new and innovative programs and concepts designed to make government work better. It seemed reasonable that they might also be receptive to this concept.

Program Implementation. In May 2000 (start month of the SJI grant), OCA staff received formal approval from the Dallas County Commissioners to implement the FMC Program in the Dallas County Collections Department. With significant input from the Collections Department manager, OCA staff created a job description for the FMC position (*see Appendix A-1 for job description*).

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After an extensive search, the FMC was hired on September 3, 2000. Although the new FMC had extensive private sector collections experience, he had only moderate experience with the criminal justice system. Both the Dallas County Collections Department manager and OCA staff felt it was important that the FMC be trained as a court collector in order to become familiar with and understand the court collections process. The elements of the collections process are as follows:

- fine, fees, and costs are due and payable on the day of sentencing;
- if a defendant is not prepared to pay in full, he/she **must** report to the Collections Department;
- the defendant must complete and submit an application (containing personal and financial information) requesting additional time to pay to the Collections Department;
- the defendant's application for extension of time to pay is verified;
- a collections officer (also known as "collector") interviews the defendant to determine his/her financial ability to pay the fine, fees, and costs;
- if the defendant qualifies for an extension of time to pay, the collector sets payment terms not to exceed the established target payment goal (usually no more than 60 days after sentencing);
- if the defendant fails to qualify for an extension of time to pay, the collector will attempt to place the defendant in an alternative program (e.g., community service), or, return the defendant to court; and,
- if the defendant does qualify for an extension, the Collections Department will manage the collections case to its termination (i.e., payment in full or irreconcilable default and/or non-compliance).

After three weeks of intense "on the job" training, the FMC, along with the Dallas County Collections Department manager and OCA staff, developed and implemented the FMC Program, including procedures and forms to refer and enroll eligible offenders in the program, establish payment plans for program participants, monitor compliance with the payment plans, and evaluate the success of the program (*see Appendix A-3 through A-13 for procedures and forms*).

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The critical component of the FMC Program is to determine the eligibility of offenders assigned to the Collections Department for, and referral to, the FMC Program. Dallas County collectors use the following criteria to screen offenders assigned to the Collections Department by the court for viability as a candidate for the FMC Program:

Referred candidates must:

- have a source of income;
- resist the collections process because of debt-related issues; and,
- have an income/debt ratio of at least 80 percent (debt is equal to or more than 80 percent of income).

An offender assigned to the Collections Department is taken through the normal collections process. As discussed above, this process requires payment in full within a relatively short period of time (usually 60 days.) If the offender complains that the payment plan being established under the standard process will create a problem, the collector reviews the application for extension of time to pay to determine if he/she fits the FMC Program eligibility criteria. If the offender falls within the eligibility criteria, the collector stops the interview and refers the case to the FMC (*see Appendix A-7 for Dallas County Debt Management Program Referral Form*).

After a thorough financial evaluation, the FMC develops a plan designed to temporarily relieve the offender of sufficient monthly debt to allow him/her to pay the court within the allotted period (*see Appendix A-8 for Dallas County Debt Management Program Worksheet*). The FMC discusses the plan in detail with the offender and offers him/her the opportunity to participate in the program in which the FMC's direct assistance will be provided (e.g., the FMC will contact the offender's creditors to request the temporary postponement or reduction of payments). If the offender accepts the offer to participate, the FMC enrolls him/her in the program (*see Appendix A-9 for Dallas County Debt Management Enrollment & Waiver Form*). If the offender declines the offer, the FMC: 1) encourages the offender to consider utilizing the plan on his/her own; and 2) returns the offender to the collector to complete the standard interview process.

Problems Encountered and Resolved. Initially, the FMC did not receive a sufficient number of referrals from the collectors in the department to obtain enough court clients who would agree to participate in the counseling program. Analysis of this problem revealed that a higher-than-normal absentee rate among the collectors may have created an excessive workload problem. It is believed that the collectors may have felt there simply was not enough time to review and evaluate applications for extensions of time to pay and screen referrals for the FMC Program. To resolve this problem, changes were

METHODOLOGY

made to permit the FMC to personally and immediately review each application for extension of time to pay and to interview candidates who met the eligibility criteria for the FMC Program. Following this change, the number of referrals to the program increased dramatically. And, over time, the FMC was able to train the processors³ so that they could recognize qualified people and make direct referrals to the FMC, rather than passing the applications on to the collectors first. This process bypassed the role of the collectors, so that they could focus on their job and not have to spend extra time making referrals.

Collections Data. Financial and case collections data were collected during two periods: the fifteen-month period before the pilot project was implemented (7/1/99 – 10/6/00) and the fifteen-month period during the pilot period (10/9/00 – 12/31/01). The FMC was responsible for compiling weekly and monthly summary data during the project period. This data included the number of applicants for extensions of time to pay fines, fees, and costs and the number of referrals to the FMC Program; and of the referrals, the number who were accepted, declined, or were rejected. Financial data on the assessed fines, fees, and costs and amount collected from each of these groups was also gathered.

For the pre-pilot project period, the FMC reviewed case files to compile the number of applicants for extensions of time to pay and financial data on the assessed fines, fees, and costs and amount collected from this group. The FMC also gathered more detailed information for a two-week period in the pre-pilot project period (9/20/00 – 10/09/00). In addition to the number of applicants for extensions of time to pay and financial data on the assessed fines, fees, and costs and amount collected from this group, the counselor reviewed each application filed during this period and identified which defendants would have been referred to the FMC Program had it existed. This information was then used to form a comparison group against those persons who were actually referred to the program during the pilot period.

Surveys. The survey questionnaires were developed by OCA staff. Separate survey questionnaires were mailed to the Dallas County criminal court judges, all FMC Program participants, and all defendants who were offered an opportunity to participate in the program but declined (*see Appendix B-4 through B-12 for the respective survey questionnaires*). For all three questionnaires, the majority of the survey questions related to the respondents' opinions of the effectiveness and value of the FMC Program and whether they would recommend the program to other courts, or to potential participants. Questions regarding impressions of the justice system were asked specifically of the

³ A processor reviews the submitted applications to ensure they are fully completed and verifies the information prior to forwarding them to the collector. The collector then reviews, analyzes, and evaluates the information provided by an offender to determine whether he/she qualifies for an extension of time to pay.

program participants. Non-participants were specifically asked why they chose not to work with the FMC.

It should be noted that the same survey was administered twice to the manager, assistant manager, and collectors of the Dallas County Collections Department. The purpose of this was to determine whether their opinions concerning the program had changed during the course of the pilot project.

Table 1: Survey Response Rates

	<u>Response Rates</u>	<u>Number of Valid Responses</u>
Participants	28%	22
Non-participants	20%	62
Judges	64%	7
Collectors	100%	13
Total	25%	104

A total of 421 surveys were mailed to judges, program participants, and program non-participants, and follow-up letters were mailed to remind recipients to return their survey questionnaires, if they had not already done so. Survey questionnaires were personally distributed by OCA staff to Dallas County Collections Department management and collectors during two site visits. Table 1 shows the response rates for these four surveys. While low, the response rates to the participant survey and to the non-participant survey are typical of mail surveys, which generally have a very low rate of return. (The collectors' surveys probably had such a high rate of return because the Dallas County Collections Department manager personally encouraged each collector to complete their survey forms.) (See Appendix B-1 through B-3 for a more detailed explanation of the methodology for each survey.)

