

Best Practices for the Collection of Traffic Fines in the Edmonds Municipal Court

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IV. ABSTRACT

The collection of overdue fines in state courts throughout the United States is a complex problem. Significantly, large overdue balances on many state courts' books present an ineffective judicial system to legislators and to the public. The cost of justice is extremely high and requires considerable expenditure of public funds. This project will identify a variety of techniques and tools that can be used by the courts to collect traffic fines.

In Washington, the local and state governments are responsible for paying the cost of adjudicating most legal controversy arising from violations of city ordinances and state statutes, c.f. Revised Codes of Washington State (RCW) 3.46.030 statute.¹ A small percentage of these costs are recouped through payment of fines by the assessed defendants, who are convicted of a crime or found responsible for an infraction.

The goal of this project is to pinpoint procedures which courts can legally use to collect traffic fines. One objective is to identify techniques that can be used to encourage defendants to pay their fines on, or before, the due date. Another objective is to link special methods that are used by the private sector to procedures that can be used by all courts. The final objective is for trial courts in other states to be able to use this research paper as a reference tool.

Various methods were used to complete this project. Data was collected and analyzed from the Edmonds Municipal Court to determine the history of this specific court's methods of

¹ It should be noted that when deciding what government agency has jurisdiction over a case the 2000 Revised Codes of Washington (RCW) can be used as a guiding tool. RCW 3.46.030 Jurisdiction: A municipal department shall have exclusive jurisdiction of matter arising from ordinances of the city and no jurisdiction of other matter except as conferred by statute.

collecting of fines. A seminar titled “How to Legally Collect Accounts Receivables,”² was attended in order to explore the collection policies and procedures used by the private sector. It was discovered that the private sector uses special techniques and tools such as Day Sales Outstanding (DSO), Electronic Data Transfer (EDT) and Prego Rule to collect their account receivables. The seminar further outlines a six-step system which focused on how to boost the collection of outstanding fines. This system is called the Collection Core Competencies.³

Research was done to review and carefully compile all applicable collection rules and restrictions. An analysis was prepared on the Collection Core Competencies, and surveys were completed on the Edmonds Municipal Court’s staff and defendants. Interviews were held with administrators from the Yakima County District Court, the Okanogan County District Court, and the Poulsbo Municipal Court in Washington State. The court administrators in the District Court of Maryland in Baltimore City and the Dayton Municipal Court in Ohio were also interviewed.

This paper outlines several new procedures developed in other state courts for the collection of fines. For example, self-addressed envelopes, payment agreements, outside collection agencies, time payments, the Marshall program and 24-hour payment availability are studied for possible outcomes. Utilization of payment processes that reach into the 21st century were also identified. For example, payments accepted on the Internet, direct withdrawal, major credit card payments and bank wire transfers were studied. Clearly defined is the linking and conversion of the private sector techniques to the courts’ policies and procedures for the

² Fagan, Robert. “How to Legally Collect Accounts Receivables.” Seattle, 2000.

³ Fagan, Robert for Padgett Thompson: Collection Core Competencies— a six step system.

collection of overdue fines. Attachments to this paper include relevant pamphlets, reports, proposals, names, addresses and phone numbers of resources.

In traffic cases, which were reviewed for this project, judges order the imposition of sentences usually consisting of a monetary penalty. The court is responsible for ensuring that all judicial orders are enforced. Therefore, overdue fines are orders from the court that are not in compliance. The problem is widespread and has negative feedback on the court. After extensive research, the writer found there were some favorable collection techniques and tools already developed. When courts consider using any of these methods, they should first complete a study to determine which technique would be the most successful, the least expensive and the easiest to implement. Consequently, this paper outlines special methods already being used to collect overdue accounts by private businesses and state courts. It is hoped that these methods will be helpful elsewhere.

V. INTRODUCTION

A. PURPOSE

The Edmonds Municipal Court averages approximately twelve thousand case filings per year. A sophisticated computer tracks the defendants and their fines, yet significant overdue balances have not been collected. Over 40 percent of traffic violation defendants do not pay their overdue traffic fines. In response, the court needs to develop policies that encourage defendants to pay fines by the due date, implement procedures that aid the clerks in the collection of overdue fines, and adopt certain private sector methods of collecting debts. Improved understanding of bankruptcy laws by court staff will also help the court to recoup as much as possible from bankruptcy distributions. This paper will compile many techniques and tools available to court payment collectors today.

B. PROGRAM TO EVALUATE

This paper will evaluate the best practices for the collection of traffic fines in the Edmonds Municipal Court. Research was performed to calculate the number of defendants who pay their fines according to the following: without a hearing, the day of the hearing, consistent with payment agreement, after the first delinquent notice, after the collection notice, and after overdue fines are assigned to private collections agency. Reviews were performed on the ratio of debtors paying after they receive the court delinquent notice, but prior to receiving the State of Washington Department of Licensing suspension letter versus those that pay after receiving both notice and letter.

The court experimented with new procedures and techniques such as the following: the One Shot Deal Letter that recalls fines from one collection agency and assigns them to another collection agency; the Amnesty Program that recalls cases from collections if paid in full; the Personalized Letter to defendants from the court administrator advising them of the consequences of not paying fines; and self-addressed envelopes placed with all payments notices. Percentages of fines paid through the newly developed payment methods established in the Edmonds Municipal Court by way of 24-hour drop box, phone, Internet, direct withdrawal, major credit card or wire transfer were also calculated.

C. HISTORY OF THE EDMONDS MUNICIPAL COURT

Municipal Courts in the State of Washington have less jurisdiction than Superior Courts, they are established by municipalities and are sometimes referred to as “Courts of Limited Jurisdiction.” Municipal Courts handle infractions, misdemeanors & gross misdemeanors and cases arising from violations of city ordinances, and Washington State statutes that transpire within their city limits. It should be noted that to establish a municipal court the population must be less than four hundred thousand.⁴

The Edmonds Municipal Court was established in 1986. The office began in a small room with three clerks and one part-time judge. The courtroom was three blocks away from the office in a community rental hall above the Edmonds library. Twice a week the room was reconfigured to simulate the appearance of a courtroom. The control the judge had over defendants was limited by the lack of respect they felt for the courtroom. This lack of respect carried over into how defendants paid their fines. In many instances they would pay with non-sufficient funds

⁴ RCW 3.50.010, 2000.

(NSF) checks or not at all. The amount of outstanding fines was so large that in 1989 the Edmonds Municipal Court decided to use the services of an outside collection agency to collect overdue fines. The recovery rate of the collection agency was about five percent.

When the court administrator came to the Edmonds Municipal Court in 1993, effective collection procedures were not being practiced. For example, the staff filed bankruptcy papers in an unmarked box, with no intention of case follow-up. Another example of inefficient collection practices was a box full of NSF checks. In these cases, defendants had not been notified of their NSF checks, and accounts receivables were not adjusted. Also the court policy, of “pay the fine or serve a jail sentence” became a practice for the criminal traffic fines. However this resulted in costing the city more money for the use of jail space than the amount of the original fine, which the defendant failed to pay.

In 1994 a new collection agency was granted the Edmonds Municipal Court contract. The new agency, Allied Credit Collection Agency, would not only call various locations to encourage defendants to pay, but would also file civil judgments against defendants. The civil judgments allowed the agency to garnish the defendant’s paycheck. The recovery rate went up to ten percent.

In comparison with the meager beginnings of the Edmonds Municipal Court, some changes have taken place. Today the judge is still part-time, but works more hours per week, and there are six full-time employees, (one administrator, five court clerks) and four part-time employees (two file clerks, two bailiffs).

D. SIGNIFICANCE OF THE PROGRAM

The collection of traffic fines is the responsibility of the court, therefore this project is significant to the Edmonds Municipal Court. Taxpayers' money pays the expenses of the court, which is a substantial expenditure. A small percentage of these costs are recouped, through payment of fines by defendants convicted of a crime or found responsible for an infraction. The administrative responsibility of the court is to ensure accountability of the courts financial funds, which includes the collection of traffic fines.

Fines that are collected are in return recouped community funds. The fines left unpaid are idle threats, and the defendants have no reason not to break the law again.

The success of this project will reduce the overdue balances on the Edmonds Municipal Court's books, therefore reducing staff time allocated to collecting delinquent accounts. This will reduce the cost of postage and stationary for mailing delinquent notices. It will partially reimburse the taxpayers for expenditures they have incurred.

E. GOALS OF THE PROGRAM

The project has a number of goals but the most important is to reduce the number of new fines added to the books as delinquent fines each month. In the State of Washington when a traffic fine is not paid, the court notifies the Department of Licensing. In 30 days the Department of Licensing then suspends the driving privileges of the defendant until the court notifies them that the fine has been satisfied. Therefore, by reducing the number of newly added delinquent fines, a successful project will reduce the number of drivers driving on a suspended license. In the State of Washington this is a criminal offense with a penalty of up to \$1,000 and up to 90 days in jail. This creates another fine the defendant most likely will not

pay. Other goals of this project are to increase the amount of fines recouped; to pinpoint procedures any court can legally use to collect traffic fines; and to create a reference tool for the Edmonds Municipal Court clerks to clearly understand the skills for collecting overdue fines. A more informed staff is a more productive staff.

F. MEASURABLE OBJECTIVES

The success of this project will result in reducing the rate of increases to the overdue balances on the Edmonds Municipal Court's books, recouping traffic fines, and reducing staff time allocated to the collection of overdue fines. The community perception of the Edmonds Municipal Court will be more positive, and defendants will perceive that the court enforces court orders and also aids them in satisfying their outstanding debts. Many procedures must be measured in order to determine if the project is successful. Each topic is listed below will result in measurable success goal. These topics will be further discussed in the methodology section.

