

**BEST PRACTICES FOR COLLECTING FINES AND COSTS**

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This project and its conclusions and recommendations was prepared by the author in his personal capacity. The opinions expressed herein are the author's own and do not necessarily reflect the view the Findlay, Ohio Municipal Court, its Administrator, Judges or any authority of the state of Ohio.

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## **BEST PRACTICES FOR COLLECTING FINES AND COSTS**

**David C. Spridgeon**

### **Abstract**

This project focused on the best practices for collecting fines and costs. Since the Findlay Municipal Court is in Ohio, the research needed to be tailored to fit within its jurisdictional venue. The project explored regional best practices in an effort to maximize collections with the court.

Since 2014, increased jail costs have been passed on to defendants as a court cost. This shift has caused the amount of debt owed to the court to rise dramatically. Fines and costs collections have not risen at the same rate as the debt. The court has in the past used hearings in an effort to collect, but changed course and began using a third party collection agency in 2010. The agency adds 30% to the current debt owed by defendants which in turn increases the total debt owed.

This project can positively affect the collection process for the court. It is intended to bring all staff together in an effort to send a clear, defined set of expectations for defendants to take care of the financial aspect of their debt to society. Two questions were sought to be answered:

- Is the court performing as well as it can and if not, what needs changed?
- Are we attempting to collect fines and costs in a legal manner?

The literature review revealed that there is really no magic to collecting at a higher rate. The answers lie within the defendant's ability to pay and the court's ability to convey to defendants what the expectations are along with the consequences of not adhering to those expectations.

The data gathering focused on how Findlay and four other courts performed in collections. Interviews were held with court staff in each court in an attempt to glean any information or commonality that would assist in bettering collection efforts. An interview was held with the author of the Ohio Supreme Court's bench card (see Appendix D) that is used to collect fines and costs. Lastly, an interview with the Attorney General's Office was conducted to determine its possible role in the project.

Findings in the project were not surprising. Again, there really is no magic bullet when it comes to increasing the collection rate in a court. It was determined that returning to basics and using all the available tools to do so is what really mattered. Courts that make collections a priority and are consistent in their efforts are rewarded with better rates.

Nine conclusions and recommendations are revealed as a result of this project. The recommendations are specific to the state of Ohio due to constraints of the Revised Code (see Appendix E). Each recommendation brings forth a common theme: There is an expectation of payment at time of sentencing and any deviation of that expectation must be tracked and answered for in all steps of the process. Lastly, there must be a "top down" commitment from Judge to Deputy Clerk if a court intends to be successful in advancing collection rates. It is my belief that these recommendations must work in tandem. Standing alone will not produce the affect the court desires.

## Introduction

The collection of Fines and Costs in the Findlay Municipal Court is challenging. The court currently has just over nine million dollars outstanding to date. In a court of this size, it warrants analyzing past methods of collection as well as the current. In the past, the court appeared to have collected more when Fines and Costs hearings were held with Probation Officers. In 2010, the hearings were stopped and a third party collection agency was hired. At first, collections appeared to increase. Over time, that has decreased and results are below pre-hiring of the collection agency for collection rate.

In 2014, the Hancock County Commissioners increased jail fees from \$55 a day to \$84 a day. The City of Findlay contracts the use of the jail through the Commissioners. In response, the leadership of the Findlay Municipal Court has chosen to add jail fees to the cost of convicted defendants. This addition has caused a dramatic increase in the past due amounts. Doing the math, a 30 day incarceration equals an additional \$2,520 in costs that a defendant may not have had in the past. This is important to work on as the community is due its fine money for the laws the defendants break, the court and City of Findlay needs to collect the costs in order to offset expenses for Justice in the court. The objective of this paper is to not solve the problem, rather improve the issue by analyzing this court and similar Ohio Municipal courts operations to determine two things: 1 – Is the court performing as well as it can and if not, what needs to change? 2 – Is what this court is doing to collect legal (fines and fees?) in the state of Ohio? Neither does this project address the ongoing national debate about the increases in fines and fees assigned by legislatures that are seen as

making judgments harder for defendants to satisfy. Instead, the bottom line goal of this project is to improve the effective, measurable, legal and cost effective collections of fines and costs in the Findlay Municipal Court and hope to find other such courts taking advantage of this research to improve their operations.

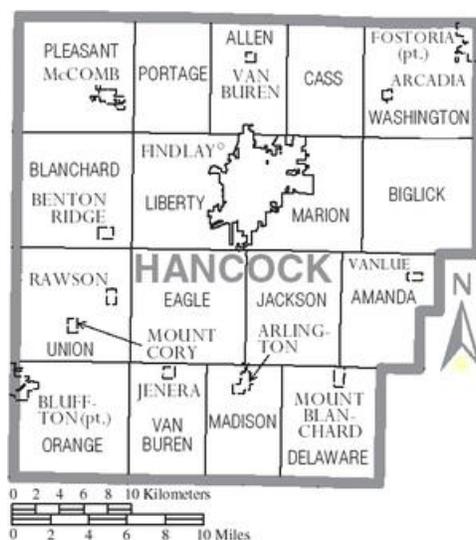
The Findlay Municipal Court is situated in the City of Findlay, Hancock County Ohio. By state Statute, County courts and Municipal courts provide the same functions, assigned to the jurisdictional area that they serve. Findlay Municipal Court serves all of Hancock County except Washington Township. Within the County, it serves the City of Findlay, Villages of Vanlue, Mt. Blanchard, Arlington, Mt. Cory, Rawson, Part of Bluffton, Benton Ridge, Van Buren, and McComb. The court was created by Ohio Legislature on May 17, 1955 by passage of Amended Substitute House Bill 504. In 1993, the Ohio 119<sup>th</sup> General Assembly passed Senate Bill 371, which authorized the election of a second Judge to the court (*Findlay Municipal Court Handbook*, 2011, p. 2).

The court is served by two full-time Judges, the Honorable Robert A. Fry, and Administrative Judge the Honorable Jonathan P. Starn. Two part-time Magistrates assist the Judges. The court has a support staff of 17 employees fulfilling roles of Deputy Clerks, Probation Officers and Bailiffs. The court adjudicates civil, small claims, criminal, and traffic cases.

The population of the City of Findlay during the last census in 2010 was 41,202. Hancock County in total in 2010 stood at 74,782. The court serves 70,342 residents as the approximately 4,440 people living in Washington Township that is served by another jurisdiction are excluded from the total.

The court's jurisdiction has major highways that run through it. Interstate 75 traverses the entirety of the center of the jurisdiction, connecting it to large cities such as Toledo, Lima, Dayton, and Cincinnati, Ohio. State Route 15 is a connection to the State Capitol, Columbus, Ohio. U.S. Highway 30 is an east/west 4 lane highway that connects Findlay to the state of Indiana. U.S. Highway 224 connects it to Tiffin, Ohio and State Route 12 connects the court to Fostoria, Ohio. These highways not only affect the court's overall business, but its ability to collect financial judgments on a population that may be just passing through.

**Figure 1. Findlay Municipal Court Jurisdiction**



The average yearly caseloads within the court the past six years were 10,813 traffic cases, 1,896 criminal cases and 2,039 civil cases. Small claims cases averaged 1,230 and the average yearly monetary distribution of those cases was \$3,333,231.00 (Beach 2012).

## **Literature Review**

The collection of Fines and costs within the traffic and criminal division of the Findlay Municipal Court needs examination. In meeting with court Leadership, it was discovered that there is a “general idea” of how well the court collects, but no empirical data has ever been extracted to make certain it is being done well enough. There is an increased expectation from the public that all government operations, including those of the courts, should be efficient, accountable, and cost-effective (Klaversma, 2009, p. 1).

### **Collection Templates, Tools and Techniques**

Collection of fines, fees and forfeitures has been seriously on the minds of court administrators for the past seventy years. One of the first contemporary studies was performed by Karen Wick in examining delinquent traffic payments (Wick, 1988). Since then there have been scores of studies dealing with the phenomenon of failure to pay (FTP). Some of the more recent ones have attempted to create templates for effective collection practices.

In “Compliance with Judicial Orders: Methods of Collections and Enforcing Monetary Sanctions”, (1991) Lynch, Brian, Brosseau, and Cole addressed the issue by determining that in Virginia, the collection policies fell into three categories: 1- Those requiring immediate payment, 2- Those allowing for deferred or installment payments, and 3- Matters of indigence. Within those three categories, the authors gave attention to the resources required, the problems with each approach and management considerations that need addressed. The second part of their research focused on

collection techniques including computerized records, telemarketing and the use of private collection agencies.

“Current Practices in Collecting Fines and Fees in state courts: A Handbook of Collection Issues and Solutions, Second edition” yields highly valuable information such as attributes of a successful collections environment, designing a court collection program, combining internal and external resources, payment options, payment alternatives, coercive enforcement measures, and use of technology (Klaversma, 2009).

Nielson and Ard in their publication “Use of Workflow Automation and Other Technologies to Improve Compliance and Collections of Court Ordered Penalties”, 2009; Claim that “lack of compliance in paying court fines and fees denies a jurisdiction revenue and, more importantly, calls into question the authority and effectiveness of the court and justice system” (Nielson, 2009).

Judge John T. Rohrs III of Defiance Ohio Municipal court has created a bench card that addresses the collection of fines and court costs. His experience lies in the enforcement of Ohio Revised Code 2947.14 (see Appendix E) which gives the authority to collect to the courts. The bench card is a quick reference guide for Judges that includes a guide for enforcing fines by imposing jail time, imposing court costs, limitations of contempt, and allocation of court costs, fines, restitution and reimbursements. It summarizes the permitted and non-permitted methods of collecting fines and costs. Included in the document are alternatives for cancellation and discharge, community service as payment and a community service schedule of served hours limitations.

“Evaluating Collection Practices in Small-Volume Texas Municipal Courts”, as researched by Bonnie Townsend (2012), has some invaluable information from which conclusions can be drawn. Townsend’s conclusions are similar to those of this paper as the courts researched are similar in size to the Findlay Municipal Court. She concluded that there needs to be staff dedicated to collections, the use of an application for an extension of time to pay and the defendant’s information being verified by staff.

The National Center for State Courts report regarding a “Study of the Effectiveness of Collections in the Florida Courts”, Raaen, Matthias, and Kim, 2012 contains information in which collected data is broken down by need and recommendations made to increase the effectiveness of collections in those courts.