Of the 70 returned non-participant surveys, eight surveys were excluded from analysis because the respondents claimed that they had not heard of the FMC Program when Collections Department records showed that they were referred, counseled, and offered an opportunity to participate in the program. It was suspected by OCA staff that the defendants were confused by OCA's association with the FMC Program, especially since the cover letters and mailing envelopes were on OCA letterhead for the initial mailings of the survey. To resolve this problem, subsequent letters to participants and non-participants were printed on Dallas County Collections Department letterhead and mailed in Dallas County Collections Department envelopes. After this action, the problem did not persist.

Interviews. Interviews were conducted by OCA staff at the end of the pilot project period (12/01). Interviews were conducted with two judges, three court support staff, the

METHODOLOGY

Collections Department manager, the county clerk, the FMC, and five defendants who participated in the program (*see Appendix C for the interview questions*). The interview protocol for the judges and court staff concerned the importance of successful compliance with court orders and their perceptions of the importance and value of the FMC Program. For the defendants, the questions focused on their reasons for participating in the program, their feelings about the FMC, and their attitudes towards the justice system.

FINDINGS

Levels of Participation in the Program. In general, the rates of participation in the FMC Program were low (*see Table 2*). Of the total number of applicants (15,951) that were approved for an extension of time to pay during the pilot period, less than 5 percent (665) were referred to the program and 13 percent (89 of the 665 referrals) actually participated in this program. To a large degree, the low referral rate was to be expected as the Dallas County Collections Department promulgated specific eligibility criteria that would target only a select group of candidates. In addition, the FMC experienced initial problems in receiving referrals from the collectors in the Collections Department. Since the number of participants is ultimately dependent on the number of referrals, it was important to increase the referral rate. As discussed in the Methodology section, once the process was modified so that the FMC could be more assertive in directing clients to the FMC Program services, the percentage of referrals and thus, the percentage of participants gradually increased over the pilot period.

Table 2: Levels of Participation during Pilot Period (10/09/00 – 12/31/01)

	Pilot Totals
Cases Approved for Extension of Time to Pay	15,951
Referrals to FMC	665
Participants in FMC Program	89
Percent (%) Referred to FMC	4.2%
Percent (%) Participated after Consultation	13.4%

Reasons for not participating in the FMC Program varied. However, the most common reason was that many non-participants, after receiving counseling and advice from the FMC, thought they could approach creditors on their own without direct intervention from the FMC. Well over half (58 percent) of the defendants who chose not to participate in the FMC Program did so for this reason. Even the FMC noticed this trend; in an interview, the counselor states that “[there are] those who choose not to participate but after having [been] counseled...and schooled...on what can be done -- a lot of them take it upon themselves to go and ...[defer their debts] -- although they are not officially enrolled in the program.”

FINDINGS

Table 3: Collectors' Satisfaction with the FMC Program Over Duration of Pilot Period (10/09/00 – 12/31/01)

	<u>April 2001</u>	<u>December 2001</u>
Percent who agreed that the FMC was "extremely helpful" in temporarily resolving credit problems of participants so they could pay their court-ordered fees and fines.	33%	60%
Percent who would recommend continuing the program after the pilot project was over.	43%	83%

N=6 (April); 7 (December)

Satisfaction with the Program. There were strong levels of satisfaction with the FMC Program among the various actors in the justice system. Over the duration of the pilot program, many of the collectors noticed the difference that the program made for the participants (*see Table 3*). The percentage of collectors who believed that the counselor was "extremely helpful" in resolving credit problems increased by 75 percent over the duration of the program. One collector, when asked about participant feedback, positive or negative, said that the feedback was "mostly positive" and that defendants talk about "how helpful [the FMC] has been and that without his help they would have been put in jail or lost their car or home." Moreover, the percentage of collectors who would recommend continuing this program increased by 93 percent over the duration of the program.

Table 4: Program Participants' Satisfaction with the FMC Program

	<u>Agree or Strongly Agree</u>	<u>Disagree or Strongly Disagree</u>
I feel that the Financial Management Counseling Program should be a permanent part of the Dallas County Collections Department.	90%	5%
I would recommend the Financial Management Counseling Program to others who are in my situation.	80%	10%
I would not have been able to make my required payments to the Collections Department without the assistance of the Financial Management Counselor.	75%	15%
My financial situation was positively impacted by my experience with the Financial Management Counselor.	65%	15%
After being counseled by the Financial Management Counselor regarding my personal finances, I feel that I will be better able to manage them in the future.	45%	20%

N=22

In general, defendants strongly supported the program and/or would recommend it to others (*see Table 4*). Of those who chose to participate in the program, a large majority “strongly agreed” or “somewhat agreed” that they would recommend the FMC Program to others (80 percent), and believed that the FMC Program should become a permanent part of the Dallas County Collections Department (90 percent). One such participant said of the FMC Program: “I really appreciate this alternative being offered to me. I know it didn’t have to be this way.” Another participant stated, “I wasn’t able to pay everything and they sent me to [the FMC]. [I am] really happy they had a program like this. [I] don’t know what I would have done otherwise.”

Table 5: Participants’ Satisfaction with the Financial Management Counselor

	<u>Agree or Strongly Agree</u>	<u>Disagree or Strongly Disagree</u>
The Financial Management Counselor was very knowledgeable about financial matters.	90%	10%
I feel that I was treated fairly and professionally by the Financial Management Counselor	85%	5%
I felt comfortable that the Financial Management Counselor would handle my confidential financial information responsibly.	80%	10%
The Financial Management Counselor helped me to understand my responsibilities and the consequences of my actions, including noncompliance with the court order.	80%	5%
I would not have been able to make my required payments to the Collections Department without the assistance of the Financial Management Counselor.	75%	15%
I did not feel comfortable having the Financial Management Counselor contact my creditors.	25%	50%
I had to wait too long to see the Financial Management Counselor.	15%	70%

N=22

In addition, a large majority of the participants had a favorable opinion of the FMC and his assistance. Over 80 percent found the counselor “extremely helpful” or “helpful” in resolving their credit problems, while 75 percent of the participants “strongly agreed” or “somewhat agreed” that they would have been unable to make the required payments without the FMC’s assistance (*see Table 5*). In an interview, a participant said of the

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counselor: "He was great. I still struggled, but he worked with me. As long as I stayed in touch with him, he gave me a chance and we got it done." Participants who found the FMC Program helpful in temporarily resolving their credit problems in order to pay their court-ordered fines and fees were more likely to agree that the counselor had treated them fairly, was knowledgeable about financial matters, and would handle their confidential financial information responsibly. Asked about the FMC, one participant replied: "[I] wish they were all like John [the FMC]. [He was] never abrupt or rude. He got straight to the point. [He was] very honest and straightforward about the whole thing." Many participants also agreed that they would not have been able to make the required payments without the counselor's help and they believed that they would be able to better handle their finances in the future with the information that they received from the counseling sessions. When asked if their experience with the counselor had assisted them in dealing with their personal finances, a participant responded: "Yes – in that it woke me up and forced me to deal with my financial issues."