The project started in January 2000. Information was gathered from a computer query to collect the Edmonds Municipal Court statistics on traffic infractions and their related fines. Percentages were calculated by using traffic infraction tickets filed in the Court in September, October, and November of 1999. The writer decided to investigate some procedures used by the private sector. Therefore, the Court sent a representative to attend a seminar geared toward the private sector on the collection of account receivables. The desire was to develop similar operational programs that could be used to collect outstanding court fines. A series of letters were sent to defendants in hope of encouraging them to pay their overdue fines. Studies were performed to improve court policies, procedures, and methods of accepting payments. An ad was placed in the local newspaper to encourage defendants with fines assigned to collections,

to pay. The expectation was that defendants with old cases would take the opportunity to pay their fines. A questionnaire was given to the court staff to get their personal thoughts on traffic fines and the court's requirement to collect them. A survey was given to the court's defendants to get a perception of what the defendants' ideas are about their fines and about the Edmonds Municipal Court. At the end of the project, to measure the results, calculations were taken on traffic infraction tickets filed in the Court in September, October, and November of 2000 and compared to the 1999 percentages.

The final portion of this project was to improve some of the previously existing procedures. The writer researched the number of cases affected by bankruptcy filings in the Edmonds Municipal Court. The checks returned each month as non-sufficient funds were reviewed and a guideline procedure developed.

VI. LITERATURE REVIEW

The following are summaries of reference materials that were researched while the project was being completed. The headings represent some of the key ideas that were reviewed in the materials.

A. ENHANCING THE COLLECTION OF FINES AND FEES

There was a review of a research project prepared for the National Center for State Courts by a team of project consultants and James D. Thomas.⁵ This project provided useful information about various methods of fine collections, and its uses. The money from improved collections was used to support the Mecklenburg County school board. A special fine collection program was developed to enhance the collection of fines in the Mecklenburg County Courts. A fine collection coordinator was hired, whose job was to develop procedures that would increase the number of defendants paying fines, (including fines on installment payments), and to reduce the number of “failure to pay” offenders.

The project was started by charting behavior patterns of the past history of collections in the Mecklenburg County Courts. Current procedures were analyzed, along with computer capability and resources. Interviews were held with judges, clerks, and administrators to determine the collection goals. The results of the study showed that the program cases were higher than the non-program cases. Yet, the offenders indicated the hardship of paying at their court sentencing date, therefore the program cases were more difficult to collect.

The project cited a ruling from the North Carolina Supreme Court; this ruling was reviewed for clarification. In *Tate v Short*, it was ruled that it is unconstitutional for a state to

jail an indigent defendant for defaulting on a court ordered payment, when the original conviction had been for an offense punishable only by a fine.⁶

After reviewing this project, it was determined that the goals for the Mecklenburg County Courts were similar to the goals of this paper. These goals are to reduce the number of “failures to pay” and increase the collection of fines. The Mecklenburg County Courts project was highly effective, as it presented a starting point for this study.

B. INTERNET PAYMENT

Research for payment via the Internet involved studying a project prepared by Patricia Nolte for the National Center for State Courts.⁷ The main theory for this project was to determine if the court could develop new avenues for accepting payments via Internet, computer banking, or telephone. The focus also was to develop new payment options such as the acceptance of credit cards, which was considered but denied, due to the city’s policy of not taking credit cards. Included in Ms. Nolte’s project is an interview she held with the Seattle Municipal Court concerning how they accept payments via the Internet. She indicated that the results of her project proved that not enough defendants are using the Internet for payments, to make the cost of implementing the project cost effective. However, even after reviewing the decision regarding the Kansas City Municipal Division, it was decided that the Edmonds Municipal Court should still develop Internet capability for future use and also should enhance the acceptance of credit cards.

⁵ Thomas, James D., and Project Consultants, for the National Center for State Courts. “Enhancing the Collection of Fines and Fees in Mecklenburg County, North Carolina.” May 1999.

⁶ Tate v. Short, 399 US 925 (1970).

C. COLLECTION ISSUES AND SOLUTIONS

A handbook⁸ found in the library of the National Center for State Courts, proved to be helpful in preparing for this project. The resources a court needs to develop an enhanced program to collect fines, and the commitment to follow the court's philosophy was outlined in the handbook. The handbook was used as a checklist when researching the best practices for the collection of traffic fines.

D. INTERNAL CONTROL

Although collecting fines is important, it is equally important to protect the funds from fraud or theft. Therefore, a publication⁹ on internal control procedures, that is housed in the library of the National Center for State Courts, was put to use. This publication was reviewed for the procedures used for collecting fines, and these procedures were compared to those practiced at Edmonds Municipal Court. For example, the separation of fiscal duties between clerks and a manager who is alert to uncommon patterns, are useful tools that can cut down on fraud or theft. An example is, one employee opens the mail, while another receipts it. In addition, the Edmonds Municipal Court needs to monitor the automated payment system and credit card payments to develop appropriate security procedures.

⁷ Nolte, Patricia, for the National Center for State Courts. "A Plan for the Kansas City Municipal Division to Accept Internet Payment Request." May 1999.

⁸ Matthias, John T., Gwendolyn H. Lyford, and Paul C. Gomez. Current Practices In Collecting Fines And Fees In State Courts: A Handbook Of Collection Issues And Solutions.

⁹ Tobin, Robert W., Internal Control Of Court –Collected Funds.

E. STATE AS A COLLECTION AGENCY

Nial Raaen wrote an article¹⁰ that effectively addressed the issue of a state as a collection agency. The article pointed out that still another state was having problems collecting overdue fines: this was the state of Michigan. The Michigan legislators passed a law, which allowed the courts to collect overdue fines through the Department of Treasury. The Treasury Department added to all fines past due by more than fifty-six days a 20 percent penalty, and intercepted the State Tax refunds of offenders with overdue fines in the program.

At the end of each fiscal year the Treasury Department deducts expenses and remits the balance of fines collected to the courts. The results for this program were successful, but most of the success came from the postcard notification the courts sent to offenders. The direct payments to the courts exceeded the intercepted payments through the Treasury Department.

F. COLLECTION PROJECT

An article entitled “Collection Projects Spur Compliance”¹¹ was also reviewed. The Washington State legislators passed a law that allows Superior Courts to send outstanding fines to an outside collection agency. The article was helpful in identifying debts that can be assigned to collection agencies.

G. BANKRUPTCY

Intensive research was performed in two journals¹² concerning bankruptcy. The research provided a better understand of the different types of bankruptcies and the effects

¹⁰ Raaen, Nial. “The State as a Collection Agency: An Evaluation of the Michigan Treasury Interception Program.” 1996.

¹¹ Sonntag, Alison. “Collection Projects Spur Compliance.” 1998.

they have on state courts. The articles clearly identify the required standards the court must meet, and gives definitions for some major bankruptcy terms (see finds.)

H. FACILITY FINANCING

The Edmonds Municipal Court is presently in a new facility that was built in 1999 that was funding by the citizens of Edmonds. A journal article from the National Association for Courts Management publication,¹³ was a guide in helping the court recover some of the expense of building the new facility. The article was also effective in outlining how the collection of old debts can reduce the cost of government borrowing to finance court facilities.

G. NEWSPAPER AND JOURNAL ARTICLES

The Edmonds Municipal Court is considering implementing a modified Marshal Program in 2001. This program will be modeled after one of the state courts that was interviewed.¹⁴ The program could generate additional revenue that would make it self-sufficient (see FINDINGS).

Research was conducted to assess the public's perceptions about traffic fines. Articles were reviewed on how the police generate revenue by writing tickets that strictly enforce motor vehicle laws in other states (see ADDITIONAL REFERENCES /SOURCES-page 87).

More research was preformed to see if other state courts were having problems

¹² Hughes, Jeffrey R. Honorable, Honorable Walter Shapero, Laura J. Elsele, and Barbara J Rom. "Bankruptcy Proceedings & Their Impact on State Trial Court. Proceedings." 2000.
Resnicoff, Steven H. Prof. "Bankruptcy Issues for State Trial Court Judges." 1995-96.

¹³ Tobin, Robert. "A Court Manager's Guide To Court Facility Financing." 1996.

¹⁴ Marshal Program: Warrant Enforcement Unit. Dayton Municipal Court, Dayton Ohio. Interviewees: Louis Q. Fries and John Gilson.

collecting fines (see ADDITIONAL REFERENCES/SOURCES-page 87). The findings were conclusive; the collection of court fines is a complex problem for all state courts.

Other articles were reviewed concerning speeding tickets and whether there is a deterrent effect. Research was also conducted about whether the court should assess community service instead of fines (see ADDITIONAL REFERENCES SOURCES-page 87). All of the articles helped in the development of this research project.

VII. METHODOLOGY

The writer used a variety of research designs such as questionnaires, computer queries, telephone conferencing, collecting data from a seminar, interviews, and abstracting research forms from handbooks and publications. The information was reviewed to develop an overall picture for the best practices for the collection of traffic fines.

A. PRIVATE SECTOR

According to the previously mentioned Seattle conference, the private sector usually extends a line of credit to clients with special payment terms included in the agreement. Clients whose accounts are not paid according to the predetermined agreed term are contacted immediately and reminded of the terms of contract agreement. Collectors are instructed to contact the clients when loans are 1-29 days delinquent. Everything over 30 days is already calculated as delinquent. For the Court to implement this procedure, defendants with traffic fines one to ten days late need to be contacted.