The study lists the key elements of an effective collection program, including:

- Judicial and administrative support
- Clear roles and lines of responsibility
- Short time periods for compliance
- Clear expectations for compliance
- Establishment and adherence to procedures
- Goals and performance monitoring
- Immediate responses to non-compliance
- Using a range of effective sanctions
- Communication between clerks, judges, and other stakeholders

This research included a survey of clerks who, among other things noted some significant barriers to success of collection programs.

Clerks participating in the survey were asked to identify what they perceive as various barriers to success. Their responses indicated that greater coordination is needed between clerks and judges, and with other criminal justice agencies, in particular state and county probation. More robust information systems are needed in some jurisdictions to improve the efficiency of collection management and enforcement. The

responses also show that some jurisdictions have unique problems. One clerk reported that over 30 percent of the county criminal cases involve homeless individuals. Many counties have large migrant populations that pose unique challenges (Raaen, Matthias and Kim, 2012, pp.2-3.).

Some 20 recommendations were produced by this research including development of strategies such as:

- Consistent assessment practices
- Consistent enforcement practices
- Local collection policy work groups
- Local pilot programs
- Court collection plans
- Write-off standards
- Fine amnesty programs
- Credit Bureau referrals.

Additionally, the study recommended a set of important collection tools such as:

- Payment plans as a condition of probation
- Non-renewal of vehicle registration for failure to pay
- Garnishment
- Deny applications for professional licenses
- Prison account sweeps
- Denial of recreational licenses.

The full set of recommendations in this report make an excellent checklist for use in evaluating any court's collection efforts.

Past research by Laura Klaversma, 2009, indicates the states of Texas, Arizona, Michigan and California appear to excel in collections. Outlined below is what she found:

**Texas:**

- Expectation that obligations are due at the time of sentencing or pleading.
- Defendants unable to pay complete an application for extension.
- Payments plan are established for those who qualify for extension.

- Alternative enforcement options available for those who do not qualify.
- Close monitoring for compliance.
- Prompt action for non-compliance.

### **Arizona:**

- Reminder Notices.
- Delinquency notices.
- Web based and IVR credit card payments.
- Electronic skip tracing.
- State tax intercept program.
- Vehicle registration holds.
- Credit Bureau reporting.
- Outbound phone calls.

### **Michigan:**

- Orders to remit prisoner funds.
- Delinquency notification software.
- Show cause process.
- Court ordered wage assignments.

### **California:**

- Issue monthly billing statements.
- Make telephone contact with debtor.
- Issue warning letters.
- Request credit reports to assist in locating debtors.
- Access employment development department
- Generate monthly delinquent reports.
- Participate in tax intercept program.
- Use Dept. of Motor Vehicles information to locate debtors.
- Use wage and bank account garnishments.
- File liens on real property and proceeds of sale.
- File claims of objection in bankruptcy.
- Coordinate with probation department to locate debtors.
- Suspend driver's licenses.
- Accept credit card payments.
- Participate in court ordered debt programs
- Contract with private debt collectors.

The duplication seen here with the results of the Florida study shows what appears to be an increasing consensus on the menu of tools available to courts.

The Ohio Attorney General's Office has a program (see Appendix C) to enhance collection of fines and costs that includes some of the methods described above. The Findlay Municipal Court has not utilized this program. However, interviews with their staff yield some pertinent methods that may be useful to the court. The program lays out some important debt collection business rules including the ability to attach gambling winnings and state tax refunds.

Atlanta Municipal Court judge Gary Jackson took a practical approach to collections in "Collecting Delinquent Fines" (Jackson, 2011). Judge Jackson stated he is guided by three things:

- (a) You can get a judgment some of the time;
- (b) You can collect some judgments all of the time;
- (c) You cannot collect every judgment all of the time.

The Judge continues his discussion by laying out several options that are legal within the state of Georgia, but can be applicable in other states and courts. He mentions the use of a Writ of Execution, liens, driver license suspensions, garnishments of wages and bank accounts, third party collections, and seizure of state tax refunds.

### **Comparative Collection Results**

Although there is widespread interest in the collections problem there have been no comprehensive studies of the magnitude of the collections problem or national trends. However, there have been numerous studies of individual jurisdictions that can assist in identifying the results courts are getting, supplementing the research of this

project and providing the Findlay Municipal Court with additional information for answering the “How well are we doing?” question.

According to a recent NPR News investigation, 48 states have recently increased criminal and civil fees, added new ones or both.

The number of Americans with unpaid fines and fees is massive. In 2011, in Philadelphia alone, courts sent bills on unpaid debts dating back to the 1970s to more than 320,000 people — roughly 1 in 5 city residents. The median debt was around \$4,500. And in New York City, there are 1.2 million outstanding warrants, many for unpaid court fines and fees (Shapiro, 2014).

For many courts, this has exacerbated the collections problem and even resulted in charges that courts are running “debtors prisons” for those incarcerated for nonpayment of fines and fees. Nonetheless, it is instructive for present purposes to look at the collection rate experiences of other courts for comparison purposes.

## **Virginia**

According to recent information collection rates have generally gone up in the Virginia courts.

Overall, Virginia courts collected 59 percent of fines, fees and assessments that totaled \$429 million during the fiscal year ended June 30, (2015) the Compensation Board reported. That's up from 52 percent in fiscal year 2014, the low point in a three-year slide from the old pattern of collection rates that had ranged around 75 percent for most of the previous decade (Ress, 2016).

Rates ranged from a low of 43 percent in Gloucester County to a high of 70 percent in Isle of Wight County.

## **Pennsylvania**

The overall collection rates for Pennsylvania's courts are a bit higher for 2014, the most recent available year. The statewide average is 76 percent. This ranges from a low of 62.7 percent in Venango County to a high of 95.9 percent in Fulton County.

### **Brevard County, Florida**

More detail is available by looking at a single jurisdiction. In Brevard County, Florida the results for Fiscal Year 2013 were as follows for two important limited jurisdiction case types. Criminal Traffic has a performance standard for collections of 40 percent. Actual performance was 38.9 percent. Civil Traffic has a performance standard of 90 percent. Actual performance was slightly less at 80.25 percent.

### **Lockhart Municipal Court, Texas**

Townsend found that the collection of monetary penalties was 59 percent for preliminary compliance and 65 percent for overall compliance in 2007. Those numbers rose to 62 percent and 84 percent respectively in 2008 after a collections improvement plan was put in place. So, the overall compliance rate went up by 19 percent after new collection practices were put in place (Townsend, 2012).

## **Arizona Municipal and Justice Courts**

In 2007, Dybas examined the collection practices of eight Arizona limited jurisdiction courts. There were six Justice courts and two Municipal courts in the study. The average preliminary compliance rate for the eight courts was 69.7 percent. The overall compliance rate was 70 percent, ranging from a low of 60 to a high of 99 percent (Dybas, 2007).

As can be seen from these five examples, the range of court success in collecting fines, fees and forfeitures is very wide (a low of 38.9 to a high of 99 percent). However, there is also evidence from this small pool that thoughtful collection plans and strategies can have a positive impact on collection rates. All of the aforementioned literature is helpful in determining if the court can replicate these success stories or should it diverge from them, creating its own. If diverging from them, the court must be careful to do so ethically and legally.

## Methods

Two basic research techniques were used in this project: interviews with staff and organizations involved with the collection process and criminal case analysis using CourTools.

### Method 1: Interviews

#### Court Staff Interviews in Five Ohio Municipal Courts

The first general research design deployed was a structured interview administered to the employees of the Findlay Municipal Court. It was a “top down” approach intended to determine the expectations of the various work groups pertaining to the collection of fines and costs. This was done to determine if the court’s message is consistent at all levels. The Judges, Court Director, Clerk of Courts, Deputy Clerks, Probation Officers, Prosecutor and Public Defender were all surveyed, 15 people in total. This interview format had the following questions that generally follow the templates discovered in the literature review.

- What do you believe is the expectation for a defendant to pay their fines and costs once their case is adjudicated in the court?
- Who is responsible for collecting fines and costs in the court?
- How are fines and costs collected in the court? (what technology is used)
- Where are fines and costs collected in the court?
- Are any staff dedicated solely to collecting fines and costs?

- Is an application for extension of time to pay used? If so, is the information provided verified?
- Are any alternative enforcement options used (e.g., community service instead of payment)?
- What actions are taken for non-payment?
- Is a collection agency used and at what point in the collection process?
- Is the BMV registration block used?
- Are warrants issued, and if so at what point in the process?

After completing the Findlay Municipal Court interviews, similar interviews were conducted in the:

- Lyndhurst Municipal Court,
- Miamisburg Municipal Court,
- Bryan Municipal Court, and,
- Defiance Municipal Court.

This resulted in feedback from a total of five Ohio Municipal courts similar in size.

### **Attorney General's Office Interview**

This method was a structured interview with the Ohio State Attorney General's Office (AGO) posing the following questions:

- What services can the Office provide to assist the court in collecting fines and costs?
- How do they recommend fines and costs get collected?

- Are there any other effective methods they are aware of that can assist in more fines and costs collections?

The intention was to determine if there are any other ways to assist the collection of fines and costs that the court may not be aware of.

### **Bench Card Designer Interview**

An interview was held with Judge John T. Rohrs III of the Defiance Municipal Court who created a “Bench Card” (see Appendix D) that is used by Ohio Judges regarding the legal aspects of collecting fines and costs. He contributed to a team that was created by the Ohio Supreme Court for the Bench Card process. The team was assembled in reaction to an inquiry by the ACLU as part of a national program that Ohio was condoning “debtor’s prisons”. Once the bench card was created and approved, it was distributed to all presiding Judges in the state of Ohio for their use. The card provides them with guidance as to what is permitted and non-permitted legally regarding fines and costs collections.

### **Method 2: CourTools Applied to Selected Criminal Cases**

Of the ten CourTools court performance surveys developed by the National Center for State Courts, CourTools #7 addresses payments collected and distributed within established timelines and expresses a percentage of total monetary penalties ordered in specific cases. The focus of this performance measure is the extent to which a court takes responsibility for the enforcement of orders requiring payment of monetary penalties.

CourTools # 7 has eight original data elements:

- 1 – Case number
- 2 – Date of the order of sentence
- 3 – Due date for final payment of the total monetary penalty
- 4 – Total monetary penalty in the case
- 5 – Amount of total monetary penalty received (collected) to date
- 6 – Total amount of restitution ordered in the case
- 7 – Amount received that is applied by the court to restitution
- 8 – Amount of restitution received that is disbursed to victims

The final research design deployed in the five participating courts used data elements 1, 2, 4 and 5 to evaluate 20 various criminal cases from 2015. It was determined that in 20 cases there is a broad enough cross section of fines and costs structures adjudicated to serve as an adequate sample size. Elements 3, 6, 7 & 8 are not applicable to the research since the due dates for final payments are too broad among the participating courts and restitution is not a factor in the paper. Element 3 is the due date for final payment, while 6, 7 and 8 all record restitution which has no bearing on this paper.