Table 6: Non-Participants' Satisfaction with the Financial Management Counseling Program

Do you think the Financial Management Counseling Program is a worthwhile program that should be available to those who choose to use it?

Yes	93.9%
No	6.1%

N=62

Even offenders who were referred and counseled, but chose not to participate had good things to say about the program (see Table 6). Ninety-four percent of the non-participants believed that the FMC Program was worthwhile and should be available to those who choose to use it. One offender who was referred and chose not to participate, opted instead to "work any overtime I can to meet all my obligations" rather than utilize the FMC to defer his debt-related expenses. This demonstrates how the program was helpful for offenders, regardless of whether they fully participated in it, because by talking to the FMC they received important advice on how to pay their fines and fees in full.

Table 7: Participants' Perceptions of the Justice System

How did your feelings toward the justice system change (if at all) after working with the FMC?

I now feel more positive toward the justice system.	52.6%
My feelings toward the justice system have not changed.	36.8%
I now feel more negative toward the justice system.	10.5%

N=22

Changing Perceptions of the Justice System. Over 50 percent of the participants reported that their feelings towards the justice system had become more positive after working with the FMC (see Table 7). Participants who reported more positive feelings toward the justice system as a result of the experience were more likely to believe that the FMC had been helpful in temporarily resolving their credit problems, had treated them fairly, was knowledgeable about financial matters, and had handled their confidential financial information responsibly. In response to a question about whether their feelings towards the justice system had changed, a participant replied: "Yes. [It] just...lets you know that there [are] people out there that will help people that [are] not able to work things out on their own and that there is someone there to back them up."

Compliance with Court Orders. All of the judges and support staff surveyed or interviewed unilaterally agreed that compliance with court orders (i.e., payment of fines, fees, and costs in full) is "extremely important" or "very important." As one of the court support staff succinctly stated, "Well, it's very important. A lack of compliance is a slap in the face of justice." Additionally, over 85 percent percent of the judges surveyed believe that the greatest problem in attaining successful compliance with court-ordered fines, fees, and costs is the defendant's lack of financial resources and the poor management of those resources. Exemplifying this opinion, one judge stated that the greatest problem was "probably...a combination of things -- but resources and resource management has to be close to the top of the list."

The FMC Program is designed to target those individuals who have overcommitted their finances and assist them in fulfilling their court obligations. A statistical comparison of a pre-pilot two-week sample with a pilot two-week sample indicate that this was successfully achieved. Of those who were referred, counseled, and chose to participate in the program (4), there was a perfect rate of compliance (100 percent). That is, all the participants succeeded in paying all their fines.

Table 8: Compliance for Referrals to FMC (Sample Data)⁴

	Pre-Pilot Sample 9/20/00 – 10/6/00	Pilot Sample 6/18/01 – 6/29/01
Percent of Referrals Who Paid in Full	63%	91%
Total Amount Assessed by Court	\$ 53,236	\$ 27,132
Total Amount Collected	\$ 37,940 (71%)	\$ 25,078 (92%)
Average Turnover in Days	105	28
N	83	35

⁴ The cases referred in the pre-pilot sample are cases that would have been referred, if the FMC were in place. (See Methodology section for more details.)

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Yet, it is important to note that an additional significant effect was observed for those who were referred and counseled by the FMC, but did not necessarily officially participate in the program (*see Table 8*). Among those eligible for FMC assistance in the pre-pilot period and the pilot period, a significantly greater percentage⁵ in the pilot sample (91 percent) paid in full than in the pre-pilot sample (63 percent). This marked a 46 percent increase in the rate of at-risk defendants who were able to fulfill their court obligations, following the counseling by the FMC. Moreover, there was a significant increase⁶ in the percentage of money collected for the pilot sample when compared to the pre-pilot sample. For the pilot sample, 92 percent of the amount assessed by the court was collected compared to 71 percent for the pre-pilot sample. In addition, the average turnover in days⁷ for defendants referred to the FMC Program was only 28 days compared to the 105 days for comparable defendants in the pre-pilot period. The goal in the Dallas County Collections Department is to collect the court-ordered fines, fees and costs within 60 days; hence, a turnover of 28 days is well under the deadline and represents prompt payment of court-ordered fines, fees and costs.

**Table 9: Compliance for Cases Approved for Extension of Time to Pay
(Sample Data)**

	Pre-Pilot Sample 9/20/00 – 10/6/00	Pilot Sample 6/18/01 – 6/29/01
Percent of Cases Paid in Full	68%	70%
Total Amount Assessed by Court	\$ 395,086	\$ 478,795
Total Amount Collected	\$ 298,821 (76%)	\$ 398,845 (83%)
Average Turnover in Days	89	61
N	645	620

Even though the percentage of cases paid in full increased for the pilot group among all cases approved for an extension of time to pay, it was not statistically significant (*see Table 9*). However, there was a significant increase⁸ in the percentage of money collected between the two groups. That is, a significantly greater percentage of money was collected for the pilot sample than the pre-pilot sample (83 percent vs. 76 percent). Additionally, the average turnover was only 61 days for the pilot group compared to the 89 days for the pre-pilot group. Given the goal of 60 days for collecting court-ordered fines, fees and costs, the turnover for the pilot sample was essentially within this goal.

⁵ This was significant at the .01 level.

⁶ This was significant at the .01 level.

⁷ Average Turnover = (Total Balance of Amounts Outstanding/Net Fines and Costs Assessed)*365 days. Calculating turnover to estimate the average days to pay debt is an industry-wide standard for debt collections.

⁸ This was significant at the .01 level.

**Table 10: Overall Compliance for Referrals and Participants during Pilot Period
(10/09/00-12/31/01)**

	<u>Referrals, not Participants</u>	<u>Participants in FMC Program</u>	<u>Total Referrals and Participants</u>
Percent Who Paid in Full	82%	87%	83%
Total Amount Assessed by Court	\$433,113	\$ 65,563	\$ 498,676
Total Amount Collected	\$429,271 (99%)	\$ 54,049 (82%)	\$ 483,320 (97%)
Average Turnover in Days	3	63	11
N	576	89	665

The percentage of defendants who were referred to and/or participated in the FMC Program and paid in full was high for the overall pilot period (*see Table 10*). Eighty-two percent of the defendants referred to the FMC paid their fines, fees, and costs in full, while 87 percent of those who actually participated in the FMC Program paid their fines, fees and costs in full.

Additionally, high rates of money were collected for these groups. Of all those who were referred to and/or participated in the FMC program, a very high percentage (97%) of the money assessed was collected. And, an even higher percentage (99%) was collected for those defendants who were referred, but chose not to participate in the FMC Program.