The Edmonds Municipal Court implemented notifying defendants with traffic fines one to three days late by mailing a delinquent notice to the defendants. The Court also notified Department of Licensing (DOL) one-day after the defendant's fines were overdue. To measure the success of this process, a computer query was conducted for the months of September, October, and November 2000 on traffic infraction cases. The number of defendants who paid in that period after they were sent the court's delinquent notice and DOL were notified. Calculations were performed to determine the percentage of defendants who paid (see FINDINGS).

B. METHOD OF PAYMENT

The Edmonds Municipal Court needed to accept payments in a variety of ways and move more collection practices into the 21st century. Therefore, the court developed new procedures that would allow defendants to pay by credit card, Internet, wire transfer, direct withdrawal, or 24-hour drop box. All payments received by any of the above methods for the months of September, October, and November of 2000 are calculated (see FINDINGS).

C. NEW MILLENNUM AD

The Edmonds Municipal Court placed an ad in the local paper offering defendants' amnesty for one month. If their fines were at collections and they came to the court and paid the fine in full, then the fine would be recalled from the collection agency and all collection fees would be waived. The special amnesty ad effectiveness was measured by the total amount of fines collected directly by the court, for that time period, compared to the cost of running the ad. The ad ran in the month of February 2000. Therefore, a computer query was conducted concerning infraction cases that were closed in the month of February, and a computer search was conducted by case number to determine who participated (see FINDINGS).

D. PERSONAL LETTER

The Court Administrator mailed personal letters to defendants who had overdue fines and were ready to be assigned to the collection agency. The theory is if a defendants were informed of all the consequences of letting their fines go into delinquent status, then they would want to clear up the problem. The intent of the letter was to encourage defendants to pay their fines or enter into a payment agreement. The measurement was

how many defendants responded after they received the personal letter from the court.

Letters were mailed in the months of June, July, and August 2000. The clerk to keep count of how many defendants were sent the letter and how many defendants responded (see FINDINGS).

E. ONE SHOT LETTER

Defendants with small balances assigned to the collection agency were sent a letter from the Edmonds Municipal Court informing them that if they paid their balances at the Court, their accounts would be recalled from collections and the cases would be closed. The number of defendants who responded measured the success. The One Shot Letters were mailed in the months of June, July and August 2000. The clerk kept count of how many defendants were sent the letters and how many defendants responded (see FINDINGS).

F. SELF ADDRESSED ENVELOPES

Defendants who entered into time-payments, were mailed a self-addressed envelopes with the payment statements and with the collection notices. The intent is to give defendants the opportunity to respond quickly, if provided with a more convenient mailing option. The success was measured by comparing the number of envelopes mailed, to the number of envelopes the court received back in the mail. This process was performed in the months of October and November of 2000. The clerk kept count of statements sent, and the clerk who received the mail to kept the returned envelopes in a box. The envelopes were place in order by postmark date (see FINDINGS).

G. SURVEY OF DEFENDANTS & STAFF

Edmonds Municipal Court's staff was given questionnaires to determine their stress level when attempting to collect overdue fines, and their perception of the court's policies and procedures. The Court's defendants were given surveys in order to get input on how the court can improve its collection procedures. The Court questionnaire was given to five court clerks and the defendants' surveys were sent out with the October and November 2000 time statements and placed on the Court's public counter. The answers received were then analyzed and documented (see FINDINGS).

H. OUTSIDE COLLECTION AGENCY

Many state courts in the United States, including the Edmonds Municipal Court, use the services of an outside collection agency to collect overdue fines. Defendants are sent notices that their accounts are being assigned to collections in the next 30 days. The collection agencies increase the fine and report to the credit bureau. For this study the collection agency was contacted and a request was made for the history analysis to determine the recovery rate for Edmonds Municipal Court fines (see FINDINGS).

I. INTERVIEWS

Interviews were conducted to examine how other state courts process traffic citations and collect fines. Five interviews were held with managers from five different courts. Two of

the interviews were held at courts located in other states¹⁵ while the other three were held with courts located in the state of Washington.¹⁶

The interviews concluded that each court collects traffic fines differently; therefore, a variety of policies, procedures and techniques were reviewed (see FINDINGS).

J. OTHER COMPONENTS OF THE PROJECT

Collecting traffic fines is a complex problem in the Edmonds Municipal Court and has many legal constraints. The final portion of this project was to improve some of the previously existing procedures, and gather information on new procedures other courts are using. These new innovative procedures can be tested at a later date and implemented at the Edmonds Municipal Court.

1. **BANKRUPTCY ---** Research was conducted on the number of Edmonds Municipal Court cases affected by bankruptcy filings; the results indicated that there needed to be an employee dedicated to the job of tracking bankruptcies. This employee will need a clear understanding of bankruptcy requirements, forms, and time standards.
2. **NSF CHECK ---** The checks returned each month as non-sufficient funds required a guideline procedure to follow to ensure that the books were accurate. Defendants were charged a processing fee and notified.

¹⁵ Dayton Municipal Court, Dayton, Ohio and Maryland State District Court, Baltimore, Maryland.

¹⁶ Okanogan County District Court; Poulso Municipal Court; and Yakima County District Court.

- 3. COLLECTION CORE COMPETENCIES --- The study showed that the private sector's list of collection core competencies (such as communication skills and techniques) are useful to the collection of outstanding fines. The list was studied and reformatted for use by the Edmonds Municipal Court staff.**
- 4. MARSHAL PROGRAM --- Dayton Municipal Court has on the court staff two employees with the job title of Marshal. The Marshals are responsible for contracting and arresting defendants with outstanding fines. The Edmonds Municipal Court is in favor of this program, and is looking into using a form of this program in the future.**

VIII. FINDINGS

The first part of the research was to clearly understand how a defendant is assessed a traffic fine in the Edmonds Municipal Court. The second part of the project was to document and improve the current collection procedures and how well are they working.

Previously, many traffic charges were criminal citations. The legislature subsequently decriminalized many traffic offenses, (for example, speeding, running a red light, or not stopping at a stop sign). These offenses are now called infractions and are considered civil cases. Some traffic charges are still criminal charges, such as driving on a suspended license or driving while under the influence.

A. TRAFFIC INFRACTIONS

An infraction only has a penalty amount authorized; there is no imprisonment. The State Legislature or the Washington Supreme Court establishes the fines for infractions. The cities must adopt State law and cannot increase the fines. Washington State law does not allow the imposition of court costs in infraction cases. After defendants are issued a traffic infraction, they are required to request a hearing or pay the fine within 15 days from the issuance date of the traffic infraction.

B. RESPONDING TO THE TRAFFIC INFRACTION

The defendants can respond by either mailing the green tickets to the Edmonds Municipal Court or bringing them in person to the clerk's office. They select one of the three boxes on the back of the ticket, verify their addresses, and return the tickets within 15 calendar days (see Appendix A).

If box one (1) is selected , the defendant elects to pay the amount of the penalty shown on the front of the ticket. The Court accepts personal checks payable to Edmonds Municipal Court or a personal payment agreement will be setup as needed (see Appendix B). If the defendant selects box two (2), he or she is requesting the court to schedule a mitigation hearing to explain the circumstances. If box three (3) is selected, the defendant is requesting the court to schedule a contested hearing (see Appendix A).

As previously stated, a defendant has 15 days to make a request. The provision in the law provides for two types of hearings a defendant can request: mitigation or contested.

C. MITIGATION HEARING

A mitigation hearing is where the defendant admits that he or she committed the violation, but wish to explain the circumstances of the infraction. The judge, depending on the explanation and the defendant's record, may adjust the penalty. However, the judge will not dismiss the ticket. The Court is required to forward all committed traffic tickets to the Department of Licensing and the violation will appear on the defendant's driving record. A computer query from the months of September, October, and November 2000 was conducted. The query concluded that the percentage of defendants with infraction cases who request a mitigation hearing is 34 percent. From the 34 percent the percentage of defendants that fail to appear is 27 percent.

D. CONTESTED HEARING

If the defendant believes that the violation was not committed, he or she can request that the Court set a contested hearing. Unless an officer is subpoenaed, the procedure at the hearing

will be for the judge to consider the sworn statement filed by the citing officer. Then the defendant testifies or presents evidence or witnesses. As a result of a contested hearing, the penalty may stay the same, be reduced or the ticket dismissed. A computer query was conducted during the months of September, October and November 2000 to determine what percentage of defendants with infraction cases requested a contested hearing. The study concluded this amount was is 16 percent. From the 16 percent the percentage of defendants who fail to appear is 34 percent.

E. FAILURE TO RESPOND (FTR or FTA)

The Washington State Legislature enacted a law to help courts collect unpaid fines; however, the law is different for infractions than for criminal fines. The RCW states, “ There shall be a penalty of \$25 for failure to respond to a notice of traffic infraction.”¹⁷ A \$22 state assessment is added to the \$25 making the “FTA” penalty \$47. A computer query conducted during the months of September, October, and November 2000, determined that the percentage of defendants who fail to respond and fail to appear for traffic infraction cases is 16 percent.

F. CONTINUANCE OF MITIGATION OR CONTESTED HEARING

The Edmonds Municipal Court gives ample notice to the defendants to make arrangements to appear for their hearing (30 to 120 days before hearing date). If they are unable to appear on the date of the hearing, the court allows ONE continuance. They must appear at the clerk’s office seven calendar days prior to the scheduled hearing and sign a waiver of speedy hearing. Failure to follow this procedure will result in the waiver of their

¹⁷ RCW 46.63.110(3).

right to a hearing. A committed finding is then entered, and a failure to appear penalty assessed.