The relevant data elements of CourTools #7 for purposes of this project are:

1. Case number
2. Date of the order of the sentence
4. Total monetary penalty in the case
5. Amount of total monetary penalty received (collected) to date

The data gathered was arrayed for each participating court so as to draw comparative conclusions about how well each court is collecting. (see FIGURE 1 on page 32)

## Findings

### Method 1: Interviews

#### Court Staff Interviews

The findings shown here are a compilation of the court staff interviewed in all five courts.

- **What do you believe is the expectation for a defendant to pay their fines and costs once their case is adjudicated in our court?**

For all surveyed staff, the general answer given was that the defendant must pay immediately. There was some give and take based on the ability to pay, but by all appearances, defendants were expected to pay immediately.

- **Who is responsible for collecting fines and costs in the court?**

The majority answered that it lies within the Clerk's Office and Deputy Clerks to make the collection effort. It was found that there was a large disparity in that Defiance and Bryan Municipal Court address collection efforts directly from the Judge's bench. Those two courts utilize a written payment agreement (see Appendix A) and a "Pay or Appear" warning card (see Appendix B) informing the defendant what penalties they could face should they not conform to their agreement.

- **How are fines and costs collected in the court?**

The answers to this question revealed a wide variety of methods. Some courts use the Ohio Attorney General's Office, some use a collection agency. Others collected by only check, Visa or Mastercard. Some would accept payment by

phone, and yet others even went so far as to have a drive up window installed, accepting every payment form including Apple Pay.

- **Where are fines and costs collected?**

This question became irrelevant as all courts surveyed collect in the Clerk's Office. After asking the question, it became apparent it has no bearing on this project.

- **Are any staff dedicated solely to collecting fines and costs?**

Two of the courts focus primarily on the Presiding Judge as the debt collector. One court deployed Probation Staff to perform "Fines and Costs Hearings". Three of them use a third party collection agency and two use the Ohio Attorney General's Office.

- **Is an application for extension of time to pay used? If so, is the information provided verified?**

Only two of the courts surveyed utilize an application (see Appendix A). None of the courts verify the information provided by the defendant on the forms.

- **Are any alternative enforcement options used?**

Two of the courts use community service as a form of payment on fines only, not court costs. Several utilize a vehicle registration block on the defendant through the Bureau of Motor Vehicles and one uses the license forfeiture as allowed by the Bureau of Motor Vehicles.

- **What actions are taken for non-payment?**

During the interviews, it became clear that courts in Ohio are somewhat bashful in taking action to collect. Recently, the ALCU challenged the Ohio Supreme

Court and more specifically Defiance Municipal Court indicating they believed these courts instituted “debtor’s prisons” by threatening defendants with incarceration for failure to pay.

- **Is the BMV registration block used?**

Most of the courts interviewed do use the block and recognize it as an effective tool. One court felt they did not have adequate staffing to submit the block requests to the Bureau of Motor Vehicles.

- **Are warrants issued, and if so at what point in the process?**

The answer to this question varied by court and the belief of the Judge. All of the courts use the above mentioned bench card. It was widely understood that warrants can issue for unpaid fines, but not court costs. Those courts that use a written payment agreement (see Appendix A) issued warrants once the defendant failed to abide by the document. All courts issued warrants for failing to appear for a fines and costs hearing, and some issued them for a general lack of payment.

### **Attorney General’s Office Interview**

The Attorney General’s Office provided the following answers to questions about their role and resources in the collections process.

- **What services can the Office provide to assist the court in collecting fines and costs?**

- By written agreement, the Attorney General’s Office (AGO) will become a third party collection agency.

- Due to a change in Ohio Revised Code 131.02 (see Appendix F), the AGO can collect debt for courts.
- All debt must be final with a minimum principal amount of \$100.00
- The AGO can collect Civil court costs, criminal court costs so long as the defendant is not incarcerated on the date the debt is certified.
- The debt must be declared final with no chance of appeal or no future changes to the amount of debt sent to the AGO for collection purposes.
- Debt would be worked for up to 150 days, unless the debtor has made payment arrangements they are abiding by.
- The AGO would assess a 10% fee to the debtor which is taken from each payment made on the account.
- If social security numbers are provided to the AGO, the debt would become subject to state income tax capture, lottery winning offset, and racing winnings offset.
- **How do they recommend fines and costs get collected?**
  - The answer lies in the Attorney General's Office Collection unit, other third party collectors, hearings, and use of the state of Ohio bench card (see Appendix D) for enforcement.
- **Are there any other effective methods they are aware of that can assist in more fines and costs collections?**
  - None were offered.

## Bench Card Designer Interview

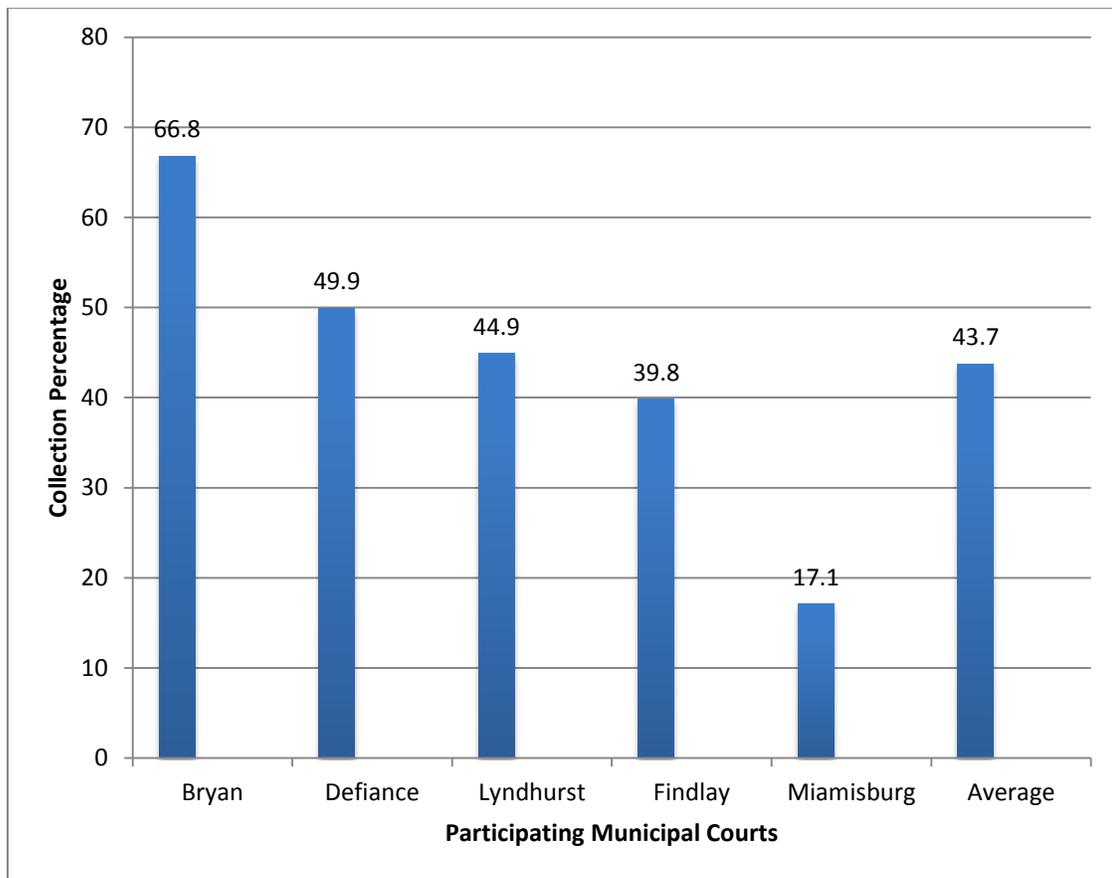
The interview with Judge Rohrs of the Defiance Municipal Court provided the most information of the whole process. Judge Rohrs co-authored the Supreme Court of Ohio bench card (see Appendix D) in 2012 for the collection of fines and court costs. He indicated the card was a needed reaction to former ACLU accusations that Ohio was deploying “debtor’s prisons”. He noted that federal law recognizes court costs as a lawful part of punishment and cannot be discharged. The Ohio Supreme Court decided the matter cannot be punished as “civil in nature”. Judge Rohrs instituted the following practices in Defiance Municipal Court:

- The Judge makes all payment plans with the defendant on the record. He decides if payments will be made weekly or monthly and the amount to be paid. He decides if he wishes to reduce the payment or garnish wages.
- The Judge handles all collections. The defendant is granted a one week continuance to pay in full, then must appear before the Judge again for further action if they fail to fulfill the obligation.
- The defendant is charged an additional \$10.00 fee to be placed on the payment plan.
- Community service is permitted to be used at a rate of \$50.00 credit per 8 hour day.
- A registration block and license forfeiture is made after 30 days of no payment.

### **Method 2: CourTools Applied to Selected Criminal Cases**

Once the data was collected from the relevant Courtools # 7 elements (1, 2, 4 and 5), it was found that the courts utilizing the payment agreement and the pay or appear notice were most effective in collections. The spreadsheets in Appendix G indicate the data collected in each court. It became very apparent that the courts who demanded payment from the bench and spoke the same language throughout the court staff were the most effective in collection. Figure 2 shows the average collection rate of the cases researched in each court as well as the average for all five courts.

**Figure 2. Average Collection Rate of Interviewed Courts**



## **Conclusions and Recommendations**

The court Interview Survey made it clear that personnel need to be dedicated to collecting fines and costs, there needs to be definite expectation with regard to the dates by which fines and costs need to be collected and an application used if an extension of time to pay is needed. Further, alternative enforcement options should be explored as well as the use of vehicle registration blocks and warrants for failure to appear for hearing. The use of CourTools #7 indicated which courts collected at a better rate which then translated to looking further at their collection methods. The interview with the Ohio Attorney General's Office opened yet another unused option for the court to legally collect. Lastly, the interview with Judge Rohrs shed much light on why the collection of fines and costs is a delicate procedure and the reasoning behind ensuring the collection is legal in nature to protect the citizens.