Cost-Effectiveness of the Program. When asked about the program, all of the Dallas County criminal court judges who responded to the survey believed that the FMC Program was a worthwhile program. Yet, some judges did express reservations about the ultimate cost of the program and whether enough people were helped by the program to warrant its cost. In response to a question about supporting the project even if only a few defendants participated, one judge said, "Yes [I would]. However, I think it's important the program pays for itself or that funding for the program is borne by the defendants involved." Indeed, over 55 percent of the judges said that they would recommend this program to other jurisdictions, but only after they learned more about the program and in particular, its costs and benefits.

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Table 11: Estimating Cost-Effectiveness of the Pilot Program (10/09/00 – 12/31/01)

<i>High-Risk Group without FMC Program</i>		<i>High-Risk Group with FMC Program</i>			
<u>Estimated Rate</u>	<u>Estimated Collections⁹</u>	<u>Actual Collections</u>	<u>Estimated Increase in Collections</u>	<u>Actual Expenditures</u>	<u>Estimated Net Benefits</u>
60%	\$ 299,206	\$ 483,320	\$ 184,114	\$ 47,625	\$ 136,489
65%	324,139	483,320	159,181	47,625	111,556
71%	354,060	483,320	129,260	47,625	81,635
75%	374,007	483,320	109,313	47,625	61,688

According to a former Dallas County Department Collections manager, the rate of collections for the high-risk group that is targeted in the FMC Program normally ranged from 60 percent to 70 percent during the pre-pilot period. In Table 11, several estimated rates are used in order to estimate the cost-effectiveness of the FMC Program. The estimated rates in the table include the 71 percent rate of collection that was attained during the two-week sample in the pre-pilot period (*refer to Table 8*), two lower rates (60 percent, 65 percent) estimated by the former Collections Manager, and a higher rate (75 percent).

By multiplying these rates by the actual assessed amount (\$498,676) during the pilot period (10/09/00 – 12/31/01) for those referred to and/or participated in the FMC Program, a collections amount can be estimated for that period. That is, these estimated collection amounts are what might have been collected if the program had **not** been in place. By subtracting the estimated collections from the actual collections, an increase in collections can be estimated. This increase represents the additional amount potentially gained by implementing the program.

Then, if the actual expenditures of the program are subtracted from the increase in collections, the net benefits of the FMC Program can be assessed. For the 15-month period of the pilot program, these expenditures totaled \$47,625. (The annual salary of the FMC was budgeted at \$30,000 per year, and fringe benefits were budgeted at \$8,100.) The salary and fringe benefits were the primary costs of the program. Additional costs included such items as computer equipment (a one-time purchase), office supplies and telephone costs, but these numbers were not included in the expenditures total.

Given the actual expenditures, the net benefits for the 15-month period of the pilot program most likely range from \$61,688 to \$136,489. These results strongly suggest that the program does pay for itself.

⁹ Amounts are rounded to the nearest dollar.

CONCLUDING REMARKS

In sum, the results reveal some interesting and unexpected findings. When the project was originally conceived, it was expected that the only offenders that would benefit would be those who officially and directly participated in the FMC Program. However, while the findings demonstrate that these participants did benefit from the FMC Program (87 percent paid their court-ordered obligations in full), it was discovered that the program had an additional significant effect on "indirect" participants. That is, those offenders who were referred, counseled, and chose not to officially participate in the FMC Program, but utilized the suggestions given by the counselor to meet their court-ordered obligations. These "indirect" participants paid their court-ordered fines, fees, and costs at significantly greater rates than expected. Indeed, during the pilot period, the percentage of offenders who were referred and counseled that paid in full was 82 percent.

Given the rates of collection (60 to 75 percent) that would be expected for this high-risk group (both participants and non-participants), the amounts collected (97 percent) during the pilot period were much higher than expected. Moreover, after controlling for costs of the program, the revenue generated by the FMC Program most likely ranged from approximately \$62,000 to \$136,000.

Why was there this additional effect on non-participants? First, it removed a frequent excuse for non-payment of fines, fees, and costs – "I don't have the money." The counselor reviewed the debts and income of all those referred and found ways for them to make payments. Without this excuse, they were left with only two choices: pay in the allotted time period or intentionally not pay. Moreover, since they declined to officially participate in the program (i.e., have the counselor arrange the deferments or reductions), they had to perform because they told the counselor that they could do it without help.

Second, offenders learned basic methods of personal finance and how to temporarily defer or reduce debt-related payments. Many defendants are uninformed about personal finances and what creditors can do in terms of deferments and reductions. The counselor helped increase the offenders' awareness of what creditors can do and assisted them in developing a plan to pay their court-ordered fines, fees, and costs. Even if an offender decides not to officially participate, he/she has a plan for paying his/her fines, fees, and costs and the knowledge of how to find the money to pay these obligations.

The success of this program has addressed an important issue about the ability of offenders to pay fines, fees, and costs. There has long been the perception that most offenders with lower-paying jobs are unable to pay fines, fees, and costs without creating an undue hardship. However, this program challenges that notion. Offenders with high debt to income ratios were specifically targeted for this project, and after financial

CONCLUDING REMARKS

counseling were able to fully meet their court-ordered obligations without suffering severe financial setbacks.

This pilot program also raised the importance of the collections staff making an adequate number of referrals to the FMC. Initially, there was a low number of referrals from the collectors due to their workload and resistance to the new program. The FMC resolved this problem by reviewing all the applications for extensions of time to pay submitted in order to cull qualified people for counseling. Over time, the FMC was able to train the processors, so that they could recognize qualified people and make direct referrals to the FMC, rather than passing the applications on to the collectors first. This process bypassed the role of the collectors, so that they could focus on their job and not have to spend extra time making referrals.

OCA Recommendations

- 1) Increase the at-risk group size, so more defendants can be referred and counseled by the FMC. This should improve overall compliance rates. For example, if targeted individuals must have an 80 percent income to debt ratio, lower it to 70 percent in order to increase the number of individuals who can benefit from this service.
- 2) Expand the role of the FMC to include conducting debt-management workshops, so all defendants who file applications for extension for time to pay can benefit from the counselor's advice.
- 3) Make counseling of clients the primary focus of the FMC, rather than screening for clients. At one point during the pilot project, the FMC spent a large percentage of time reviewing applications. By adequately training the processors or collectors to do the screening, the FMC can dedicate more time to counseling and even conducting debt-management workshops.
- 4) Address the problem that collectors have in referring clients. Either give greater power to the FMC, or provide incentives for processors or collectors to refer more clients.
- 5) In order for the program to remain cost-effective, a large number of "at risk" defendants is required. In smaller jurisdictions that cannot afford to hire a dedicated individual for debt-management counseling, it is suggested that collectors be trained on how to act as financial management counselors.

APPENDICES

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

FINANCIAL MANAGEMENT COUNSELOR JOB DESCRIPTION

The Financial Management Counselor (FMC) will implement the Financial Management Grant project under the direction of the Dallas County Clerk's office in cooperation with the Texas Office of Court Administration. The project is scheduled to operation for approximately one year with continuation based on successful results. The FMC will report directly to the Dallas County Collections Manager.