G. IDENTITY THEFT POLAROID PICTURE

On many occasions the Court is informed by the defendants that someone other than themselves used their ID and it is affecting their license. An infraction ticket is on their record with the defendant being responsible by either no response, appearing at a hearing, or requesting a payment agreement. The Court has no other recourse but to dismiss the fine and ticket if the officer cannot remember what the original defendant looked like. There is no way to track the amounts of overdue fines related to these particular cases, but it is essential to try to handle this problem. Therefore, a meeting was set up with the Edmonds Assistant Police Chief and the Court Administrator for the Edmonds Municipal Court. It was concluded that when officers encounter a defendant who has no picture ID, the officers will take a Polaroid picture of that defendant (see Appendix C). The picture would be attached to the citation, then filed with the Court. Since July 2000, the Edmonds Municipal Court has received over 35 such citations.

H. VEHICLE IMPOUND

On June 11, 1998, a new impound law went into effect: vehicles may be impounded from persons driving on a suspended license. Any car that a suspended license driver is driving can be impounded, even if the driver is not the owner. The car may not be released until all the driver's tickets and impound charges are paid. When the driver's tickets and impound charges are not paid by a certain date, the towing company can sell or auction the car. If the

driver was previously convicted for driving on a suspended license, the car can be impounded and held for 30, 60, or 90 days. The effect of this law was measured in 1999 when the fines collected in the Edmonds Municipal Court increased about four percent. Fines collected in 1998 were \$1,021,464; fines collected in 1999 were \$1,061,795.

I. DEFERRED INFRACTION (see Appendix D)

The legislators passed deferred findings on infraction law in Washington State effective June 8, 2000, which allows the courts to defer the finding on an infraction case, impose conditions and an administrative court cost for one year. At the end of the year, if the defendant has met the conditions and is not responsible for another traffic violations, the ticket can be dismissed. The court monitors the case for one year, checks the defendant's driving history for no new offenses, and dismisses the case. A defendant is allowed this opportunity once every seven years for one non-moving traffic infraction and one moving traffic infraction. The Edmonds Municipal Court started this procedure in the middle of December 2000; therefore, there has not been enough time to evaluate the effect of this new law

J. SPECIAL INFRACTION; NO LIABILITY INSURANCE TICKET

If defendants are issued tickets for no liability insurance and they had insurance at the time of the issued ticket date, they may show proof of insurance to the court clerk. The clerk places a call to the defendant's insurance company to verify that the defendant was insured on the issue date of the ticket. If the insurance company indicates the defendant was insured, the defendant may pay a \$25.00 administrative cost and the charge is dismissed. If the defendant

obtained insurance after the issued ticket date, the defendant can request a mitigation hearing, a contested hearing, or pay the fine of \$480.00.

K. DEFENDANTS WHO DO NOT PAY THEIR TICKETS, REQUEST A HEARING, OR APPEAR FOR THE HEARING

A failure to pay or respond to the ticket within 15 days results in an order that the traffic infraction was committed. If a defendant requests a hearing and does not appear, a penalty will be assessed and a committed finding will be entered. When an infraction is not paid in a timely manner or a hearing is missed, a \$47.00 late penalty is added to the amount shown on the ticket. The defendant's license may then be suspended if the penalty is not paid following a notice to pay the increased penalty and the account may be assigned to a collection agency. A computer query conducted for the months of September, October, and November 2000 determined that the percentage of defendants who fail to respond and fail to appear for traffic infraction cases is 30 percent.

L. INFRACTION TIME PAY AGREEMENT

When a defendant cannot pay the fine in full on the day of the hearing or within the required 15 days, the court will enter into a payment agreement. The agreement lists the following: defendant's case number, full name, address, balance owing on the fine and signature of the defendant and court clerk. Also included in the agreement is a short description of the terms of the agreement and the consequences if defaulted. The defendant can pay in full by a designated date, or pay a set amount monthly until the fine is paid in full.

As a courtesy to the defendant, a time pay statement (see Appendix E) is mailed each month. The statement lists the current balance owed and informs the defendant that the amount reflected must be paid on or before the due date. If he or she is not able to pay as agreed, there is a one-month extension only. Failure to pay may result in the one or all of the following:

1. \$47 dollar penalty added to the fine;
2. suspension of their driving license;
3. the debt being sent to a collection agency with a 50 percent increase added to the balance.

M. TWO TYPES OF DELINQUENT NOTICES FOR INFRACTIONS

1. INFRACTION DELINQUENT NOTICE (see Appendix F)

This notice informs the defendants that they failed to respond to their infraction in the required 15 days. The court finds them committed and their penalty has increased by \$47. If not paid in full in 10 days, their licenses could be suspended and the increased debt could be sent to collection.

2. INFRACTION COLLECTION NOTICE (see Appendix G)

3. The infraction collection notice informs the defendants of the statute that gives the court the authority to send cases to collection. In accordance with RCW 19.16.500 they are hereby notified that unless the court receives payment in full within 30 days their debt will be assigned to a collection agency, at which time the debt will be increased by 50 percent and they will be liable for all collection costs.

N. CRIMINAL TRAFFIC

There are two types of criminal traffic charges: misdemeanors charges which are up to 90 days imprisonment (jail), and up to \$1000 penalty (fine) or gross misdemeanors, charges which are up to one-year imprisonment and up to \$5000 penalty. These cases can only be resolved by coming to court. If the defendant is found guilty of a criminal traffic charge, the judge will impose the penalty.

O. CRIMINAL TRAFFIC TIME-PAY AGREEMENT

When a defendant cannot pay the fine in full on the day of the hearing, the court will allow the defendant to enter into a payment agreement. The agreement lists the following; defendant's information case number, full name, address, balance owing on the fine, and signature of the defendant and court clerk. Also included in the agreement is a short description of the terms of the agreement and the consequences if defaulted. The defendant can pay in full by a designated date or pay a set amount monthly until fully paid.

As a courtesy to the defendants, a monthly time pay statement (see Appendix H) is mailed. The statement lists the current balance owed and informs them that the amount reflected must be paid on or before the due date. If they are not able to pay as agreed, there is one extension only. Failure to pay may result in one or all of the following: a warrant for defendants' arrest; suspension of their driving licenses; and the debt being sent to a collection agency with a 50 percent increase added to the balance.

P. CRIMINAL COLLECTION NOTICE (see. Appendix I)

The notice informs the defendants of the statute that gives the court the authority to send cases to collection. In accordance with RCW 19.16.500 they are hereby notified that unless the court receives payment in full within 30 days, their debt will be assigned to a collections agency, at which time the debt will be increased by 50 percent and they will be liable for all collection cost.

Q. SELF-ADDRESSED ENVELOPES

Defendants who enter into time-payments were mailed self-addressed envelopes with the payment statements. The intent is to give defendants the opportunity to respond quicker, if provided with a more convenience mailing option. Self-addressed envelopes (see Appendix J) were mailed out in the months of October and November of 2000 with the time-pay statements and the collection notices. The process was unsuccessful because 1,093 were mailed, and only 83 (7 percent) were returned.

R. SUSPENDED LICENSE BY THE STATE OF WASHINGTON

DEPARTMENT OF LICENSING

Since July 1993, the State of Washington Department of Licensing (DOL) has suspended the licenses of defendants who have failed to pay their outstanding traffic fines. DOL notifies the defendants that in 30 days from date on the notice their driving privilege will be suspended in the State of Washington. The suspension remains until the court notifies DOL that the requirements set by the court have been satisfied, or five years, has passed, which ever is longer. As a member of Non-Resident Violator Compact (NRVC) the Washington Department

of Licensing, notifies the home licensing jurisdiction of non-resident motorists. In which case, non-resident motorists may have their driving privileges suspended in their home state.

S. THE USE OF COLLECTION AGENICES

In 1982, the Washington State Legislature passed a law allowing Courts of Limited Jurisdiction to use the services of outside collection agencies to recoup overdue fines. The RCW states, “Public bodies may retain collection agencies to collect public debts.”¹⁸ They can obtain a judgement on an outstanding fine or an infraction because infractions are considered civil cases. The collection agency needs an abstract signed by the court authorizing it to file for judgement. The collection agencies have the same remedies and powers they would have available to them if the debt were assigned from a private agency. A reasonable fee, not to exceed 50 percent of the outstanding debt, can be added to the overdue fine balance and the defendant must pay any additional cost incurred by the collection agency.

Before the court can assign a debt to collections, the following requirements must be met:

1. The Court must make an attempt to advise the debtor of the outstanding fine;
2. a notice must be sent to the debtor advising him or her that the debt will be assigned to a collection agency unless the outstanding fine is paid within 30 days from the notice date; and
3. the Court must wait until the 30-day date before assigning the unpaid balance to a collection agency.

In 1990, a decision was made by the Edmonds Municipal Court to use the services of a collection agency to collect overdue traffic fines owed to the court. The awarding of the

¹⁸ RCW 19.16.500

contract was done by using the Request for Proposal (RFP) process. An ad was placed in the local newspapers for one week. On a designated date, the City of Edmonds City Clerk opened and publicly recorded all proposals received. The proposals were given to the Court administrator for review. One proposal was chosen and a contract awarded to that collection agency. While the contract is established on a yearly basis, the (RFP) is scheduled for review every third year. The Court enters into a contractual agreement. The agreement is automatically extended each year for a total of three years before another RFP is issued.

