

Court Collections

Criminal

Civil Infractions

Juvenile

Brief History of Collections

- 2004 Collections Advisory Committee convened and recommendations made.
- AO 2010-1 requires all circuit courts, circuit court family divisions, district courts, and municipal courts to have collections programs.
 - Applies to criminal, civil infractions, delinquency/NA cases and does not include civil or child support matters.
- 2015 Collections Program Status was adopted as a court performance measure.
- 2017 Collections Program Reviews by SCAO begin.

Collections Program Status

- Compliant status:
 - Court has implemented required components (1-7)
 - May also have the optional components (8-10)
- Noncompliant status:
 - Anything less than 1-7
- What does that mean?

The Components – the Musts

- 1: Staff or staff time dedicated exclusively to collections activities.
- 2: Enforcement of MCR 1.110 and communication of the expectation of payment.
- 3: Payment requirement on the day of assessment.
- 4: Application/financial statement information is verified and evaluated to establish an appropriate payment plan.
- 5: Payment alternatives such as community service are available for those who do not have the ability to pay.
- 6: Litigants are closely monitored for compliance, and actions are taken promptly after noncompliance.
- 7: Submit required receivables and collections reports to the SCAO annually.

The Components – the Mays

8: Promptly and consistently use statutorily permitted graduated sanctions.

9: Use of locator services.

10: Referral to outside agency for collections after all in-house collections efforts are exhausted.

Program Reviews

- Prior to visit, court completes checklist.
- Looking for compliance with components 1-7.
- Reviewing case files.
- Report after visit is completed.
- Update performance measures “collections” page.

Collections Expectations

- Authority for the assessment.
 - Fee and Assessment chart
- Payments are applied as required by statute.
 - Priority of payment/apply self-bond
- Collections program components 1-7 are implemented by circuit/family/district courts.
- Be prepared for ability to pay situations.

Assessments

- Fee and Assessments Tables for
 - Circuit (including FOC, Juvenile)
 - District
 - Probate
- Provides the authority for the obligations, required or discretionary, amounts, whether waivable, distribution of the funds when paid by obligor.

District Court Fee and Assessments Table

November 2017

CRIMINAL/TRAFFIC ASSESSMENTS

Assessment	Authority (MCL)	Required or Discretionary	Amount Requirements	Waivable ¹	Distribution
Minimum State Cost	769.1j(1) 769.1k(1)(a) 771.3(1)(g)	Required if two other assessments are ordered	Minimum amounts assessed per count, based upon conviction: \$50 – misdemeanor \$68 – felony	No ⁸	Justice System Fund
Attorney Fees	MCR 6.005(C) 769.1k(1)(b)(iv)	Discretionary		Yes	Funding Unit
Reimbursement	769.1f 769.1k(1)(b)(vi)	Either – as reflected in authorizing statute	Reimbursement limited to expenses specifically authorized by MCL 769.1f and 769.1g	No	Unit(s) of government named in the order
Crime Victim Rights Assessment	771.3(1)(f) 780.905	Required for felony or misdemeanor convictions	One assessment per case, based upon conviction: \$75 – misdemeanor \$130 – felony	No	90% Crime Victim Rights Fund 10% Funding Unit

Penal Fines	Underlying statute of offense 750.504 769.1k(1)(b)(i) 769.3 771.3(2)(b)	Either –as reflected in authorizing statute	As reflected in authorizing statute, including \$500 max for misdemeanor if not otherwise fixed by underlying statute of the offense (D)	No if required, otherwise yes	Statute Violation – County treasurer for libraries Ordinance Violation – 1/3 political sub. whose ordinance was violated; 2/3 funding unit
-------------	---	---	---	-------------------------------	---

Priority of Payment

- Payments on criminal/delinquency matters allocated per statute.
 - MCL 775.22
 - MCL 712A.29
- 50/50 split
 - Victim payment (CVR, Restitution)
 - Other financial obligations

Priority of Payment

\$50 PAYMENT



\$25



\$25

The 'Other \$' Bucket

1. Min. State Costs

2. Other Costs

Court costs & Atty fees

3. Fines

4. Probation/Parole Fees

5. Assessments & other payments



A note about the CCIC report and court collections

- CCIC is “Court costs imposed and collected” report.
- MCL 769.1k(8) requires the report.
- This report only addresses court costs. It does not reflect other assessments ordered on a case; it does not reflect monies collected for other assessments that are higher in priority than the court costs.

Thank you

Julia Norton

Collections Analyst

State Court Administrative Office

517-373-8995