The findings presented in this research paper indicate that there are limited options legally and realistically. Legally, the court is bound by how fines and costs can be collected. Realistically, the court is bound by several factors such as the defendant's ability to pay, what message is provided to them upon conviction and what follow up on the debt is done post-conviction. The following conclusions and recommendations

appear to be the most efficient and complete way to collect outstanding fines and costs in a Municipal court in Ohio.

**Conclusion 1: At sentencing, payment expectations are not always clearly communicated.**

It is imperative that the defendant be addressed at sentencing and told the expectation of the court as to payment. The Judge is viewed as “the last bastion of sanity” and therefore what he states on the record stands as his final decision. If the defendant is told that the monetary penalties of the case are due at time of sentencing, the foundation gets laid for the future.

***Recommendation 1: The court must adopt a forward speaking attitude with defendants.***

The Judge should address the defendant at sentencing, informing them that the expectation of the court is that their debt to society is due in full that day. Any variance from the policy must be communicated to the defendant with a clear set of guidelines as to what and how it will be handled should they not be able to do so. Those guidelines should include the following instructions:

- On date of adjudication, all fines and costs are due.
- Should the defendant not be able to pay in full, they may request from the Judge to enter into a written payment agreement that is on the record.

- If a defendant does not pay in full within 30 days, a status conference with a Magistrate will be held to see why it is unpaid as agreed upon. A license forfeiture and registration block would be issued at this time.
- If after 90 days the debt is not settled, the cases(s) would be referred to the Ohio Attorney General's Office for collection efforts for 150 days.
- If after that period there still remains debt, those case(s) would be forwarded to a private third party collection agency for an additional 150 days.
- If after that period of time there still remains debt, the defendant would be brought before the Judge for a status conference.

**Conclusion 2: The message given by the court Staff to defendants is currently inconsistent.**

During the research, different accounts were given of how the court addresses defendants about their outstanding debt. Judges gave a different rendition of court policy from that of the Clerk of Courts, Deputy Clerks, Attorneys, and Probation Officers.

***Recommendation 2: All court Staff needs to convey the same message throughout the collection process.***

Once an established guideline is determined, all staff needs to be able to convey the message in the same manner, all the time to the defendant. No variation of the guideline should be made except by the Judge or a single designee.

**Conclusion 3: The court does not always follow the permitted methods of collecting fines and costs as prescribed by the Ohio State Supreme Court.**

The bench card that was created by Judge Rohrs defines the difference between the two:

*“Fines are separate from court costs. Court costs, restitution and fees are civil, not criminal, obligations and may be collected only by the methods provided for the collection of civil judgments. Sole authority exists under R.C. 2947.14 for a court or magistrate to commit an offender to jail for nonpayment of fines in a criminal case. An offender cannot be held in contempt of court for refusal to pay fines. Accordingly, unpaid fines and/or court costs may neither be a condition of probation, nor grounds for an extension or violation of probation.”* (see Appendix D)

***Recommendation 3: The bench card should be referenced to at all times when collecting fines and costs.***

The card is clear and easy to follow. All court staff should be copied on the card so that they have a full understanding of the legal aspect of the collection process.

**Conclusion 4: Instituting a third party collection agency assists the court.**

Throughout the research, it was found that the courts who employ a third party collection agency realize a better return. The return begins to diminish the longer the case is out from the adjudication date.

***Recommendation 4: Cases should be sent to a third party collection agency.***

This process has multiple layers. First, once the defendant has failed to abide by the court's guidelines at 90 days from adjudication, the case should first be sent to the Ohio Attorney General's Office for collection efforts for the next 150 days. The defendant would realize a 10% additional collection fee. Any remaining balance from the 150 days would be forwarded to a private contracted vendor for an additional 150 days at a 30% additional collection fee. This system gives the defendant the opportunity to pay at a lower rate with the AGO, possibly inspiring them to pay early.

**Conclusion 5: Fines and Costs collection does not always have dedicated staff.**

Simply put, Defiance and Bryan Municipal Courts have a better rate of collection due in large part to the personal contact with defendants and Judges. Findlay, Lyndhurst and Miamisburg have larger caseloads and it may be impractical for the Judges to have such contact in length.

***Recommendation 5: Dedicate staff to the collection of fines and costs.***

Whether it is a Judge, a Magistrate, or simply a Clerk who is a book keeper, it seems to make sense that having the collection effort centralized would stop any confusing messages the defendant may receive during the process. This individual would be solely responsible for ensuring the tracking of the defendants and their payments is taken care for the court.

**Conclusion 6: Accountability documents work when given to the defendant instead of oral instructions.**

Another part of Defiance and Bryan's success is the constant barrage of accountability documents they deploy upon the defendant. If a policy is handed down orally, the problem starts there. All steps in the process need to be spelled out in writing.

***Recommendation 6: Institute the Payment Agreement and Pay or Appear notice.***

Instead of re-inventing the wheel, it is the writer's obligation to inform the reader that the Defiance Municipal Court documents cover the need. These should be instituted immediately and addressed at the time of conviction. The documents located in Appendix A and B keep the financial obligation at the forefront of the defendant.

**Conclusion 7: It is not in the best interest of the court and community to use "alternative" pay options.**

The use of community service and amnesty days does not on the face of it appear to actually appease the court or its community. The defendant is assessed a financial penalty for their indifference to the law and therefore should be held accountable pay such.

***Recommendation 7: The court should not use Community service or amnesty days as a form of payment.***

**Conclusion 8: The court is not always open to accept all forms of payment available today.** Findlay limits itself to in person payments by cash, check, Mastercard and Visa only. Those courts that open all acceptable forms of payment appear to perform at a higher rate of collections.

***Recommendation 8: Explore and deploy any and all possible ways for defendants to make payment.***

The court must make the acceptance of fines and costs payments as convenient as possible.

- Accept all forms of payment: Visa, MasterCard, Discover, American Express, Apple Pay, cash, check, etc.
- Accept all forms of payment in person, by phone, by mail, by fax, by electronic means.
- Make accessible to the defendant credit card machines for their use.
- Make accessible to the defendant an alternate payment center for after-hours payments other than internet use. Possibly at the Family Center (an established central clearing house in the City of Findlay for indigent persons) or a kiosk that they could have availability to 24 hours a day, 7 days a week.

The banking industry has moved to ATM use and so should the court in some fashion.

**Conclusion 9: Not one of the above conclusions and recommendations should stand alone as a responsible form of collection.**

***Recommendation 9: The court should create a collection plan authored by all the relevant actors in the collection process.***

The major lesson from the courts described in the literature review is that collections improve when the court focuses on the process by creating, executing and monitoring a strategy for the collection process.

## References

Dybas, J. (2007). *Application of NCSC CourTools measure seven*. National Center for State Courts May, 2007.

Jackson, G. Judge (2011). *Collecting delinquent fines*. Retrieved from the National Center for State Courts Library June 2015.

Klaversma, L. (2008). *Courts and collections*. Retrieved from the National Center for State Courts Library June 2015.

Klaversma, L. & Matthias, J. (2009). *Current practices in collecting fines and fees in state courts: A handbook of collection issues and solutions, second edition*. Retrieved from the National Center for State Courts, June 2015

Lynch, B. Henderson, T. Brosseau, W. & Cole, G. (1991) *Compliance with judicial orders: Methods of collections and enforcing monetary sanctions*. Retrieved from the National Center for State Courts June 2015.

Nielson, C. & Ard, S (2009). *Use of workflow automation and other technologies to improve compliance and collections of court ordered penalties*. Retrieved from the National Center for State Courts June 2015.

Raan, N. Matthias, J. & Kim, A. (2012). *A study of the effectiveness of collections in the Florida courts*. Retrieved from the National Center for State Courts June 2015.

Ress, D. (2016). "Collection rate rise at Virginia courts". Daily Press. <http://www.dailypress.com/news/politics/dp-evg-clerks-fees-20160103-story.html>, January 3, 2016.

Shapiro, J. (2014). NPR News Investigation, "As court fees rise, the poor are paying the price". <http://www.npr.org/2014/05/19/312158516/increasing-court-fees-punish-the-poor>, May 19, 2014.

Townsend, B. (2012). *Evaluating collection practices in small volume Texas Municipal Courts*. Retrieved from the National Center for State Courts June 2015.

Wick, K. (CEDP 1988). *An analysis of three methods of collecting delinquent traffic offenses*.

*Findlay Municipal Court Handbook*, 2011, p. 2.

ICM Fellows Papers: Beach, D. (2012) *Strategies to forecast and achieve court incarceration requirements*. Williamsburg, VA: National Center for State Courts.