In April 1999, the Edmonds City Attorney advised the Court that it could also use Washington State contract for the services of a collection agency (see Appendix K). On December 1, 1998, Allied Credit Companies entered into a collection agency service contract with Washington State. The City Attorney prepared an addendum in May 1999, to the Washington State collection agency services contract #04198 for the Edmonds Municipal Court. Presently the court contracts with Allied Credit Companies for the services of collecting overdue fines.

T. COLLECTION CORE COMPETENCIES

On September 15, 2000, at the University Plaza Hotel in Seattle Washington the Edmonds Municipal Court sent a representative to attend a seminar taught by Robert Fagan, “How To Legally Collect Accounts Receivable,” sponsored by the Padgett Thompson Company. At the seminar the Court discovered the Collection Core Competencies utilized by many professional collection agencies. The Collection Core Competencies were analyzed and converted to procedures for the Edmonds Municipal Court. The private sector uses six Collection Core

Competencies: Preparation, Listening, Communication, Negotiation, Closure, and Follow-up.

The judicial system can apply these concepts, when attempting to the collect delinquent fines.

1. PREPARATION

A representative from the court should make direct contact with the defendants in the following ways: face to face is the most effective way of collecting a delinquent debt; telephone is the second most effective; and letter is the least effective.

2. LISTENING

Hear the message the debtor is trying to convey, not the delivery of their message. This can sometimes be difficult, because defendants are often angry and irate. The clerk will have to make an assertive effort to hear the message and not focus on the negative delivery. The defendant's tone of voice, choice of words and body language should not be taken personally. Rephrasing is one of the most effective skills a clerk may use to indicate that he or she has heard and understood the defendant.

3. COMMUNICATION

Hearing the message then relaying a message back is an important skill. Once the defendants believe that their message has been understood, then the clerk can relay a message. On some occasions the clerk will have to repeat the message and ask the defendants if they understand. In both the listening and Communication Core Competencies, there can be language barriers, so the Court should obtain the services of language interpreters when appropriate.

4. NEGOTIATIONS

An agreed upon deadline between the debtor and the creditor for payment is another important factor. The clerk can have the defendant sign a payment agreement to pay the complete debt by a certain date or to pay a set amount by a set day each month until the debt is completely paid.

5. CLOSURE

An agreement written and signed by both parties will provide necessary closure. It is important that the agreement be written to include the terms and consequences, and signed and dated by the clerk. It is also important that the defendant must have read, signed and dated the agreement. The defendant should receive one copy and a copy should be placed in the court file.

6. FOLLOW-UP

A tracking system should be developed to determine whether the agreement has been kept. When agreements are not kept the Court must immediately follow through with the consequences.

U. STRATEGIES USED IN THE PRIVATE SECTOR

1. **Day Sale Outstanding (DSO)** — This is the number of days from the date of the sale to the date the account is paid in full. This theory can also be applied to traffic fines. The average

is 45 days, and this extends from the issuance date of the citation or from the commitment date, when a defendant has requested a hearing, to the date the fine is paid in full (see Appendix L).

2. **Electronic Data Transfer(EDT)** — This is an electronic direct withdrawal from the debtor's bank account. The amount is agreed upon by the two parties and is withdrawn from the debtor's account on a certain date. This can be also applied to delinquent traffic fines. For example, the defendant would need to be committed of the traffic offense first, then the Court and the defendant would agree on a set amount to be withdrawn on a certain date each month, bi-weekly, or weekly. Each party must sign an Electronic Data Transfer Agreement.
3. **Prego Rule** — Most collectors spend 80 percent of the time to collect 20 percent of the delinquent debt. The Court can prevent spending 80 percent of court time trying to collect 20 percent of the delinquent traffic fines by running an aging account report, sorting the report by the highest balances and have the staff concentrate on collecting the highest outstanding balance accounts first.¹⁹

V. 21ST CENTURY PAYMENT METHODS

1. 24 HOUR DROP BOX

The Court had the city install a 24-hour drop box during June, 2000. After the Millennium ad, the Court realized that more defendants would have participated if the Court

¹⁹ Fagan, Robert. "How To Legally Collect Accounts Receivable." Seattle, 2000.

were open longer. To pay staff to stay in the office on overtime would be too expensive, so the drop box was installed. Each morning, two clerks open the night drop. They record payments received from the drop box and both clerks initial a form next to each item received. Citations with hearing request are pulled and set. A Count was taken on payments received through the drop box for the months of September, October and November of 2000. The payments totaled \$11, 289.60 (see Appendix M).

2. STATE LOTTERY RCW (67.70.255)

The State Lottery will pay court fines from defendant lottery winnings. The Office of the Administrator of the Courts (OAC) has entered into an interagency agreement with the State Lottery. OAC submits debt data on a monthly basis to the State Lottery for those courts who have given them permission. If a defendant wins over \$600, the court is notified. Within 48 hours the court must validate the debt by notify the State Lottery of the following: full name of defendant, social security number (SSN), the court's number, and debt date. This is a great option, but it is not in operation at the present.

3. PAYMENT BY TELEPHONE

If a request is made by telephone to pay the Court debt by credit card, the clerk taking the payment must obtain the following information: name of the person making the payment, name of the defendant (if different), credit card number and its expiration date, and the amount of the fine the defendant would like to pay. After the information is taken, the person is put on hold and the payment is approved through the credit card machine. Once the payment has been

approved, the caller is advised that the payment has been processed. If he or she would like, the authorization number is provided for the records. With telephone payments, no receipt is mailed to the defendant. This is also a good public relation tool for access to the court. A count was taken from payments received for the months of September, October and November of 2000. The payments totaled \$10,131.23.

4. PAYMENT BY INTERNET

The Court has contracted with Official Payment Corporation of San Ramon, California to receive Internet payments at no cost to the Court and a sliding scale fee for defendants (see Appendix N). The defendant links to “[www. Officialpayments.com](http://www.Officialpayments.com)” and then links to the home page of “Official Payment Corp.” The defendant can pay using any of the following credit cards: Visa, Discover, Master Card and American Express. The case number is entered and the system informs the defendant of the fee that is charge to complete the transaction. The following day, the Court is notified by email what accounts have been paid. This process started in the middle of December 2000; therefore, it is too young to evaluate an amount, but the public has another tool to use when evaluating the Edmonds Municipal Court’s accessibility. They can make use of the Internet system.

5. DIRECT WITHDRAWAL FROM CHECKING ACCOUNTS

Defendants who have had one payment agreement and defaulted are not allowed another one. Unless the defendants are willing to do monthly direct withdrawals from their bank account until the debt is paid, they must pay the account in full or be sent to collections. This process is available but has not been used as of today (see Appendix O).

6. CREDIT CARDS

The procedure for accepting credit cards depends upon whether the request is made by telephone or in person. For telephone requests, the clerk taking the payment must obtain the name of the person making the payment, the name of the defendant (if different), credit card number and its expiration date, as well as the amount of the fine the being paid. After the clerk takes the information, the caller is put on hold and the payment is approved through the credit card machine. Once payment has been approved, the caller is advised that the payment has been processed. The payer is given the authorization number for his or her records. With phone payments, no receipt is mailed to the defendant.

For credit card payment in person the card is processed on the credit card machine. The identification and/or signature of the individual is verified and the credit card machine prints two receipts, one for the court records and one for the defendant. The City of Edmonds and Frontier Bank/Citicorp Credit Card Machine has a contract for the use of a credit card machine that can process Visa and Master Cards. A count was taken on credit card payments for the months of September, October, and November of 2000. This amount totaled \$15,165.45.

7. BANK WIRE TRANSFERS

The defendants call the Court to receive the Court's bank account number and a router number. The defendants then call the bank and pay to have the bank transfer funds to the court account. The bank notifies the Court with a credit memo. The transaction is then completed and the case is closed. This process was used only twice (equaling \$622.00), during the project and that was before the Court offered defendants the chance to pay by credit card.

8. PERSONAL COLLECTION REQUEST

A letter is sent to a defendant with overdue fines after the collection notice, but before assignment to collections. The letter is personally sign by the Court Administrator at the Edmonds Municipal Court. It informs the defendant that his or her name was taken from a list of overdue accounts. The letter also informs the defendant of the consequences of driving with a suspended license, using the following statements developed by the Court Administrator (see Appendix P).

The Court reported to the Department of Licensing (DOL) your unpaid traffic fines; in return, DOL sent you a letter notifying you of the date your license will be suspended. By now you should have received that letter.

If you have not, you need to contact them directly. On June 11, 1998 a new impound law went into effect: Vehicles may be impounded from persons driving on a suspended license. While many cities opted not to enforce the law at that time, presently cities are impounding cars at a high rate.

After this the defendant is informed that his or her fine is delinquent and the license has been suspended. The concerns are that any car operated by a driver with a suspended license can be impounded, even if the driver is not the owner. The car will not be released until all the driver's tickets and impound charges are paid. If the driver's tickets and impound charges are not paid by a certain date, the towing company can sell or auction the car, and if the driver was previously convicted for driving on a suspended license, any car he or she drives can be

impounded and held for 30, 60, or 90 days. The case is then delayed from going to collections for two weeks. Three hundred fifty-seven letters were sent between August 1, 2000, and September 15, 2000 with only 41 defendants responding.