Job Description:

Interviews defendants referred for counsel. Investigates, evaluates, and verifies financial status and ability based on financial application and supporting documentation. Grants or denies acceptance to program based on results of investigation. Determines action plan best suited to effect payment of assessment by working with defendant to negotiate with, and, in some instances, gain temporary relief from essential creditors. This may include contact with essential creditors to gain assistance and cooperation. Maintains system for reviewing and managing defendant compliance of relief plan. Prepares and maintains all related required reports, files, and records. Performs related work as required in accordance with policies and procedure of Dallas County and the Dallas County Collections Department.

Minimum Education Required:

Completion of a minimum of two years course work at an accredited college or university majoring in social science, criminal justice, business administration, or related field.

Experience or Knowledge Required:

At least two years experience in the credit/collections field, conducting financial analysis, interviews and investigations, credit management, or related experience. Knowledge of court procedures is helpful. Excellent oral and written communication skills. Considerable knowledge of and experience in WordPerfect, MSWord for Windows, Lotus, and MS Excel. Operating knowledge of general office machines and equipment.

**DALLAS COUNTY FMC PROGRAM
PROCEDURES**

Objective

This project involves adding an additional full-time employee to the Dallas County Court Collections Department in an effort to improve the collections process and quality of service. Under the supervision of the collections manager, the new employee (financial management counselor) will be primarily responsible for reviewing requests from court users (i.e., defendants) seeking assistance with personal debt management for the purpose of paying court imposed fines and court costs.

Financial Management Counselor (FMC)

The primary duties of the financial management counselor will be as follows:

- Analyze and evaluate court user's financial status from information provided during the collections process to determine eligibility for the financial management counseling program.
- Conduct budget analyses and develop viable financial plans for court users.
- Contact court users' creditors and solicit cooperation in implementing financial plans, which may include temporarily suspending or reducing payments so a court user can pay his court fees and fine and avoid possible incarceration.
- Monitor court users for compliance with the financial plans.
- Prepare and maintain related required reports, files, and records for use within the Collections Department and for OCA's program evaluation purposes.

Referrals

Collections officers or management will refer court users to the FMC under two scenarios: initial referrals and existing referrals.

▪ **Initial Referral**

Fine and fees have been assessed and the court user has been assigned to the Collections Department from the court. During the usual collections process the collections officer encounters the following:

- a.) Court user resists collections process (debt related);
- b.) Court user has income; and
- c.) Court user's income/debt ratio is at least 80% ($\text{Bills} = \text{Income} \times .80$)

▪ **Existing Referral**

The court user has an existing payment plan and the collections officer encounters:

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

- a.) Court user resists collections process (debt related);
- b.) Court user has income;
- c.) Court user's income/debt ratio is at least 80%
(Bills = Income X .80);
- d.) Court user's original existing agreement has not expired; and
- e.) Court user is no more than one payment in arrears.

The collections officer will complete a referral form and assign the case to the FMC by giving the form to the FMC or placing the referral form in the FMC's box. If the referral is an "initial referral," the collections officer must complete the interview and set the terms prior to referring the court user. Also on an "initial referral," or if the court user is in the office, the collections officer must personally notify the FMC of the referral. If the FMC is not available, the collections officer should refer the court user to the assistant manager or manager.

Approval, Rejection or Decline

Once referred, the FMC will review the case with the court user and determine eligibility through the use of the debt management worksheet.

- Approval - Court user meets the requirements of referral and accepts the terms and conditions of the program. The FMC will complete the worksheet and have the court user sign the waiver & enrollment form. This approval is tentative since the FMC will not initially know if the court user's creditors will cooperate. There may also be times when the court user may not have all the information needed to complete the worksheet and negotiate the plan. In this instance, the FMC must convey to the court user the fact that the original agreement is in effect and must be honored.
- Rejection - Court user does not meet the requirements of the referral. The FMC will notify the collections officer of the rejection and will note on the debt management worksheet the reasons for rejection and document for recording and reporting purposes. The collections process should then continue as usual.
- Decline - After explanation of the program, the court user does not want to participate. The FMC will notify the collections officer of the court user's decision, make note of the decision on the debt management worksheet, and document for recording and reporting purposes. The collections process should then continue as usual.

Case Set Up & Management

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On initial referrals, the FMC will complete the required paperwork and submit the file to processing as usual. The file should include the standard paperwork, plus the referral, debt management worksheet (salmon colored), and enrollment & waiver form. The FMC will also enter the case and relative data into his case log. Processing will prepare the file as usual; however, noting the file as a program file and placing it in the separate designated area for the FMC files.

Data entry, when setting up the file in MAS90, will banner the case using the subject section of the set-up screen normally designated as "Account Due" as "FMC." The "FMC" banner must also be placed in the name section of the system (Example: John Doe "FMC"). Additionally, the "customer type" section on the set-up screen where "MA" or "MB" usually appears will be used to identify the case as a program case. Data Entry will code the "customer type" field with the designation "FMC" rather than "MA" or "MB." The file will be set up just as any other file except for these three exceptions.

On existing referrals, the FMC will add the referral, the debt management worksheet, and enrollment & waiver form to the original existing file and place the file in the designated FMC file area. The FMC will make the banner change to the subject section of the case screen in MAS90 from "account due" to "FMC." He must also place the "FMC" banner in the name section of the system (Example: John Doe "FMC"), along with changing the customer type code for the case in MAS90 to "FMC." He will update the comment section of the case in MAS90 to indicate the new status and planned activity. The FMC will also enter the case and relative data into his case log.

Termination of a case from the program by reason of successful completion will be handled just like any other payout, with the exception that the file will be separated (as is done with the other active program files). If the case is terminated for default or any reason other than successful completion, the FMC will make the necessary changes in MAS90, reflecting the change in status and returning the file to the regular active file area. The FMC will make the necessary relevant entry regarding the case into his case log.

Collection

The FMC will manage program cases to termination, which will include monitoring payments and making contact as necessary to maintain the integrity of the project. The FMC will make every effort to maintain the terms of the original agreement. However, with the review and approval of the assistant manager or manager, the FMC may alter the original terms of the agreement. An agreement will be altered only if the change serves a purpose consistent with the objectives of the program. It is strongly recommended that court users violating the terms and spirit of the program be immediately and permanently removed without second chance consideration. At his discretion, the FMC may return a

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

case to regular active status. In this situation, responsibility for collection of the case would revert to the proper collections officer.

Reports

The FMC will be responsible for maintaining a case log, which will chronicle daily program activity. The FMC will also compile and complete a weekly status report, which will contain status and statistical information on the program. Additionally, the FMC will submit a monthly status report, which will reflect the progress and direction of the program, and include recommendations for modifications to improve the program to make it more efficient and effective. The FMC may also be required to compile special reports, as may be requested by OCA's project team or the Dallas County Court Collections Department's management.

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

DALLAS COUNTY DEBT MANAGEMENT PROGRAM REFERRAL FORM

Offender's Name: _____ Date: _____

Case Number (s): _____

Assessment: _____ Payment Terms: _____

Referred By: _____

Referral Type: Initial _____ Existing _____

Briefly describe why the offender is being referred to the program:

Action: Approved _____ Rejected _____ Declined _____

(Reason)

Action Taken By: _____, Title _____ Date: _____

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

DALLAS COUNTY DEBT MANAGEMENT PROGRAM WORKSHEET

Offender's Name: _____ Date: _____

Case Number (s): _____

Assessment: _____ Payment Terms: _____

Account	Acct. #	Phone #	Mo. Pay	Adj.