## Appendix A. Defiance Municipal Court Payment Agreement

<b>DEFIANCE MUNICIPAL COURT</b>																							
665 PERRY STREET • DEFIANCE, OHIO 43512 • COURT TELEPHONE (419) 782-5756																							
JUDGE JOHN T. ROHRS, III																							
STATE OF OHIO CITY OF DEFIANCE VILLAGE OF HICKSVILLE  VS,  _____ DEFENDANT	<table border="0" style="width: 100%;"> <tr> <td style="text-align: center; vertical-align: top;"><b>PAYMENT AGREEMENT</b></td> <td style="vertical-align: top;">           CASE NO. _____             _____             _____         </td> </tr> </table>	<b>PAYMENT AGREEMENT</b>	CASE NO. _____  _____  _____																				
<b>PAYMENT AGREEMENT</b>	CASE NO. _____  _____  _____																						
<p>I UNDERSTAND THAT I HAVE BEEN ORDERED TO PAY \$ _____ IN FINES, COURT COSTS AND/OR RESTITUTION IN THE ABOVE CAPTIONED CASE(S). I AGREE TO PAY \$ _____ EACH _____ PAYMENTS ARE TO BEGIN ON _____ AND SHALL BE DUE ON OR BEFORE 4:30 P.M. ON THE _____ OF EACH _____ UNTIL ALL CASES HAVE BEEN PAID IN FULL.</p> <p>I UNDERSTAND THAT IF I CANNOT MAKE MY PAYMENT AS AGREED, I MUST REPORT TO THE CLERK'S OFFICE BY 10:30 A.M. ON THE DATE THAT MY PAYMENT IS DUE IN ORDER TO BE PLACED ON THE SCHEDULE TO SPEAK WITH THE JUDGE AT 11:30 A.M. I UNDERSTAND THAT I MAY CONTACT THE CLERK'S OFFICE TO RECEIVE A ONE (1) WEEK EXTENSION TO MAKE MY PAYMENT. IF I AM STILL UNABLE TO MAKE MY PAYMENT, I MUST APPEAR BEFORE THE JUDGE.</p> <p>I UNDERSTAND THAT IF I FAIL TO MAKE THE REQUIRED PAYMENT OR APPEAR, THE COURT MAY SUSPEND MY DRIVER'S LICENSE, REVOKE MY LIMITED OR OCCUPATIONAL DRIVING PRIVILEGES, REVOKE MY REGISTRATION PRIVILEGES, AND/OR ISSUE A WARRANT FOR MY ARREST.</p>																							
<p><b>EMPLOYMENT:</b></p> <p>Place of Employment _____ Address _____          (If you change employers you must tell the court)</p> <p><b>NON-EMPLOYMENT INCOME:</b></p> <p>Source of Income (ADC; GR; SSI; SSA) _____ Amount _____</p> <p><b>PERSONAL INFORMATION:</b></p> <p>Complete Mailing Address (YOU MUST NOTIFY THE COURT OF A CHANGE OF ADDRESS) _____</p> <p>City/State/Zip _____ Phone _____</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Assets (exceeding \$500.00)</th> <th style="text-align: center;">Liabilities (exceeding \$500)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> </tbody> </table>	Assets (exceeding \$500.00)	Liabilities (exceeding \$500)																				
Assets (exceeding \$500.00)	Liabilities (exceeding \$500)																						
<p><b>LIST SOMEONE WHO CAN ACCEPT MESSAGES ON YOUR BEHALF OTHER THAN AT THE PHONE NUMBER LISTED ABOVE.</b></p> <p>Name _____ Phone Number _____</p>																							
<p><b>WAIVER OF HEARING:</b>  <small>Ohio Revised Code Section 2947.14 requires that a hearing be conducted to determine the ability of an offender to pay fines and costs before the offender may be committed to jail for failure to pay fines and costs. By signing this agreement, you are waiving (losing) your right to such a hearing and understand that a warrant may be issued for your arrest if you fail to make payments in accordance with your agreement.</small></p> <p><b>CONTEMPT OF COURT:</b>  <small>Failure to advise the Court of any changes in your economic condition, failure to make your payments in a timely fashion in accordance with this Agreement, or failure to advise the Court of any change of address, may result in a citation issued to you to appear in Court to show cause why you should not be found in contempt of Court. A finding of Contempt of Court may be punished with a fine of \$250.00 or 30 days in jail, or both.</small></p>																							
<p>I HEREBY CERTIFY THAT THE FOREGOING AGREEMENT HAS BEEN REVIEWED AND KNOWINGLY AND VOLUNTARILY ENTERED INTO BY ME ON THIS _____ DAY OF _____</p> <p style="text-align: right;">_____ Signature of Defendant</p> <p>Sworn to and Subscribed before me this _____ day of _____</p> <p style="text-align: right;">_____ Deputy Clerk</p>																							
<p>LP120612</p>																							

**Appendix B. Defiance Municipal Court Pay or Appear Notice****\*\* PAY OR APPEAR NOTICE \*\***

Defiance Municipal Court, 665 Perry Street  
Defiance, Ohio 43512 Phone: (419) 782-5756

You have told the Judge that on \_\_\_\_\_ you will have the fines and costs assessed today paid in full.

***YOU MAY MAKE PAYMENTS IN PERSON, BY MAIL OR ON-LINE UNTIL THAT DATE. ON-LINE CREDIT CARD PAYMENTS CAN BE MADE AT [defiancemunicipalcourt.com](http://defiancemunicipalcourt.com). THE COURT IS OPEN MONDAY THROUGH FRIDAY (EXCLUDING LEGAL HOLIDAYS) BETWEEN THE HOURS OF 8:00 A.M. AND 4:00 P.M. THE DRIVE THRU IS OPEN MONDAY THROUGH FRIDAY (EXCLUDING LEGAL HOLIDAYS) BETWEEN THE HOURS OF 7:00 A.M. AND 5:00 P.M. The Court no longer takes credit card payments by telephone.***

If you do not have your fines and costs paid in full and do not appear in Court at 11:00 a.m. on the date above, your license will be suspended, your privilege to register a vehicle in the State of Ohio will be blocked, and/or a warrant will be issued for your arrest. If you are picked up on the warrant by law enforcement, you will go to jail if you are unable to post the bond stated on the warrant.

If you absolutely cannot appear and do not have your fines and costs paid in full, you should write a letter to the Judge ***BEFORE*** your payment is due to request an extension.

***WARNING: Failure to comply with the payment schedule or to complete community service work requirement may result in the blocking of your motor vehicle registration or transfer of registration.***

## Appendix C. Attorney General Debt Collection



**MIKE DEWINE**

★ OHIO ATTORNEY GENERAL ★

Collection Enforcement  
150 East Gay St., 21<sup>st</sup> floor  
Columbus, Ohio 43215  
[LGC@OhioAttorneyGeneral.gov](mailto:LGC@OhioAttorneyGeneral.gov)  
614 466-4510

### Local Government Debt Collection Business Rules

- **Account Certifications**
  - Made by automated FTP (File Transfer Protocol) or Manual Excel template by the client.
  - The client will need to have internet access to certify accounts to the AGO (Attorney General's Office) and to access the ClientView and Compass software to monitor their payments and accounts.
  - All debt must be final with a minimum principal amount of \$100.00.
  - The AGO reserves to right to decline accounts based on volume, monetary amount or debt type.
- **Examples of Categories of Debt to be certified:**
  - Statutory fees as assessed by a Political Subdivision;
  - Civil court costs; and
  - Criminal court costs so long as the defendant is not incarcerated on the date the debt is certified.
  - Debt must be declared final with no chance of appeal or no future changes to the amount of the debt sent to the Attorney General for collection purposes.
  - Debt from a school system must be as a result of a contractual agreement.
- **Examples of Categories of Debt NOT to be certified:**
  - Debt that is against a juvenile.
  - Debt against a presently incarcerated individual.
  - Debt that is involved in a bankruptcy, rental or foreclosure action.
  - Debt from any type of utility.
  - Debt resulting from code enforcement violations.

## Appendix C (con't)

- Life of a Debt
  - Debt will be worked by the AGO in-house local debt collectors up to 150 days or longer if a payment plan has been setup with the debtor and debtor remains in compliance. The AGO will confirm debtor contact information, send out a series of automated collection letters and make a series of collection calls to the debtor. Pursuant to O.R.C. §131.02, the AGO will assess a 10% fee to each account (AG collection fee) and the cost will be passed to the debtor. The 10% AGO fee will be taken from each payment made on an account by the debtor.
  - Upon mutual agreement, accounts can be assigned to an external vendor (Third Party Vendor) for additional collection efforts lasting up to 180 days subsequent to the AGO collection efforts. The 180 days may be extended if debtor is on a payment plan and in compliance. In addition to the AGO collection fee, an additional fee would be added to the account for this service and the cost will be passed to the debtor.
  - Upon mutual agreement, external private attorneys (Special Counsel) can be assigned the debt for up to two years. In addition to the AGO collection fee, an additional fee would be added to the account for this service and the cost passed to the debtor.
  - On any accounts where the debtor's driver's license is being held by a court or there is an active warrant, the AGO will only accept sure funds (money order, certified check etc.) for payment of the debt. The AGO will then notify the client of the payment in full by the debtor.
  - If social security numbers of the debtor are provided, the debt may also be subject to a possible state income tax refund capture and/or lottery offset for up to the full amount owed, including interest, subject to O.R.C. §§ 5747.12 and 3770.073. If the debtor owes money to the Ohio Department of Taxation or any state entity, any Ohio tax refund capture or Ohio lottery capture will be paid to those debts first.
  - The client may choose on their Memorandum of Understanding to only use the AGO to attempt to intercept their debtors' state income tax refund but not engage in active collection of their accounts. In this case, it will be necessary for the AGO to send out one letter to the debtor upon the certification of the account explaining that we are attempting to take any state income tax refund due them. If the debtor contacts the AGO to make payment in full, the AGO will take the payment and notify the client.
  - Local debt will not be combined with any state debt owed for collection purposes.
  - The AGO collection process is driven by the AGO account number assigned to that debt. AGO collection letters and collection phone calls are made relative to that specific account number. If a debtor owes debt to multiple local jurisdictions, payment will be accepted according to the account number he/she is responding to as the result an AGO letter or an AGO phone call.
  - Clients may request, and the Attorney General may consider, on a case by case basis, alternative collection strategies (i.e. timeframes) on how the client's debt portfolio is collected.
  - The AGO will not file liens or judgments or release any previously filed liens or judgments on any debt certified for collections.

## Appendix C (con't)

- **Archive or Write off of Debts**
  - Client may choose to write off debt by their indication on their Service Level Agreement.
  - Accounts can also be closed and returned to client upon request.
  
- **Payment Processing and Accounting Issues:**
  - Collections payments to the client will be remitted weekly, via ACH.
  - Clients can view the payment reports that correlate with their weekly ACH payment on the AGO's Compass website.
  - Collections paid with certified funds (i.e. cashier's check, money order) will be paid to the client the following week. Collections paid with a personal check are held eight business days and paid the week following the release of the eight day hold.
  
- **Direct Payments:**
  - Please make sure that you are referring any debtor wanting to make a payment on an account for which we are collecting to us. The debtors can be instructed to call us at 888-871-8838 or pay by internet at [www.OhioAttorneyGeneral.gov/business/pay](http://www.OhioAttorneyGeneral.gov/business/pay). Their payment can also be mailed to: Ohio Attorney General P.O. Box 89471, Cleveland, Ohio 44101-6471. They will need to include their Attorney General Account number to ensure that the payment is being posted to their account.
  - If on the rare occasion you inadvertently accept a payment on an account we are collecting on, please send the payment the check or money order received from the debtor directly to our accounting section with the account number on it to:

Ohio Attorney General Collections Enforcement  
Accounting Section  
150 East Gay St., 20th Floor  
Columbus, Ohio 43215

- Referring any debtor to us to make a payment helps us keep our records clean and auditable. It will also prevent us from intercepting someone's state income tax refund erroneously, such as when a payment taken by your office has not been noted on our system. If your staff does take a payment from a debtor, kindly let us know immediately and forward the payment to us for processing. If we intercept their state tax refund and issue payment to you causing an overpayment on the account, we will contact you and request that you refund the amount back to the debtor.