9. ONE SHOT DEAL

The Edmonds Municipal Court was previously working with two-collection agencies. A decision was made to only work with one. The cases with the prior collection agencies were recalled before sending this to the present collection agency and during the transition, the court would offer the defendant a chance to clear up outstanding fines. A letter (see Appendix Q) was sent to defendants informing them that in an effort to clean up the Court's files and help defendants to eliminate their debt, the Edmonds Municipal Court is offering a one time chance for them to make arrangements with the Court to pay outstanding traffic fines. The defendants are informed in this letter that their cases have been recalled from collections, and that all collection agency fees have been waived. The defendants are then informed that they can pay the fine in full or sign a time-pay agreement. The letter contained a list of their case numbers with outstanding fine balances with no collection fees. The letter was mailed from May 1, 2000 through May 31, 2000. Two hundred seventy-eight letters were mailed and 97 responses were received.

W. LEGAL RESTRAINTS

The Fair Debt Collection Act (FDCA), was an act passed by congress to prevent collectors from using the following unreasonable collection practices: threats; third party disclosure; communication at inconvenient times or places; harassment; false representation;

trespassing without legal authorization; intimidation; refusing to disclose identity; selling the debt with notice to debtor; public ridicule; uses of abusive language; and garnishing without prior notice or a hearing.

X. BANKRUPTCY

Numerous bankruptcy filings are having a negative impact on state courts by increasing the aging and write-offs of overdue fines. All collection attempts are stayed once a bankruptcy case has been filed with the Federal Bankruptcy Court. The amount of staff time necessary to train employees on bankruptcy policies and requirements that must be observed by state courts is difficult to recoup.

Staff time is allocated to analyze and review the cases of defendants who file for bankruptcy protection. All state court cases with outstanding balances prior to the date of the bankruptcy filing in Federal Court must be listed on the proof of claim in order for the state court to be included as a creditor. Any outstanding fines not listed on the proof of claim are not included in the bankruptcy agreement or plan, consequently their outstanding balances may be required to be written off once the bankruptcy case has been successfully completed. The collection agency needs to be notified of the bankruptcy stay and the proof of claim. In some cases courts have been sanctioned for not complying with the bankruptcy stays.

Bankruptcy is the status of a debtor who has been legally declared insolvent by a United States Bankruptcy Court. All attempts by collectors to collect on any debt that arose before the filing of the bankruptcy petition is automatically stayed. Creditors file secured claims, meaning that they own a portion of the property that can be used to secure payment of the debt, or they file unsecured claims, meaning that they are owed money from damages or an extended loan.

In some cases after the completion of the case, the debtors are discharged from their debts, enabling them to start again fresh.

Bankruptcy requirements are complex and sometimes difficult to understand. Consequently, the state court employees must be knowledgeable about Chapter 7, Chapter 11, and Chapter 13 of the United States Bankruptcy Code.

1. CHAPTER 7

Chapter 7 is a liquidation of assets and is available to individuals. A bankruptcy trustee liquidates the assets of the debtor and the creditors receive the proceeds. In exchange for the debtor's assets they receive a discharge of personal liability for pre-bankruptcy debt.

2. CHAPTER 11

Chapter 11, also known as "reorganization", is generally used for businesses however, an individual not in business; may also file. The debtor is referred to as, "Debtor in Possession" (DIP), because he or she did not liquidate the assets, but did restructure the finances. The debtor has 120 days to file a reorganization plan to pay the creditors. The court confirms the plan at a confirmation hearing. Confirmation of the plan discharges the debtor from any debt that arose before the date of confirmation. The debtor is bound to the provisions of the reorganization plan and, therefore, must make payments in accordance with the plan. If these provisions are not met, the case can be dismissed. Chapter 11 cases may continue for many years and sometimes are converted to chapter 7 "liquidation" cases.

3. CHAPTER 13

Chapter 13 is for individuals with regular incomes who secured debts of less than \$750,000 and unsecured debts of less than \$250,000 and are currently unable to pay their creditors. Under court supervision, the debtor carries out a repayment plan. Creditors are paid in full or in part through an installment plan over a five-year period. During this period creditors are stayed from starting or continuing collection efforts. If payments are made regularly the case will be dismissed.

4. BANKRUPTCIES REVIEWED ON THE INTERNET

Processing bankruptcy paperwork requires a lot of maintenance. Creditors are now able to utilize the Internet to verify if existing bankruptcy cases are still active. Currently, on www.13network.com, anyone who has previously signed an Internet Access Agreement can verify a filing date, confirmation date, and dismissal date or date of discharge. The defendant's name and bankruptcy case number is needed to access his or her case. This type of access to bankruptcy information is much more efficient than having to directly contact the Bankruptcy Court.

5. EDMONDS MUNICIPAL COURT REQUIREMENT ON BANKRUPTCIES

Upon receipt of a bankruptcy notification the following is done: the paperwork is reviewed to determine which chapter of bankruptcy has been filed. The bankruptcy notification is date stamped and a docket entry is recorded. When a "Proof of Claim" form (see Appendix R) has been filed, the clerk will complete the form and mail it back to bankruptcy court. If a case has been assigned to the collections all notices are forwarded to the collection agency. All necessary steps are taken to comply with the automatic stay. The case is tracked

for the next five years with 6-month reviews. If dismissal papers (see Appendix S) are filed, the Court will resume collection efforts. If discharge papers (see Appendix T) are filed, the Court will write off the remaining debt.

Y. INTERVIEWS

The Court Administrator from the Edmonds Municipal Court decided to investigate how three other Washington courts and two courts in different states process traffic citations and collect their fines. Interviews were conducted with managers from Yakima County District Court; Poulsbo Municipal Court; Okanogan County District Court; the District Court Of Maryland; and Dayton Municipal Court.

1. YAKIMA COUNTY DISTRICT COURT

In the Yakima County District Court the delinquent fines are processed through an in house pre-collection process for the first 30 day period following the first delinquency. There after these Court and Probation accounts are turned over to a contracted collection agency. As part of the collection contract, the agency provides credit card machines and pays the fees, provides a vaulted drop box at the front of the courthouse, provides one full time staff person for the front counter and pays rent for the office space for this staff person at the court.

The agency also provides many services for the court specified in the contract and provides staffing for these functions over and above the on-site staff person. The collection agency window is clearly marked and clients are referred to this window rather than being referred “across town” to the agency office. This process has reduced the court staff in house collections unit from 4 full time equivalents (ftes) to .5 fte. Additionally, 50 percent of the

interest collected is remitted to the court. Agency fees are added to the account and not subtracted from the original debt owed the court.

2. POULSBO MUNICIPAL COURT

The Poulsbo Municipal Court entered into a contract with an outside agency the Official Payment Corp that accepts credit cards as payment on traffic fines and any other court fines (see Appendix U). The agency charges the defendant a service fee and will take payment by phone or on the Internet. Everyday the agency reports to the court by fax the number of transactions and amount of money collected which is automatically deposited into the court's account. The Edmonds Municipal Court believed this to be an excellent idea and signed a contract with the same agency. This new contact has made Internet payments available and allows the Court to accept all major credit cards with no cost to the Court or City of Edmonds. The contract was signed in December of 2000 and availability began in January 2001. Therefore, the time span has been too short to evaluate the process.

3. OKANOGAN COUNTY DISTRICT COURT

The Okanogan County District Court decided the time court clerks were spending trying to collect overdue fines could be better spent on other court duties. The court sent a letter to all defendants, whose time payment accounts were over two years in existence, informing them they have 60 days to pay their account in full or it is sent to a private vendor. The vendor monitors the account and charges interest to the defendant. The court will only set up payment agreements for a period of two years. At the end of two years the defendant is given 60 days to pay in full or set up a new time payment with the private vendor. The vendor

charges the defendant interest on the account, which is kept by them and the court receives the full fine amount.

4. DISTRICT COURT OF MARYLAND

An officer issues the defendant a ticket (see Appendix V). The defendant signs this ticket and accepts copy of the ticket and the presented self-addressed envelope. The envelope is only to be used if the ticket is being paid and no hearing is being sought. All officers send the issued traffic citations to a central location in Maryland. The central location enters all of the citations into the computer.

When defendants mail the payments in the envelopes provided, the payment will arrive at the same central location as the citation did, and they will not need to do anything else. When the defendant mail in the payments, they have admitted guilt and their cases are closed. The infraction information is immediately sent to the Motor Vehicle Administration and points are assessed.

If the defendant does not mail in the payment within 15 days, he or she is automatically mailed a trial date. The officers give a list of available trial dates, two per month, to the court. The court is responsible for entering the officer's available trial dates into the court's computer. The scheduled dates are linked through the computer to the centralized computer list of unpaid citations. The oldest citations are given a hearing dates first. The defendant will receive a trial date within 60 to 90 days.

For the defendant to get a waiver hearing, he or she will pleads guilty and the officer does not have to appear. Those defendants who fail to appear for the hearing, will receive a letter from the court informing them that their license will be suspended. In order to get

another hearing date they will need to pay the citation in full and write a letter to the judge explaining why they missed the first court date as well as requesting another court date. The judge makes one of the following two rulings--denied, and the case is closed--granted, and the defendant is mailed a new hearing date.

The defendant can pay within 15 days in the pre-addressed envelope given to the defendant by the officer at the time the citation is issued. The defendant is required to pay the fine on the same day as the trial. When the defendant wants a payment agreement, he or she will need to make the request in court to the judge. Payment agreements are set to be paid in full within 60 days from the court date. Fines that are not paid within the first 15 days, immediately after the court hearing or with a payment agreement within 60 days from court hearing date, the court notifies the Motor Vehicle Administration (MVA) that the defendant has an overdue fine amount. They send the defendants letters informing them that their licenses will be suspended in 10 days. Any defendant charged with driving on a suspended license is charged with a misdemeanor and can be given jail time as a condition. Fines that are outstanding are sent to a State of Maryland Central Collection Unit, not an outside agency.