Total Income \$ _____ Total of Payments \$ _____ Target Adj. \$ _____

Comments

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

**DALLAS COUNTY DEBT MANAGEMENT PROGRAM
ENROLLMENT & WAIVER FORM**

Offender's Name: _____ Date: _____
Case Number (s): _____

Terms & Conditions

- Offender agrees to provide all information relative to his/her outstanding indebtedness including but not limited to: all active installment accounts; mortgage, lease or rental obligations; household maintenance obligations; child or family support obligations; and any other obligations affecting offender's financial ability or requested by the financial management counselor, manager, or the assistant manager of the Dallas County Collections Department.
- Offender grants permission to Dallas County, its officers, employees, agents, and assigns to contact any of the offender's creditors or obligees and exchange information about the offender, about this program, and about the offender's connection with the program.
- Offender agrees to be bound by the attached extension for payment agreement, and understands that any deviation from the agreement may result in his/her expulsion from the program and termination of the agreement.
- Offender understands participation in this program is strictly voluntary and he/she may withdraw from the program at anytime. The offender understands and agrees that he/she must notify the financial management counselor of his/her withdrawal from the program in writing.
- Offender understands and acknowledges participation in this program in no way extends, changes, modifies, or alters any existing payment agreements established by the Dallas County Collections Department or any existing court judgment and/or order.
- Offender hereby forever waives and releases Dallas County, its officers, employees, agents, and assigns from any and all claims, demands, or causes of action which may arise as a result, directly or indirectly, of the offender's involvement in the program. To the fullest extent allowed by law, the offender agrees to indemnify, hold harmless, protect and defend Dallas County, its officers, employees, agents, and assigns against all claims, demands, actions, suits, losses, damages, liabilities, costs and/or expenses of every kind and nature incurred by or sought to be imposed on Dallas County, its officers, employees, agents, and

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

assigns and arising out of or in any way related to the undersigned Offender's involvement in the program.

- I, _____, hereby voluntarily acknowledge and accept the terms and conditions of enrollment in the Dallas County Debt Management Program.

X _____, Offender

X _____, Deputy
Witness

[illegible]

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

DALLAS COUNTY DEBT MANAGEMENT PROGRAM WEEKLY REPORT

Date Submitted: _____

Week Ending: _____

of Referrals : _____

Approved: _____

Assessed Approved \$ _____

Rejected _____

Assessed Rejected \$ _____

#Declined _____

Assessed Declined \$ _____

Completed _____

Assessed Completed \$ _____

Not Completed _____

Assessed Not Completed \$ _____

Comments:

Submitted By

APPENDIX A: DALLAS COUNTY MATERIALS & FORMS

DALLAS COUNTY DEBT MANAGEMENT PROGRAM MONTHLY REPORT

Date Submitted: _____

Month Ending: _____

of Referrals : _____

Approved: _____

Assessed Approved \$ _____

Rejected _____

Assessed Rejected \$ _____

#Declined _____

Assessed Declined \$ _____

Completed _____

Assessed Completed \$ _____

Not Completed _____

Assessed Not Completed \$ _____

Comments:

Submitted By

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

SURVEY METHODOLOGY

Judges' Survey. On February 14, 2002, OCA staff mailed a survey questionnaire to the 12 county criminal court judges who use the services of the Collections Department to determine whether they believe the program is achieving its goals and should be continued. Follow-up letters were sent on March 5, 2002 to remind any judges who had not responded to the survey to do so. A total of seven responses (i.e., a response rate of 64 percent) were received.

Collectors' Survey. The same survey questionnaire was distributed by OCA staff to the collectors in the Dallas County Collections Department during two site visits, one in April 2001 and the other in December 2001, to determine their opinions about the FMC Program and whether their opinions changed during the course of the pilot project. Most of the survey questions concerned the frequency of their referrals to the FMC Program and their opinions on the effectiveness of the counselor. During the April site visit, questionnaires were distributed to the manager, assistant manager, and the five collectors in the department, and seven responses were received. And, during the December site visit, questionnaires were distributed to the manager, assistant manager, and four collectors (one collector was absent on that day) in the department, and six responses were received.

Participant Survey. Three waves of surveys were sent to program participants to determine whether they believe the program is successful and should be continued. In addition, questions regarding impressions of the justice system were asked specifically of the program participants. On March 22, 2001, OCA sent the first wave of surveys to the seven persons who participated in the FMC Program and paid their fines, fees and costs in full during the October 1, 2000 to February 28, 2001 period. Follow-up letters were sent on April 4, 2001 to remind those individuals who had not responded to do so. A total of four surveys were received in response to the mailings, but one was excluded because it was a duplicate response. Thus, a total of three usable responses were received.

On September 6, 2001, OCA sent the second wave of surveys to the 39 defendants who participated in the FMC Program and paid their fines, fees and costs in full between March 1, 2001 to August 31, 2001. One survey was returned because the defendant no longer resided at the address to which the survey was sent. OCA only received two responses to the September 2001 mailing of the survey.

OCA staff felt that a primary reason for the low response rate was that the cover letters accompanying the surveys were addressed from OCA and not from the Dallas County Collections Department. Thus, defendants did not make a connection with the

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

FMC Program in Dallas County, even though the cover letter explained the connection. As a result, OCA sent follow-up surveys, on November 19, 2001, in Dallas County Collections Department envelopes and the accompanying cover letters were printed on Dallas County Collections Department letterhead. OCA received eight responses to the follow-up survey, with one person indicating that he/she had previously sent in a completed survey. Thus, a total of nine usable surveys were received in response to the second wave of mailings.

The use of Dallas County Collections Department envelopes and letterhead had a positive impact in increasing the number of responses to the survey.

On February 13, 2002, OCA sent a third wave of surveys to the 34 persons who participated in the FMC Program and paid their fines, fees and costs in full during the period September 1, 2001 through December 31, 2001. Six responses to the original letter were received. Follow-up letters were sent on March 5, 2002 to remind those individuals who had not responded to do so. Four responses were received. Thus, a total of ten responses were received.

Non-Participant Survey. Three waves of surveys were sent to individuals who were referred to the FMC, but opted not to work with the FMC. The purpose of the survey was to determine why defendants chose not to participate in the program, what improvements can be made to increase participation, and whether the program should be continued. On April 4, 2001, OCA sent the first wave of surveys to the 24 persons who were referred to the FMC during the October 1, 2000 to February 28, 2001 period. Follow-up letters were sent on April 17, 2001 to remind those individuals who had not responded to do so. A total of 13 responses were received, but three had to be excluded because the respondents claimed that they had not heard of the FMC Program when Collections Department records showed that they were referred, counseled, and offered an opportunity to participate in the program. Thus, a total of 10 usable responses were received.