## Appendix C (con't)

- Reversals

- Occasionally, there may be payments made to you by our office that need to be reversed. This happens because, after the payment was issued to you, it came to our attention that the debtor's check had non-sufficient funds, there was a posting error or an alleged fraudulent payment. We do hold personal checks for eight days before posting them to an account to allow for this but, occasionally, we are not informed by the bank until after the eight days have passed and you have been sent the payment.
- When a payment made to you needs to be reversed, our system subtracts the amount of the payment to be reversed from the next payment to be made to you. Because our system is automated there is no way to let you know that one of the payments made to you needs to be reversed.
- However, you are able to identify the accounts that have a reversal by viewing your Client View payment report. For example, a payment for an internet personal check will be indicated with the code IPC. A payment for an internet personal check that was reversed will be indicated with the code EIPC. (See Report Section below)

- Reporting

- Compass software provides access to electronic reports, documents and scanned images relative to your accounts both in PDF or TXT format.
- Full debt inventory is available at the request of a unit supervisor or manager.
- Monthly archive reports and bi-annual write-off reports are provided upon request.
- All clients will have access to ClientView software to view their account data and notes placed by the collectors.

Please contact Jill Reardon at [LGC@OhioAttorneyGeneral.gov](mailto:LGC@OhioAttorneyGeneral.gov).  
Direct: 614 466-4510.

## Appendix D. Bench Card



## THE SUPREME COURT of OHIO

OFFICE OF JUDICIAL SERVICES

COLLECTION OF FINES AND COURT COSTS  
IN ADULT TRIAL COURTS

**Fines are separate from court costs.** Court costs and fees are civil, not criminal, obligations and may be collected only by the methods provided for the collection of civil judgments.<sup>1</sup> Sole authority exists under R.C. 2947.14 for a court or magistrate to commit an offender to jail for nonpayment of *fin*es in a criminal case. An offender **CANNOT** be held in contempt of court for refusal to pay fines.<sup>2</sup> Accordingly, unpaid fines and/or court costs may neither be a condition of probation, nor grounds for an extension or violation of probation.

## ENFORCING FINES BY IMPOSING JAIL

- A person may be jailed for a willful refusal of nonpayment of a fine that he or she has the ability to pay.<sup>3</sup>
- Prior to committing an offender to jail for nonpayment of fines, an economic ability-to-pay hearing is required, but this requirement does not arise until the trial court decides to jail the offender for failure to pay fines.<sup>4</sup>
- Notice must be provided at a reasonable time prior to the hearing.<sup>5</sup>
- A person has a right to counsel (including a public defender or court-appointed attorney) for the hearing.<sup>6</sup>
- Any person jailed for failure to pay a fine shall receive credit upon the fine at the rate of fifty dollars per day or per fraction of a day.<sup>7</sup>
- The court shall inquire and make a determination of an offender's ability to pay a fine, which shall be supported by findings of fact set forth in a judgment entry that indicates the offender's ability to pay, as well as the income, assets, and debts, as presented by the offender.<sup>8</sup>
- A person cannot be ordered to serve additional days for failure to pay a fine if the maximum jail sentence was imposed and served.<sup>9</sup> Under R.C. 2947.14(E), no commitment pursuant to this section shall exceed six months.

## IMPOSING COSTS

- Trial court must impose court costs at time of sentencing.<sup>10</sup>
  - Stated at sentencing hearing
  - Written in sentencing order
- Trial court has a mandatory duty to inform a defendant at the time of sentencing that failure to pay court costs may result in imposition of community service.<sup>11</sup>
- Trial court retains jurisdiction to waive, suspend, or modify the payment of costs at the time of sentencing or any time thereafter.<sup>12</sup>
- A court may not order a person to appear or issue a warrant for unpaid court costs.<sup>13</sup>

Note: When both fines and court costs are owed, the court has the obligation to segregate and/or allocate the amounts when imposing jail time for nonpayment, so that the appropriate mechanisms can be utilized to collect each.<sup>14</sup>

## LIMITATION OF CONTEMPT

1. Contempt may not be used in lieu of R.C. 2947.14 to impose jail time to collect fines.<sup>15</sup>
2. Contempt may not be used to collect costs.<sup>16</sup>
3. If community service is in lieu of either fines or court costs, contempt may not be imposed for failure to perform.<sup>17</sup>

Contempt of court may be applied if a defendant fails to appear for a court-ordered hearing, including a hearing under R.C. 2947.14, but only after the defendant has been served with a separate citation for contempt of court, notice, and advised of the right to counsel (including appointed, if applicable) and jury trial. Contempt may not be used to create a jail sentence that does not exist with the underlying offense. Contempt for non-appearance cannot be used on a summary basis. If contempt is used for non-appearance at a payment hearing, then any imposition of jail time must be based upon the failure to appear, not for the failure to pay fines.

Failing to follow the dictates of R.C. 2947.14 and using contempt as a sanction to collect fines can result in disciplinary violations.<sup>18</sup>

ALLOCATION OF COURT COSTS, FINES,  
RESTITUTION & REIMBURSEMENTS  
(R.C. 2949.111)

Unless the court enters in the record of the case a different method of assigning payments, the clerk shall assign the offender's payment in the following manner:

1. Court costs, until entirely paid, then;
2. State fines or costs, on a pro rata basis, until entirely paid, then;
3. Restitution, until entirely paid, then;
4. Fines, until entirely paid, then;
5. Reimbursements

Appendix D (con't)

COLLECTING FINES	COLLECTING COSTS
<p><b>Permitted Methods of Collection:</b></p> <ul style="list-style-type: none"> <li>• Voluntary Payment<sup>18</sup></li> <li>• Payment Plan<sup>20</sup></li> <li>• Collection Agency<sup>21</sup></li> <li>• Community Service<sup>22</sup></li> <li>• Attachment of Prisoner Accounts<sup>23</sup></li> <li>• Execution of Civil Judgment<sup>24</sup></li> <li>• Registration Block<sup>25</sup></li> <li>• Imposing Jail (see Enforcing Fines)</li> <li>• Driver's License Forfeiture<sup>26</sup></li> <li>• Warrant Block<sup>27</sup></li> </ul> <p><b>Non-permitted Methods of Collection:</b></p> <ul style="list-style-type: none"> <li>• Contempt of Court<sup>28</sup></li> <li>• Forfeiture of Confiscated Money<sup>29</sup></li> <li>• Refusal to Accept Filings<sup>30</sup></li> <li>• Violation or Extension of Probation<sup>31</sup></li> </ul>	<p><b>Permitted Methods of Collection:</b></p> <ul style="list-style-type: none"> <li>• Voluntary Payment<sup>32</sup></li> <li>• Payment Plan<sup>33</sup></li> <li>• Collection Agency<sup>34</sup></li> <li>• Community Service<sup>35</sup></li> <li>• Attachment of Prisoner Accounts<sup>36</sup></li> <li>• Execution of Civil Judgment<sup>37</sup></li> <li>• Registration Block<sup>38</sup></li> </ul> <p><b>Non-permitted Methods of Collection:</b></p> <ul style="list-style-type: none"> <li>• Imposing Jail<sup>39</sup></li> <li>• Driver's License Forfeiture<sup>40</sup></li> <li>• Warrant Block<sup>41</sup></li> <li>• Contempt of Court<sup>42</sup></li> <li>• Forfeiture of Confiscated Money<sup>43</sup></li> <li>• Refusal to Accept Filings<sup>44</sup></li> <li>• Violation or Extension of Probation<sup>45</sup></li> </ul>

**AN ALTERNATIVE:  
CANCELLATION/DISCHARGE**

If at any time the court finds that an amount owed to the court is due and uncollectible, in whole or in part, the court may direct the clerk of the court to cancel all or part of the claim.<sup>46</sup> The court retains jurisdiction to waive, suspend, or modify the payment of the costs of prosecution, including any costs under R.C. 2947.231, at the time of sentencing or at any time thereafter.<sup>47</sup>

**COMMUNITY SERVICE AS PAYMENT  
FOR COURT COSTS**

R.C. 2947.23 authorizes a court to convert court costs to community service when a defendant fails to pay court costs.

- Notice must be given to the defendant and the prosecuting attorney
- An evidentiary hearing must be held

Defendant is entitled to credit at no less than the specified hourly credit rate defined by 29 U.S.C.A. 206(a)(1).

COMMUNITY SERVICE SCHEDULE		
Offense	Statutory Authority	Limitation
Minor Misdemeanor	R.C. 2929.27(D)	Maximum 30 hours
Second, Third, and Fourth Degree Misdemeanor	R.C. 2929.27(A)	Maximum 200 hours
First Degree Misdemeanor	R.C. 2929.27(A)	Maximum 500 hours
Unclassified Misdemeanor	Suspended License Offenses <sup>48</sup>	Maximum 500 hours
Felony	R.C. 2929.17 R.C. 2951.02	Maximum 500 hours
Satisfaction of Court Costs	R.C. 2947.23	No less than federal minimum hourly wage rate; hearing required
Satisfaction of Fines <sup>49</sup>	R.C. 2929.28	Not specified; hearing not required

**ENDNOTES**

<sup>18</sup>*Stratman v. Stubb* (1969), 20 Ohio St.2d 95.

<sup>19</sup>*Cleveland v. Anderson* (1992), 82 Ohio App.3d 63.

<sup>20</sup>*State v. Ellis, 2d Dist.*, 2008 Ohio 2719.

<sup>21</sup>*State v. Perkins* (2002), 154 Ohio App.3d 631.

<sup>22</sup>*State v. Swift, 2d Dist.*, 2005 Ohio 1585.

<sup>23</sup>*Id.*

<sup>24</sup>R.C. 2947.14 (D).

<sup>25</sup>R.C. 2947.14 (B).

<sup>26</sup>*Stratman v. Stubb* (1969), 20 Ohio St.2d 95.

<sup>27</sup>*State v. Joseph*, 125 Ohio St.3d 76, 2010-Ohio-954.

<sup>28</sup>R.C. 2947.23 (A)(1)(a).

<sup>29</sup>R.C. 2947.23 (C).

<sup>30</sup>*Strangsville v. Winwood* (1989), 62 Ohio App.3d 521.

<sup>31</sup>*State v. Swift, 2d Dist.*, 2005 Ohio 1595.

<sup>32</sup>*Albanese v. Kelly* (1988), 48 Ohio App.3d 133; *Cleveland v. Anderson* (1992), 82 Ohio App.3d 63.

<sup>33</sup>*State v. Lamb* (2005), 163 Ohio App.3d 290.

<sup>34</sup>*Id.* & *State v. Ellis, 2d Dist.*, 2008 Ohio 2719.