DAYTON MUNICIPAL COURT

The Dayton officer has the defendant sign for the citation. If the defendant wants to contest or mitigate the ticket he or she may sign on the back of the citation. The signed citation from the defendant is mailed to the court. The clerk of the court mails out court dates to defendants. At the hearing the defendants are required to show picture ID's and their driving licenses. After the hearing they are required to pay or enter into a payment

agreement. When defendants do not pay the judge orders them to appear at the court. If they fail to appear, they are found in contempt of court and a warrant is issued.

In 1989 the Dayton Municipal Court began to develop a new program called the Warrant Enforcement Unit (see Appendix W). It proposed to develop a new department that would hire retired officers and call them Marshals. The proposed program had five phases.

Phase I - Improving Defendant Demographics — All court personnel were required to obtain the following accurate information from defendants when contact was made: address, date of birth, telephone numbers, place of employment, social security numbers and any additional identifying information.

Phase II - Magistrate Arraignment — This was an action plan to reduce the failure to appear on many criminal cases. The prosecutor and public defenders negotiated charges prior to arraignment. The result was a 20 percent reduction in failure to appear.

Phase III - Fine Administration — The procedure for placing defendants on time pay plan was redesigned. A new time pay plan form was developed to include the following: collect identifying personal information; calculate a workable amount and length of time to pay that is agreed upon with the defendant and the court; and pre-set a show cause hearing court dates for all defendants to be used by defendants that do not pay as agreed. A series of letters are generated as reminders and warnings to defendants informing them of the consequences of not paying.

Phase IV - Jail Transfer Program — The Dayton Human Rehabilitation Center (DHRC) and the Montgomery County Sheriffs office developed a program to transfer non-felony defendants already arraigned but not out on bail to the DHRC. This made available to the court 20 beds per day for failure to appear arrests.

Phase V - Capias Enforcement — The Dayton Police Department was to arrest the defendants with warrants. Due to constraints in the police department their assistance was nominal. Therefore, a solution outside the Dayton Police Department was developed and implemented:

Marshal proposal - The proposal requested approval for the Court to hire two Marshals/Bailiffs to work independently, but with the cooperation of the Dayton Police on warrant enforcement. The Marshals would work out of the Court Administrator's office. The department would be named the "Warrant Enforcement Unit."

Amnesty week -Before the actual implementation of the warrant enforcement unit the Dayton Municipal Court declared a general amnesty week. The amnesty allowed all defendants with outstanding failure to pay warrants, the opportunity to pay the original fine amount without any additional warrant fees or fear of arrest. The results were 1550 warrants recalled and \$33,664 collected in outstanding fines.

In 1992 the project was implemented and administered by the Municipal Court. The approved budget was \$83,000 and included the cost of the following: two marshals, two vehicles, police radios, uniforms, and any other necessary equipment. The expectation was to collect 20 percent higher than the unit cost. Two retired police officers were hired as full-time Dayton Municipal Court employees and they were fully trained on the court policies and procedures. The two Marshals were appointed as Auxiliary County Deputy Sheriffs. This appointment allowed the two Marshals to have arresting authority. During the first-year results, the warrant enforcement unit sent out two marshals to target failure to pay cases with over \$200 in outstanding fines. Defendants were arrested at their work place to show a high profile. Defendants were only arrested when the threat of arrest failed to make them appear.

In many cases the appearance of the Marshals at home or work encouraged defendants to pay. Warranting letters (see Appendix X) stating the Marshals had been there to make arrest were left at businesses, homes and on vehicles. The Marshals attempted to resolve 3,330 warrants. Seventy-three percent of those warrants were recalled. The court collected \$142,228 of outstanding fines. The figure was 71 percent above the cost of operating the warrant enforcement unit.

The Edmonds Municipal Court considers this an excellent idea, but would need City Council approval before attempting to prepare a proposal. This is a new project that the Court will examine at a future date.

Z. DEFENDANTS QUESTIONNAIRE

For the month of October 2000 the Edmonds Municipal Court prepared a questionnaire to be completed by defendants who have outstanding fines in the court. This questionnaire was called “HELP US TO HELP YOU QUESTIONNAIRES” (see Appendix Y). The Court’s staff personally handed out 50 questionnaires to the public over the counter. The Court also mailed out 326 questionnaires. Seventeen (four percent) questionnaires were returned. The results are listed as follows:

1. Year fine was acquired	13 (<u>2000</u>)	4 (<u>1999</u>)
2. Fine is presently set on Payment Plan	14 Yes	3 No
3. Payment Plan has been reset	13 Yes	4 No answer
4. Fines assigned outside collection agency	1 Yes	16 No
5. Fines recalled from collections and paid	1 Yes	16 No (answer)

6. Saw and participated in Happy Millennium ad	1 Yes	15 No & 1 No answer
7. Court should run another recall from collections ad	11 Yes	2 No & 4 No answer
8. Have the court and clerks been helpful?	13 Yes	3 No & 1 No answer

QUESTIONNAIRE COMMENTS (Comments line left blank on seven of the returned questionnaires.)

“Your court secretary was very pleasant and easy to do business with.”

“Very polite and easy to work with.”

“Thank you everybody.”

“ I would like to find out more about this and can I have any amount deducted.”

“I really appreciate the court’s ruling on my case because I’m not working so I find it very hard to even pay \$25.”

“Thank you for helping me in my time of need, so that I was able to take care of this matter and not being able to keep court date was settled over the phone and Fax. Thank You Again.”

“The cost of appeals is to high, Even if you win, the cost of appeal means you lose. Justice made cost prohibitive is justice desired.”

“I’ve been in King County Jail since July 30th and did not know I had fines to pay. I would like to set up a payment plan, but I don’t know when I will be released from Jail. Thanks.”

“I would like to find out more about this and can I have any amount deducted.”

“Dear Thieves & Liars.

Happy holidays yourself. You are obviously running a money making business Especially with your threats of bench warrants at \$1<100.00 fee, D.L. suspension, and 50% increased to collection Agn.” “From a Tax Payer who also pays your salaries.”

SS SURVEY OF EDMONDS MUNICIPAL COURT CLERKS

The Edmonds Municipal Court has five full-time employees with each assigned a specific job responsibility. Court clerks are assigned to the following duties: data entry and hearing scheduling, recording court-room hearing proceedings, probation and in-custody hearing, receipt payments and greeting the public, and maintaining accounting records. In November 2000 the Court prepared a survey to be completed by the Court's clerks.. This questionnaire was called "EDMONDS CLERKS QUESTIONNAIRES" (see Appendix Z). Only four out of five clerks responded. The results are listed as follows:

1. Should courts be responsible for collecting fines?	4 YES	0 NO
2. Should court contract with outside agencies?	3 YES	1 NO
3. The present collection agency is doing a good job.	3 Blank	1 NO
4. Is this court working to help defendants?	4 YES	0 NO

5. The Clerks' Opinions Of The Defendants Who Have Delinquent Fines.

Think Court should work with defendants especially defendants whose drivers licenses have been affected.

Think defendants should pay the final amount or licenses revoked.

Think defendants need to keep in contact with court to clean up outstanding fines.

Think Court should help but after several chances fines should be sent to outside collection agency.

6. The Clerks' Personal Experience with the Millennium Ad.

" I thought it was a good idea and so did the def's [sic] that pd [sic]."

“Great Idea. I think that we got a lot of revenue.”

“Great! People were very receptive & pleased that we were offering them the opportunity.”

- 7. Court should run another recall from collection ad (three clerks said yes and one said no).**
- 8. Payment agreements should be: Three monthly payments, and Infractions paid in full in 60 days.**

COMMENTS

One clerk felt that the payment agreements should have a minimum payment of \$50 monthly; another clerk felt that all cases should be recalled from the collection agency. A third clerk felt that most defendants find a way to pay their fines in full, if the Court offers to pull the accounts from collections. This clerk stated. “ I have seen defendants who look like they don’t have much money come in with hundreds of dollars to pay their fines.”

IX. CONCLUSION

Judges order the imposition of sentences, which usually consist of fines in traffic cases. The court is responsible for ensuring all the orders of the judge are enforced. Therefore, overdue fines are orders from the court, which are out of compliance. Collection of overdue fines is a complex problem in state courts throughout the United States. The problem is wide spread and results in negative feedback from the public. Significantly large overdue balances on many state courts' books suggest an ineffective judicial system to legislators and to the public. The cost of running state courts has increased and the public now review state court budgets for cost efficiency. After extensive research, it was found that a variety of favorable techniques and tools already developed, could be used by state courts to effectively collect traffic fines.

Another significant problem in state courts is numerous bankruptcy filings, which result in stays that increase the aging and write-offs of overdue fines. All collection attempts are stayed once a bankruptcy case has been filed with the Federal Bankruptcy Court. State courts must remember not to be so eager to collect outstanding debts that they violate any defendant's rights, or use any illegal practice in the collection process. The state court employees, however, must be knowledgeable about the different chapters of the United States Bankruptcy Code so they do not violate any defendant's rights. Bankruptcy is a tool for the United States citizen to use to begin a new financial life. It is this type of opportunity that this country was built on, so the only thing the Edmonds Municipal Court could do was to develop procedures to monitor the bankruptcy cases to ensure that the defendant is following all the required rules. All defendants dismissed from bankruptcy court is once again liable to the Edmonds Municipals Court for their overdue fines.

