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BEST PRACTICES FOR THE COLLECTION OF TRAFFIC FINES IN THE EDMONDS MUNICIPAL COURT

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.

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.

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 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 was 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

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

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

conversion of the private sector techniques to the courts' policies and procedures for the 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.

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