On September 10, 2001, OCA sent the second wave of surveys to the 186 defendants who were referred to the FMC between March 1, 2001 to August 31, 2001, but declined participation in the FMC Program. The response rate to the non-participant survey was similar to that of the participant survey sent on September 6, 2001 – OCA received six responses to the non-participant survey, and 11 surveys were returned because the defendant no longer resided at the address to which the survey was sent.

As with the participant survey, follow-up non-participant surveys were sent, on November 19 and 20, 2001, in Dallas County Collections Department envelopes and the accompanying cover letters were printed on Dallas County Collections Department letterhead. OCA received a total of 42 responses to the follow-up mailing of the survey, but six had to be excluded because the respondents claimed that they had not heard of the FMC Program when Collections Department records showed that they were referred,

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

counseled, and offered an opportunity to participate in the program. Thus, a total of 42 usable responses were received in response to the second wave of mailings.

On February 13, 2002, OCA sent a third wave of surveys to the 111 non-participants who were referred to the FMC between September 1, 2001 to December 31, 2001, but declined participation in the FMC Program. A total of 10 responses were received. Because a sufficient number of survey responses had been received from non-participants from all the mailings to date, OCA decided not to send a follow-up letter to those individuals who had not responded to the original letter sent in the third wave.

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

COLLECTORS' SURVEY

USAGE

1. How frequently do you refer a client to the Dallas County Financial Management Counseling (FMC) Program?

☐ More than 5 times a week (**Skip To Question 3**)
☐ 2-5 times a week (**Skip To Question 3**)
☐ Once a week (**Answer Question 2**)
☐ Occasionally each month (**Answer Question 2**)
☐ Haven't referred anyone yet (**Answer Question 2**)

2. If you answered "once a week," "occasionally," or "haven't referred anyone yet," which of the following is the reason(s) that you did not make referrals frequently?

(Check All That Apply)

☐ Not sure which defendants are the most appropriate for the FMC Program.
☐ Unclear as to what the objectives or goals of the FMC Program are.
☐ Referral requirements are too burdensome.
☐ Lack confidence in the Financial Management Counselor or Program to effectively assist defendants in the payment of their fines and court costs.
☐ Other, Please specify:

3. Were the purpose, objectives and referral procedures of the FMC Program adequately explained to you?

☐ Yes (**Skip To Question 4**)
☐ No

If you answered "No" to the question above, please briefly explain what things you are unclear about:

4. Do you believe that you have a responsibility to ensure the success of the FMC Program by making referrals to the Financial Management Counselor?

☐ Yes
☐ No

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

5. How motivated do you think the other collectors are to see the project succeed?

- ☐ Very motivated
- ☐ Somewhat motivated
- ☐ Not very motivated
- ☐ Not at all motivated

PERCEPTION

6. If a defendant chooses **not** to work with the Financial Management Counselor, which of the following is the reason(s) you think they decided not to participate in the program? (**Check All That Apply**)

- ☐ They did not feel comfortable talking about their personal finances with the Financial Management Counselor.
- ☐ They did not want the Financial Management Counselor to contact their creditors because they did not want them to find out about their legal problems.
- ☐ The FMC Program is not explained in enough detail for the client to feel comfortable.
- ☐ They feel that they could pay their court-ordered fines and fees without the assistance of the Financial Management Counselor.
- ☐ Other, Please specify:

7. To what degree did the Financial Management Counselor help the client to temporarily resolve their credit problems so they could pay their court-ordered fines and fees? (**Please Check Only One**)

- ☐ Extremely Helpful
- ☐ Somewhat Helpful
- ☐ Not Very Helpful
- ☐ Not Helpful at All

OVERVIEW

8. What do you consider the **strengths** of Financial Management Counseling Pilot Project to be?

9. What do you consider the **weaknesses** of Financial Management Counseling Pilot Project to be?

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

10. On a scale of 1 to 5 (where 1 represents very low value and 5 represents very high value), how would you rate the overall value of the FMC Pilot Program in providing defendants assistance with their personal finances so as to enable them to make payments to the courts and their creditors?

☐ 1- Very low value
☐ 2
☐ 3
☐ 4
☐ 5- Very high value

11. Would you recommend continuing the program after the pilot project is over?

☐ Yes
☐ No

EMPLOYMENT DEMOGRAPHICS

12. How long have you worked for the Dallas County Court Collections Department?

☐ Less than a year
☐ 1-2 years
☐ 3-5 years
☐ 6-9 years
☐ More than 10 years

13. Overall, how satisfied have you been working for the Dallas County Court Collections Department?

☐ Very satisfied
☐ Somewhat satisfied
☐ Neither satisfied or dissatisfied
☐ Not very satisfied
☐ Not at all satisfied

**Thank you for completing the survey. Your input is very important to the project.
Please return the survey in the enclosed self-addressed, stamped envelope.**

PARTICIPANTS' SURVEY

Confidential. Please do not sign your name.

For each question, please check the ONE answer which best reflects your opinion.

1. Did you participate in the Financial Management Counseling Program?
☐ Yes, I worked with the Financial Management Counselor.
(Skip To Question 3)
☐ No, I chose not to work with the Financial Management Counselor.
(Answer Question 2 ONLY)

2. If you chose not to work with the Financial Management Counselor, which of the following was the main reason you decided not to participate in the program? **(Please Check Only One)**
☐ I did not feel comfortable talking about my personal finances with the Financial Management Counselor.
☐ I did not want the Financial Management Counselor to contact my creditors because I did not want them to find out about my legal problems.
☐ The Financial Management Counseling Program was not explained to me in enough detail for me to feel comfortable with it.
☐ I felt that I could pay my court-ordered fines and fees without the assistance of the Financial Management Counselor.
☐ Other, Please Specify:

3. To what degree did the Dallas County Financial Management Counselor help you to temporarily resolve your credit problems so you could pay your court-ordered fines and fees? **(Please Check Only One)**
☐ Extremely Helpful
☐ Somewhat Helpful
☐ Not Very Helpful
☐ Not Helpful at All

4. How did your feelings toward the justice system change (if at all) after working with the Financial Management Counselor? **(Please Check Only One)**
☐ I now feel more positive toward the justice system.
☐ My feelings toward the justice system have not changed.
☐ I now feel more negative toward the justice system.

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

For each statement, please circle only ONE number which best reflects your opinion.

5. Please rate the degree to which you agree or disagree with the following statements related to your experiences with the Dallas County Financial Management Counseling Program?