Also, a significant problem is the stressful relationship between state court employees and the defendants who have overdue fines. Many of these stress related problems can be avoided by following the private sector techniques called the “Collection Core Competencies.” The state courts will need to develop procedures and key terms, which include the focus and proficiency of collecting overdue fines. They should implement in each individual court the six Collection Core Competencies of preparation, listening, communication, negotiation, closure, and follow-up when attempting to collect delinquent fines.

The best practices for the collection of traffic fines in the Edmonds Municipal Court were developed by trial and error. Various methods were used to complete this project. Data was collected and analyzed from the Edmonds Municipal Court statistics to determine the history of that Court’s collection of fines. A seminar was attended by the writer to explore collection policies and procedures used by the private sector. Research was done to review and carefully compile all applicable collection rules and restrictions. Interviews were held with administrators from two District Courts and a Municipal Court in Washington State. The court administrators in the District Court of Maryland in Baltimore City and the Dayton Municipal Court in Ohio were also interviewed. Analysis was prepared on the Collection Core Competencies. Surveys were given to the Edmonds Municipal Court’s staff and defendants.

Identity theft Polaroid picture is a best practice for officers when citing defendants without picture ID’s. The officers should take a Polaroid picture of the defendant. The picture should be attached to the citation, then filed with the Court. The costs of a Polaroid camera is less than the cost of staff time spent on identity theft.

Time pay agreement is a best practice, when a defendant cannot pay the fine in full on the day of the hearing or within the required due date. The Court can enter into a payment

agreement whereby the defendant can pay in full by a designated date, or pay monthly at set until the fine is paid in full. This way the Court will get some of the fine and defendants will perceive that Court is trying to work with them. As a courtesy to the defendants, a time pay statement should be mailed.

The 24-Hour drop box is a best practice the Court can use to receive payments, correspondence and requests for hearings. The public perceives the Court is accessible to them, which is a positive for a court in today's society. The cost is a onetime installation expense.

The use of collection agencies: The collection agency has more resources for tracking defendants and can report to the credit bureau. Many defendants need good credit to buy cars, houses, etc., and may be more likely to pay fines if their credit is threatened. When a court can use the services of a collection agency that will charge the defendant and remit the full fine amount to the court, then a collection agency is a best practice.

Credit cards are a best practice for payment of fines and can be received over the phone or in person. This process of payment is widely accepted by the private sector in order to receive payments faster. Today more people carry credit cards than money, so not accepting credit cards is like not accepting checks or cash. If a court is not interested in directly accepting credit cards, it can use the services of an outside agency that would charge the defendant a credit card fee and remit the full fine to the court.

Amnesty is a best practice program that will recoup many overdue fines and is also a good public relations tool. It should only be offered once every five years to avoid hindering the effectiveness. When amnesty programs are offered too close together, then the result each time is less effective because the defendant waits for the next amnesty before paying the overdue fine.

Collection Core Competencies is a best practice because its communication skills and techniques are useful to the collection of outstanding fines. The six Collection Core Competencies are preparation, listening, communication, negotiation, closure, and follow-up. The judicial system can apply these concepts when attempting to collect delinquent fines.

The private sector tools were easy to implement and did produce good results with little expense. For example, the Collection Core Competencies training cost was an expensive program, but was accomplished by paying the cost to train one employee, and having the employee in return train the rest of the staff. The cost of training one employee was less than the cost of training six employees. The benefit to the Court from better trained employees results in the defendants' perceiving that court clerks are trying to work with them in a professional and considerate manner within the guidelines of the Edmonds Municipal Court policies.

The crowded jails are a deterrent to running a Marshal program. Warrants can sometimes encourage defendants to pay, but if the Court has no way to enforce the warrants it is an idle threat. The Court is considering implementing a modified Marshal program in 2001.

In 2000 the Edmonds Municipal Court implemented the Collection Core Competencies, developed procedures using the private sectors skills, offered defendants amnesty, mailed self-addressed envelopes to defendants with their time-pay statements and their collection notice statements and sent personalized letters. This resulted in a \$83,581 increase in the collection of overdue fines. In 1999 the court collected \$1,061,796, and in 2000 it collected \$1,145,377. This represents an eight percent increase.

The goals of the project were the following: pinpoint procedures which courts can legally use to collect traffic fines; identify techniques that can be used to encourage defendants

to pay their fines on, or before, the due date; link special methods that are used by the private sector to procedures that can be used by all courts; and the use of this project as a reference tool for other state courts. It is concluded that this project has successfully met its goals.

IV. LIST OF APPENDICES

- 27. Appendix A: Edmonds Municipal Court Ticket**
- 28. Appendix B: Payment Agreement**
- 29. Appendix C: Polaroid Picture**
- 30. Appendix D: Edmonds Municipal Court Order for a Deferred Infraction**
- 31. Appendix E: Infraction Time-Pay Statement**
- 32. Appendix F: Infraction Delinquent Notice**
- 33. Appendix G: Infraction Collection Notice**
- 34. Appendix H: Criminal Time-Pay Statement**
- 35. Appendix I: Criminal Collection Notices**
- 36. Appendix J: Return Self-Address Envelope**
- 37. Appendix K: The Collection Agency Contract**
- 38. Appendix L: Spreadsheet of Aging Cases**
- 39. Appendix M: Drop Box Forms with Case Numbers and Amounts**
- 40. Appendix N: Sample Copy of A Contract for Official Payment Corporation**
- 41. Appendix O: Sample Copy of A Blank Contract for Frontier Bank**
- 42. Appendix P: Personal Collection Request Letter**
- 43. Appendix Q: One Shot Deal Letter**
- 44. Appendix R: Proof of Claim Form**
- 45. Appendix S: Dismissal Paper**
- 46. Appendix T: Discharge Paper**
- 47. Appendix U: A Credit Card Flyer From Poulsbo Court**
- 48. Appendix V: Maryland State Infraction Citation**

49. Appendix W: Dayton Municipal Court Warrant Enforcement Unit

50. Appendix X: “Attention” Notice Handed Out By the Marshals

51. Appendix Y: The Defendant Questionnaire

52. Appendix Z: Court Clerk Survey

XI. BIBLIOGRAPHY

Black, Henry C. L. M. A. Black's Law Dictionary. St. Paul, Minnesota: West Publishing Co, 1990.

CourtCallSM. Guaranteed Revenue for the Court. Los Angeles, California: CourtCall, LLC, 1996.

Horn, Jack. and Michael Dennis. Credit and Collection Forms and Procedure Manual. New Jersey: Prentice Hall, 2nd ed. 1999.

Hughes, Jeffrey R. Hon., Hon. Walter Shapero. Laura J. Elsele. Barbara J Rom. Bankruptcy Proceedings & Their Impact On State Trial Court Proceedings. Lansing, Michigan: Michigan Judicial Institute, Regional Judicial Seminars, 2000.

Jahr, Steven E. . National Interbranch Conference on Funding the State Courts. The Court Manager. Winter 1996, Volume 11, Number 1, National Association For Court Management.

Judicial Administration Division Committee on Standards of Judicial Administration. Standards Relating to Court Organization Volume I, Standards of Judicial Administration, 1990 Edition, American Bar Association, 1974, 1990.

Landrum, Michael C.. Collecting Fines and Fees: from Concept to Reality. Williamsburg, Virginia: National Center for State Courts, 1999.

Matthias, John T. . Gwendolyn H. Lyford. Paul C, Gomez. Current Practices in Collecting Fines and Fees in State Courts. Williamsburg, Virginia: National Center for State Courts, Court Services Division, 1995.

National Center for State Courts' Collecting Fines And Fees, Williamsburg, Virginia: National Center For State Courts. Institute for Court Management, 1996.

National Center for State Courts' Managing Court Financial Resources, Williamsburg, Virginia: National Center For State Courts. Institute for Court Management, 1995.

NACM Professional Development Advisory Committee. Resource Allocation Acquisition, Budget and Finance Core Competency Curriculum Guidelines, Court Manager, Winter 1998, Volume 13, Number 1, National Association For Court Management. National Center for State Courts, Williamsburg, Virginia.

Nolte, Patricia. A Plan for the Kansas City Municipal Division to Accept Internet Payment Request . Williamsburg, Virginia: National Center for State Courts, 1999.

Raaen, Nial . The State As A Collection Agency: An Evaluation Of The Michigan Treasury Intercept Program, Court Manager, Winter 1996, Volume 11, Number 1, National Association For Court Management.

RCW 3.46.030, 3.50.010, 46.63.110(3), Revised Code of Washington . The Statute Law Committee, 2000 ed. 8 vols.

Resnicoff, Steven H. Prof. Bankruptcy Issues For State Trial Court Judges. Alexandria, Virginia: American Bankruptcy Institute, 1995-96.

Sonntag, Allison Collection Projects Spur Compliance, The Court Manager, Volume 13, Number 2/3, 1998, Williamsburg, Virginia National Association For Court Management.

Thomas, James D., Terry L. Brown, John W. Douglas, Karen Gottlieb, Willett R. Willis, and Shaun M. Zallaps. Enhancing the Collection of Fines and Fees in Mecklenburg County North Carolina . Williamsburg, Virginia: National Center for State Courts, 1999.

Tobin, Robert W. Internal Control of Court Collected Funds. Williamsburg, Virginia: National Center for State Courts, © 1995.

Tobin, Robert. A Court Manager's Guide To Court Facility Financing. Williamsburg, Virginia National Association for Courts Management, 1996.