<sup>35</sup>*Ohio State Bar Assn. v. Golke* (2008), 119 Ohio St.3d 428.

<sup>36</sup>R.C. 2929.28 (F).

<sup>37</sup>R.C. 2929.28 (F)(2).

<sup>38</sup>R.C. 2929.18 (F) Felony; R.C. 2929.28 (F)(1) Misdemeanor.

<sup>39</sup>R.C. 2929.28 (B).

<sup>40</sup>R.C. 5120.153.

<sup>41</sup>R.C. 2929.28 (D).

<sup>42</sup>R.C. 1901.44 (B) Municipal Court; 1907.25 (B) County Court; 2947.09 (A) Common Pleas Court.

<sup>43</sup>R.C. 4510.22 1st - 4th Degree Misdemeanor; R.C. 2925.27 Minor Misdemeanor.

<sup>44</sup>R.C. 4503.13 Registration of Vehicle; R.C. 4507.091 Driver's License.

<sup>45</sup>*Albanese v. Kelly* (1988), 48 Ohio App.3d 133; *Cleveland v. Anderson* (1992), 82 Ohio App.3d 63.

<sup>46</sup>R.C. 2951.12 (C).

<sup>47</sup>*In re GMS Mgr. Co., Inc. v. Liquid Court Costs, Fees and Delinquencies* (2010), 187 Ohio App.3d 426.

<sup>48</sup>R.C. 2947.14 (D).

<sup>49</sup>R.C. 2929.28 (F).

<sup>49</sup>R.C. 2929.28 (F)(2).

<sup>50</sup>R.C. 2929.18 (F) Felony; R.C. 2928.28 (F)(1) Misdemeanor.

<sup>51</sup>R.C. 2947.23.

<sup>52</sup>R.C. 3126.133.

<sup>53</sup>R.C. 2929.28 (D).

<sup>54</sup>R.C. 1901.44 (B) Municipal Court; 1907.25 (B) County Court; 2947.09 (A) Common Pleas Court.

<sup>55</sup>*State v. Swift, 2d Dist.*, 2005 Ohio 1595.

<sup>56</sup>*State v. Swift, 2d Dist.* Docket No. 2011 CA 16, 2012-Ohio-2546.

<sup>57</sup>*Strangsville v. Winwood* (1989), 62 Ohio App.3d 521.

<sup>58</sup>*State v. Ellis, 2d Dist.*, 2008 Ohio 2719.

<sup>59</sup>*State v. Cruise*, (2009) 185 Ohio App.3d 230.

<sup>60</sup>*In re GMS Mgr. Co., Inc. v. Liquid Court Costs, Fees and Delinquencies* (2010), 187 Ohio App.3d 426.

<sup>61</sup>*Stratman v. Stubb* (1969), 20 Ohio St.2d 95.

<sup>62</sup>R.C. 1901.263 (Municipal Court); 1907.251 (County Court); 1923.151 (Small

Court Division of Municipal or County Court); 2101.165 (Probate Court); 2131.542 (Juvenile Court); 2303.23 (Court of Common Pleas).

<sup>63</sup>R.C. 2947.23 (C).

<sup>64</sup>The following R.C. sections (4507.33, 4510.11, 4510.12, 4510.16, 4510.21, and 4511.203) provide for a maximum of 500 hours of community work service if the offense is charged as a "first offense" with no prior convictions set out in the citation or charging document. For these offenses, a jail sentence may not be directly imposed, but to enforce the community service assignment, the defendant may be charged with indirect criminal contempt of court in accordance with R.C. 2703.02 et seq. for failure to complete community service. This is a separate charge, however, and the defendant would be entitled to counsel, and appointed counsel, if indigent.

<sup>65</sup>Although the statute does not set out a rate of credit

of a fine when converted to community service, the court in *State v. Glascock* (1992), 91 Ohio App.3d 520 implied the appropriate rate to be the daily rate for incarceration under R.C. 2947.14. The current rate is \$39.00 per day.

The Staff of the Supreme Court of Ohio would like to thank the following who contributed to the development of this bench card: Judge Patrick Carroll of the Lakewood Municipal Court, Judge John T. Rohrs, III of the Defiance Municipal Court, Judge Beth W. Root of the Fairborn Municipal Court and Tim Young, the Ohio Public Defender.

## Appendix E. Ohio Revised Code 2947.14

### **2947.14 Hearing on ability to pay fine.**

(A) If a fine is imposed as a sentence or a part of a sentence, the court or magistrate that imposed the fine may order that the offender be committed to the jail or workhouse until the fine is paid or secured to be paid, or the offender is otherwise legally discharged, if the court or magistrate determines at a hearing that the offender is able, at that time, to pay the fine but refuses to do so. The hearing required by this section shall be conducted at the time of sentencing.

(B) At the hearing, the offender has the right to be represented by counsel and to testify and present evidence as to the offender's ability to pay the fine. If a court or magistrate determines after considering the evidence presented by an offender, that the offender is able to pay a fine, the determination shall be supported by findings of fact set forth in a judgment entry that indicate the offender's income, assets, and debts, as presented by the offender, and the offender's ability to pay.

(C) If the court or magistrate has found the offender able to pay a fine at a hearing conducted in compliance with divisions (A) and (B) of this section, and the offender fails to pay the fine, a warrant may be issued for the arrest of the offender. Any offender held in custody pursuant to such an arrest shall be entitled to a hearing on the first regularly scheduled court day following the date of arrest in order to inform the court or magistrate of any change of circumstances that has occurred since the time of sentencing and that affects the offender's ability to pay the fine. The right to the hearing on any change of circumstances may be waived by the offender.

At the hearing to determine any change of circumstances, the offender has the right to testify and present evidence as to any portion of the offender's income, assets, or debts that has changed in such a manner as to affect the offender's ability to pay the fine. If a court or magistrate determines, after considering any evidence presented by the offender, that the offender remains able to pay the fine, that determination shall be supported by a judgment entry that includes findings of fact upon which such a determination is based.

(D) No person shall be ordered to be committed to a jail or workhouse or otherwise be held in custody in satisfaction of a fine imposed as the whole or a part of a sentence except as provided in this section. Any person imprisoned pursuant to this section shall receive credit upon the fine at the rate of fifty dollars per day or fraction of a day. If the unpaid fine is less than fifty dollars, the person shall be imprisoned one day.

(E) No commitment pursuant to this section shall exceed six months.

Effective Date: 09-06-2002

## Appendix F. Ohio Revised Code 131.02

### **131.02 Collecting amounts due to state.**

(A) Except as otherwise provided in section [4123.37](#), section [5703.061](#), and division (K) of section [4123.511](#) of the Revised Code, whenever any amount is payable to the state, the officer, employee, or agent responsible for administering the law under which the amount is payable shall immediately proceed to collect the amount or cause the amount to be collected and shall pay the amount into the state treasury or into the appropriate custodial fund in the manner set forth pursuant to section [113.08](#) of the Revised Code. Except as otherwise provided in this division, if the amount is not paid within forty-five days after payment is due, the officer, employee, or agent shall certify the amount due to the attorney general, in the form and manner prescribed by the attorney general, and notify the director of budget and management thereof. In the case of an amount payable by a student enrolled in a state institution of higher education, the amount shall be certified within the later of forty-five days after the amount is due or the tenth day after the beginning of the next academic semester, quarter, or other session following the session for which the payment is payable. The attorney general may assess the collection cost to the amount certified in such manner and amount as prescribed by the attorney general. If an amount payable to a political subdivision is past due, the political subdivision may, with the approval of the attorney general, certify the amount to the attorney general pursuant to this section.

For the purposes of this section, the attorney general and the officer, employee, or agent responsible for administering the law under which the amount is payable shall agree on the time a payment is due, and that agreed upon time shall be one of the following times:

- (1) If a law, including an administrative rule, of this state prescribes the time a payment is required to be made or reported, when the payment is required by that law to be paid or reported.
- (2) If the payment is for services rendered, when the rendering of the services is completed.
- (3) If the payment is reimbursement for a loss, when the loss is incurred.
- (4) In the case of a fine or penalty for which a law or administrative rule does not prescribe a time for payment, when the fine or penalty is first assessed.
- (5) If the payment arises from a legal finding, judgment, or adjudication order, when the finding, judgment, or order is rendered or issued.
- (6) If the payment arises from an overpayment of money by the state to another person, when the overpayment is discovered.
- (7) The date on which the amount for which an individual is personally liable under section [5735.35](#), section [5739.33](#), or division (G) of section [5747.07](#) of the Revised Code is determined.
- (8) Upon proof of claim being filed in a bankruptcy case.
- (9) Any other appropriate time determined by the attorney general and the officer, employee, or agent responsible for administering the law under which the amount is payable on the basis of statutory requirements or ordinary business processes of the state agency to which the payment is owed.

(B)

(1) The attorney general shall give immediate notice by mail or otherwise to the party indebted of the nature and amount of the indebtedness.

(2) If the amount payable to this state arises from a tax levied under Chapter 5733., 5739., 5741., 5747., or 5751. of the Revised Code, the notice also shall specify all of the following:

(a) The assessment or case number;

(b) The tax pursuant to which the assessment is made;

(c) The reason for the liability, including, if applicable, that a penalty or interest is due;

(d) An explanation of how and when interest will be added to the amount assessed;

(e) That the attorney general and tax commissioner, acting together, have the authority, but are not required, to compromise the claim and accept payment over a reasonable time, if such actions are in the best interest of the state.

(C) The attorney general shall collect the claim or secure a judgment and issue an execution for its collection.

(D) Each claim shall bear interest, from the day on which the claim became due, at the rate per annum required by section [5703.47](#) of the Revised Code.

(E) The attorney general and the chief officer of the agency reporting a claim, acting together, may do any of the following if such action is in the best interests of the state:

(1) Compromise the claim;

(2) Extend for a reasonable period the time for payment of the claim by agreeing to accept monthly or other periodic payments. The agreement may require security for payment of the claim.

(3) Add fees to recover the cost of processing checks or other draft instruments returned for insufficient funds and the cost of providing electronic payment options.

(F)

(1) Except as provided in division (F)(2) of this section, if the attorney general finds, after investigation, that any claim due and owing to the state is uncollectible, the attorney general, with the consent of the chief officer of the agency reporting the claim, may do the following:

(a) Sell, convey, or otherwise transfer the claim to one or more private entities for collection;

(b) Cancel the claim or cause it to be canceled.

(2) The attorney general shall cancel or cause to be canceled an unsatisfied claim on the date that is forty years after the date the claim is certified.