	Strongly Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Strongly Disagree
a. I feel that I was treated fairly and professionally by the Financial Management Counselor.	5	4	3	2	1
b. The Financial Management Counselor helped me to understand my responsibilities and the consequences of my actions, including noncompliance with the court order.	5	4	3	2	1
c. The Financial Management Counselor was very knowledgeable about financial matters.	5	4	3	2	1
d. I do not feel that the Financial Management Counselor spent enough time with me to help me resolve my situation.	5	4	3	2	1
e. I felt comfortable that the Financial Management Counselor would handle my confidential financial information responsibly.	5	4	3	2	1
f. I would not have been able to make my required payments to the Collections Department without the assistance of the Financial Management Counselor.	5	4	3	2	1
g. After being counseled by the Financial Management Counselor regarding my personal finances, I feel that I will be better able to manage them in the future.	5	4	3	2	1

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

	Strongly Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Strongly Disagree
h. I would recommend the Financial Management Counseling Program to others who are in my situation.	5	4	3	2	1
i. I did not feel comfortable having the Financial Management Counselor contact my creditors.	5	4	3	2	1
j. My financial situation was positively impacted by my experience with the Financial Management Counselor.	5	4	3	2	1
k. I had to wait too long to see the Financial Management Counselor.	5	4	3	2	1
l. I feel that the Financial Management Counseling Program should be a permanent part of the Dallas County Collections Department.	5	4	3	2	1

**Thank you for completing the survey. Your input is very important to the project.
Please return the survey in the enclosed self-addressed, stamped envelope.**

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

NON-PARTICIPANTS' SURVEY

Confidential. Please do not sign your name.

For each question, please check the ONE answer which best reflects your opinion.

1. Did you participate in the Financial Management Counseling (FMC) Program?
☐ Yes, I worked with the Financial Management Counselor and, with his assistance, completed payment of all my court-ordered fines and fees.
☐ Yes, I worked with the Financial Management Counselor, but I have not completed payment of my court-ordered fines and fees.
☐ Yes, I originally chose to participate in FMC Program, but later, I decided not to continue to work with the Financial Management Counselor.
(Answer Question 2 and Question 3)
☐ No, I chose not to work with the Financial Management Counselor.
(Answer Question 2 and Question 3)

2. If you either decided "**not to continue**" or "**chose not**" to work with the Financial Management Counselor, which of the following was the main reason for your decision? (Please Check Only One)
☐ I did not feel comfortable talking about my personal finances with the Financial Management Counselor.
☐ I did not want the Financial Management Counselor to contact my creditors because I did not want them to find out about my legal problems.
☐ The Financial Management Counseling Program was not explained to me in enough detail for me to feel comfortable with it.
☐ I felt that I could pay my court-ordered fines and fees without the assistance of the Financial Management Counselor.
☐ Other, Please Specify:

3. If you either decided "**not to continue**" or "**chose not**" to work with the Financial Management Counselor, do you think the Financial Management Counseling Program is a worthwhile program that should be available to those who choose to use it?
☐ Yes
☐ No

**Thank you for completing the survey. Your input is very important to the project.
Please return the survey in the enclosed self-addressed, stamped envelope.**

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

JUDGES' SURVEY

1. In your opinion, how important is compliance with the court-ordered payment of fines and court costs?
☐ Extremely Important
☐ Very Important
☐ Somewhat Important
☐ Not that Important
2. What role do you feel the judge should play in the criminal collections process?
☐ Large Role -- Judge is involved in every aspect of the criminal collections process (i.e., establishes independent collections policies and procedures for his/her court).
☐ Moderate Role -- Judge relies on established procedures and programs, but is **readily available** to intervene whenever collections problems or issues arise.
☐ Limited Role -- Judge relies on established programs and procedures, and becomes involved **only** when the established collections process has been exhausted and judicial intervention is required (e.g., probation revocation or issuance of *capias pro fine*).
☐ All of the above -- appropriately applied on a case by case basis.
3. What do you believe is the greatest problem faced in attaining successful compliance with court-ordered fines and court costs?
☐ Defendants' lack of financial resources
☐ Defendants' poor management of financial resources
☐ Defendants' problems of drug addiction
☐ Defendants' apathy
☐ Other, please specify:

4. How familiar are you with the Financial Management Counseling Program?
☐ Very familiar
☐ Somewhat familiar
☐ Slightly familiar
☐ Not familiar

APPENDIX B: SURVEY METHODOLOGY & INSTRUMENTS

5. *The Financial Management Counseling Program assists defendants who are "at-risk" of nonpayment of fines by working with the defendants' creditors to delay or reduce monthly payments so they can pay their fines and court costs in full. What are your feelings about providing this type of service to defendants who may have sufficient resources to pay either their bills or their fines and court costs, but may have difficulty handling both at the same time?*
- _____ Great idea
_____ Good idea
_____ Fair idea
_____ Bad idea
6. Do you consider this a worthwhile program that should continue?
- _____ Yes
_____ No
7. Would you support this project even if only a few defendants participated and successfully completed the program?
- _____ Yes, regardless of whether the program paid for itself
_____ Yes, but only if the program paid for itself
_____ No
8. Based on your knowledge of and/or experience with this program, would you recommend it to other jurisdictions?
- _____ Yes
_____ Maybe, with a little more exposure to it.
_____ No
9. Have you had any feedback from defendants or others about the Financial Management Counseling Program?
- _____ I have had *positive* feedback.
_____ I have had *negative* feedback.
_____ I have had both *positive and negative* feedback.
_____ I have had *no* feedback on the FMC Program.
10. Please detail the positive and/or negative feedback that you have received:
11. Please provide any additional comments, concerns, or suggestions that you may have about the Financial Management Counseling Program:

**Thank you for completing the survey. Your input is very important to the project.
Please return the survey in the enclosed self-addressed, stamped envelope.**

APPENDIX C: INTERVIEW QUESTIONS

INTERVIEW QUESTIONS FOR JUDGES AND COURT SUPPORT STAFF

1. In your opinion, how important is compliance with the court-ordered payment of fines and court costs?
2. How would you describe your role, if any, in the criminal collections process?
3. What do you believe is the greatest problem faced in attaining successful compliance of court-ordered fines and court costs?
4. How familiar are you with the Financial Management Counseling Program?
5. What are your feelings about providing this type of service to offenders who may have sufficient resources to pay either their bills or their fines, but not both?
6. Do you consider this a worthwhile project that should continue?
7. Would you support this project even if only a few offenders participated and successfully completed the program?
8. Have you had any feedback, positive or negative, about the Financial Management Counseling Program?
9. Based on your knowledge of and/or experience with this program, would you recommend it to other jurisdictions?
10. Do you have any comments, concerns, or suggestions about the Financial Management Counseling Program that you would like to see addressed?

APPENDIX C: INTERVIEW QUESTIONS

INTERVIEW QUESTIONS FOR SELECTED PARTICIPANTS

1. Can you briefly describe the events that led to your appearance in court and ultimately the collections department?
2. Do you feel you were treated fairly in court?
3. How were you made aware of Dallas County's Financial Management Counseling Program?
4. This is a completely voluntary program. Why did you choose to participate?
5. How did the Financial Management Counselor assist you so that you were able to pay your court-ordered fines and fees?
6. Did the Financial Management Counselor appear knowledgeable about financial matters?
7. How comfortable were you discussing your personal finances with the Financial Management Counselor?
8. Do you feel the Financial Management Counselor treated you fairly and professionally?
9. Do you feel that you could have successfully paid your fines and fees without this assistance?
10. Do you feel this experience has assisted you in anyway in dealing with your personal finances?
11. Have your feelings toward the justice system changed since working with the Financial Management Counselor?
12. Do you believe this is a worthwhile program that should continue?
13. Do you have any comments, concerns, or suggestions about the Financial Management Counseling program that you would like to share?