(3) No initial action shall be commenced to collect any tax payable to the state that is administered by the tax commissioner, whether or not such tax is subject to division (B) of this section, or any penalty, interest, or additional charge on such tax, after the expiration of the period ending on the later of the dates specified in divisions (F)(3)(a) and (b) of this section, provided that such period shall be extended by the period of any stay to such collection or by any other period to which the parties mutually agree. If the initial action in aid of execution is commenced before the later of the dates specified in divisions (F)(3)(a) and (b) of this section, any and all subsequent actions may be pursued in aid of execution of judgment for as long as the debt exists.

(a) Seven years after the assessment of the tax, penalty, interest, or additional charge is issued.

(b) Four years after the assessment of the tax, penalty, interest, or additional charge becomes final. For the purposes of division (F)(3)(b) of this section, the assessment becomes final at the latest of the following: upon expiration of the period to petition for reassessment, or if applicable, to appeal a final determination of the commissioner or decision of the board of tax appeals or a court, or, if applicable, upon decision of the United States supreme court.

For the purposes of division (F)(3) of this section, an initial action to collect a tax debt is commenced at the time when any action, including any action in aid of execution on a judgment, commences after a certified copy of the tax commissioner's entry making an assessment final has been filed in the office of the clerk of court of common pleas in the county in which the taxpayer resides or has its principal place of business in this state, or in the office of the clerk of court of common pleas of Franklin county, as provided in section [5739.13](#), [5741.14](#), [5747.13](#), or [5751.09](#) of the Revised Code or in any other applicable law requiring such a filing. If an assessment has not been issued and there is no time limitation on the issuance of an assessment under applicable law, an action to collect a tax debt commences when the action is filed in the courts of this state to collect the liability.

(4) If information contained in a claim that is sold, conveyed, or transferred to a private entity pursuant to this section is confidential pursuant to federal law or a section of the Revised Code that implements a federal law governing confidentiality, such information remains subject to that law during and following the sale, conveyance, or transfer.

Amended by 129th General Assembly File No.117, HB 508, §1, eff. 9/6/2012.

Amended by 129th General Assembly File No.28, HB 153, §101.01, eff. 9/29/2011.

Effective Date: 09-26-2003; 05-06-2005; 06-30-2005; 06-30-2006; 09-28-2006; 2006 HB699 03-29-2007; 2007 HB100 09-10-2007

### Appendix G. CourTools 7 Survey Results

(Twenty randomly selected cases in each of five courts.)

<b>BRYAN MUNICIPAL COURT</b>			
<u>Case Number</u>	<u>Finding</u>	<u>Total Due</u>	<u>Amount Paid</u>
15CRB00002	02/03/2015	\$205.00	\$0.00
15CRB00006	03/27/2015	\$967.60	\$769.60
15CRB00013	03/13/2015	\$440.00	\$440.00
15CRB00030	04/07/2015	\$394.00	\$350.00
15CRB00053	04/02/2015	\$364.00	\$364.00
15CRB00105	03/26/2015	\$114.00	\$114.00
15CRB00153	08/12/2015	\$309.00	\$0.00
15CRB00185	04/08/2015	\$340.00	\$340.00
15CRB00209	03/17/2015	\$368.75	\$0.00
15CRB00231	06/19/2015	\$602.00	\$257.00
15TRD00001	01/08/2015	\$125.00	\$125.00
15TRD00035	02/04/2015	\$130.00	\$125.00
15TRD00080	01/13/2015	\$353.50	\$353.50
15TRC00185	05/18/2015	\$744.00	\$744.00
15TRC00273	02/25/2015	\$739.00	\$739.00
15TRD00316	02/16/2015	\$546.25	\$0.00
15TRD00321	02/06/2015	\$206.25	\$100.00
15TRD00352	02/05/2015	\$125.00	\$125.00
15TRD00382	03/26/2015	\$399.00	\$0.00
15TRD00413	02/19/2015	\$128.50	\$128.50
<b>Total</b>		<b>\$7,600.85</b>	<b>\$5,074.60</b>
		<b>Collect Rate</b>	<b>66.76%</b>

**DEFIANCE MUNICIPAL  
COURT**

<u>Case Number</u>	<u>Finding</u>	<u>Total Due</u>	<u>Amount Paid</u>
15TRC09560	07/01/2015	\$527.00	\$527.00
14CRB00606	06/13/2014	\$335.00	\$335.00
14CRB00302	03/21/2014	\$167.20	\$0.00
14TRD01033	05/27/2014	\$161.85	\$0.00
15CRB00838	11/10/2015	\$89.50	\$0.00
15TRD04602	10/19/2015	\$134.00	\$134.00
15TRC03376	10/14/2015	\$362.00	\$362.00
15CRB00452	06/26/2015	\$133.50	\$0.00
15TRC04082	11/24/2015	\$482.00	\$0.00
15TRD04984	11/13/2015	\$204.00	\$0.00
13TRD03490	07/30/2015	\$118.50	\$83.50
15TRD03781	09/01/2015	\$130.00	\$130.00
14TRD05624	12/15/2014	\$219.00	\$175.00
15TRC01110	05/13/2015	\$389.50	\$0.00
15CRB00721	10/20/2015	\$314.00	\$0.00
15TRD01408	02/11/2015	\$494.00	\$494.00
15TRD03046	07/10/2015	\$356.20	\$0.00
14TRD02361	06/06/2014	\$354.00	\$272.00
14TRD04527	10/10/2014	\$209.00	\$0.00
15CRB00308	05/27/2015	\$358.50	\$250.00
<b>Total</b>		<b>\$5,538.75</b>	<b>\$2,762.50</b>
		<b>Collect Rate</b>	<b>49.88%</b>

**LYNDHURST MUNICIPAL  
COURT**

<u>Case Number</u>	<u>Finding</u>	<u>Total Due</u>	<u>Amount Paid</u>
15CRB00637	07/27/2015	\$641.00	\$0.00
15CRB00587	11/23/2015	\$436.00	\$100.00
14CRB00823	12/19/2014	\$457.00	\$400.00
15CRB00671	11/18/2015	\$446.00	\$50.00
15CRB00763	08/27/2015	\$391.00	\$0.00
15CRB00382	05/20/2015	\$566.00	\$0.00
15CRB00973	11/02/2015	\$391.00	\$100.00
15CRB00297	07/27/2015	\$301.00	\$25.00
15CRB00302	04/28/2015	\$891.00	\$0.00
15CRB00993	11/23/2015	\$396.00	\$296.00
14CRB01048	12/10/2014	\$231.00	\$125.00
15CRB00516	11/17/2015	\$591.00	\$516.00
15CRB00542	06/30/2015	\$416.00	\$391.00
15CRB00711	08/17/2015	\$401.00	\$381.00
15CRB00284	04/14/2015	\$702.00	\$352.99
15CRB00525	11/18/2015	\$346.00	\$281.00
15CRB00599	07/22/2015	\$416.00	\$391.00
15CRB00215	09/16/2015	\$571.00	\$275.00
15CRB00692	08/12/2015	\$566.00	\$375.00
15CRB00847	09/21/2015	\$391.00	\$231.00
<b>Total</b>		<b>\$9,547.00</b>	<b>\$4,289.99</b>
		<b>Collect Rate</b>	<b>44.94%</b>

**FINDLAY MUNICIPAL COURT**

<u>Case Number</u>	<u>Finding</u>	<u>Total Due</u>	<u>Amount Paid</u>
15CRB00010	01/05/2015	\$135.00	\$135.00
15CRB00101	01/28/2015	\$1,341.60	\$0.00
15CRB00200	06/10/2015	\$539.20	\$40.00
15CRB00300	10/13/2015	\$399.00	\$399.00
15CRB00402	10/28/2015	\$641.00	\$0.00
15CRB00501	05/20/2015	\$1,418.65	\$0.00
15CRB00599	11/18/2015	\$160.50	\$160.50
15CRB00700	06/17/2015	\$294.00	\$0.00
15CRB00801	06/17/2015	\$115.00	\$115.00
15CRB01000	08/26/2015	\$299.00	\$299.00
15TRC00100	06/09/2015	\$612.00	\$0.00
15TRC00539	04/28/2015	\$518.00	\$518.00
15TRC01109	09/08/2015	\$786.00	\$786.00
15TRC02675	09/09/2015	\$618.00	\$0.00
15TRC06069	08/13/2015	\$1,070.00	\$1,070.00
15TRD00010	01/21/2015	\$125.00	\$125.00
15TRD02000	03/02/2015	\$155.00	\$155.00
15TRD04000	05/07/2015	\$125.00	\$125.00
15TRD05000	06/11/2015	\$707.20	\$0.00
15TRD07000	07/17/2015	\$125.00	\$125.00
<b>Total</b>		<b>\$10,184.15</b>	<b>\$4,052.50</b>
		<b>Collect Rate</b>	<b>39.79%</b>

**MIAMISBURG MUNICIPAL  
COURT**

<u>Case Number</u>	<u>Finding</u>	<u>Total Due</u>	<u>Amount Paid</u>
15CRB00884	10/12/2015	\$245.00	\$0.00
15CRB01108	10/12/2015	\$355.00	\$0.00
15CRB01299	10/12/2015	\$380.00	\$0.00
15CRB01529	10/12/2015	\$450.00	\$0.00
15CRB01534	10/12/2015	\$228.00	\$228.00
14TRD05679	10/26/2015	\$540.00	\$0.00
15TRD00856	10/26/2015	\$640.00	\$0.00
15TRD01099	10/26/2015	\$365.00	\$0.00
15TRD01146	10/26/2015	\$420.00	\$0.00
15TRD01857	10/26/2015	\$325.00	\$325.00
15TRD01991	10/26/2015	\$278.00	\$0.00
15TRC03639	10/26/2015	\$370.00	\$0.00
15TRD04092	10/26/2015	\$250.00	\$50.00
11TRC00001	01/20/2011	\$1,397.55	\$0.00
15TRD04130	10/26/2015	\$250.00	\$0.00
14CRB00002	02/13/2014	\$508.00	\$103.00
14CRB00003	10/22/2015	\$310.00	\$0.00
14CRB00006	06/23/2014	\$698.00	\$303.00
13CRB00006	03/21/2013	\$525.00	\$525.00
15TRD04277	10/26/2015	\$415.00	\$0.00
<b>Total</b>		<b>\$8,949.55</b>	<b>\$1,534.00</b>
		<b>Collect Rate</b>	<b>17.14%</b>