

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**
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San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Sheila Calabro, Regional Administrative Director, Southern Regional
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DATE: July 8, 2008

SUBJECT: Assembly Bill 367: Collections Performance Measures and Benchmarks,
Best Practices, and Reporting Template (Action Required)

Issue Statement

Assembly Bill 367 (Stats. 2007, ch.132) (AB 367) amended Penal Code section 1463.010 to require the Judicial Council to develop performance measures and benchmarks to review the effectiveness of the cooperative “superior court and county collection programs.” The bill requires that each superior court and county jointly report to the Judicial Council the information requested in a reporting template on or before September 1, 2009, and annually thereafter. The Judicial Council must then report to the Legislature on December 31, 2009, and annually thereafter, on all of the following: (1) the extent to which each court or county is following best practices for its collection program; (2) the performance of each collection program; and (3) any changes necessary to improve the performance of collection programs statewide. AB 367 enacted the final recommendations of the Collaborative Court-County Working Group on Enhanced Collections.

Performance measures and benchmarks, best practices, and a revised collections reporting template have been developed for the Judicial Council’s approval to meet the requirements of AB 367.

Recommendation

The Enhanced Collections Unit recommends that the Judicial Council:

1. Adopt the Collections Performance Measures and Benchmarks (Attachment A), to be used by collection programs beginning fiscal year 2008–2009;
2. Adopt Collections Best Practices (Attachment B), to be used by all collection programs, and direct each superior court to collaborate with its county to establish and follow the adopted best practices; and
3. Approve the Collections Reporting Template (Attachment C) as revised and direct each superior court to collaborate with its county to submit the Collections Reporting Template to the AOC Enhanced Collections Unit on or before September 1, 2009, and annually thereafter.

Rationale for Recommendation

In order to meet the legislative requirements of AB 367, Gartner Consulting, Inc., an independent and impartial expert, was retained to develop performance measures and benchmarks and to assist with the revision of the existing reporting template to capture information necessary to determine the effectiveness of collection programs. Gartner conducted surveys, interviews, and site visits with collection programs at 16 superior courts and counties to evaluate collection methods and models currently in use (Attachment D). The participants represent a broad sampling of the collaborative collection programs statewide. They include differing program size, case volumes, case management systems, procedures, referral methods, and demographic and economic diversity.

Rationale for Recommendation 1 (Collections Performance Measures and Benchmarks)

Performance measures and benchmarks are key requirements of AB 367 and necessary for the Judicial Council to review the effectiveness of collection programs statewide. The recommended performance measures, Gross Recovery Rate and Success Rate, and their respective benchmarks of 34 percent and 31 percent, are based on the results and data submitted in Collections Reporting Templates for FY 2004–2005 and FY 2005–2006. The recommended benchmarks represent a minimum standard of performance that should be achievable by all collection programs in the next fiscal year.

It is recommended that the initial benchmark for measuring the Gross Recovery Rate be set at 34 percent. The Gross Recovery Rate measures the ability of a collection program to resolve delinquent court-ordered debt, including alternative sentences, community service, and suspended sentences.

It is recommended that the initial benchmark for measuring the Success Rate be set at 31 percent. The Success Rate measures the ability to collect delinquent court-ordered debt.

Rationale for Recommendation 2 (Collections Best Practices)

Working groups were created to evaluate and make recommendations concerning collection methods to assist with the establishment or enhancement of collection programs. Various committees and subcommittees composed of subject matter experts from courts, counties, and state agencies developed collection guidelines and standards and criteria for a successful civil assessment program. In August 2004 and August 2006, the Judicial Council adopted *Guidelines and Standards*, to be used by courts and counties to enhance their collection programs, as recommended by the Collaborative Court-County Working Group on Enhanced Collections. In August 2005, the Judicial Council approved the *Criteria for a Successful Civil Assessment Program* to be used by courts that choose to implement a civil assessment program under Penal Code section 1214.1. The *Guidelines and Standards* and the *Criteria for a Successful Civil Assessment Program* have been implemented successfully by collection programs statewide. Data from the Gartner project confirm the use of these recommended collection procedures. It is, therefore, recommended that the council adopt the Collections Best Practices (Attachment B).

Additional information to assist collection programs regarding best practices, including guidelines and standards, can be obtained on the Serranus Web site:

<http://serranus.courtinfo.ca.gov/programs/collections/cpa.htm>; the external enhanced collections Web site: <http://www2.courtinfo.ca.gov/collections>; or by contacting the AOC Enhanced Collections Unit at collections@jud.ca.gov.

Rationale for Recommendation 3 (Revised Collections Reporting Template)

The current collections reporting template captures revenue and limited program information and has been in use since 2004. In order for the Judicial Council to report to the Legislature as required by AB 367, the template has been revised to capture additional information regarding each collection program. The revised template includes a data reporting quality checklist and a supplemental questionnaire. The information contained in the additional components of the template will support the recommended performance measures and benchmarks, determine the extent to which each collection program is following best practices, and provide information to support any recommended changes to improve performance.

Collection programs must submit a monthly questionnaire for a one-year period to report on 240 randomly selected traffic infraction cases. The questionnaire requests information on 20 cases each month, including the collection process for each. We expect this information to identify and support future best practices based on quantitative data.

Alternative Actions Considered

None.

Comments From Interested Parties

The draft Collections Reporting Template and Performance Measures and Benchmarks were circulated for comment. The documents were circulated statewide to all presiding judges, court executive officers, and county administrative officers. Based on the comments received, the template was modified to limit the reporting of non-delinquent account information to total gross revenue collected, if available (Attachment E).

In consideration of the comments and suggestions received from courts and counties, the Enhanced Collections Unit revised the Collections Reporting Template to capture the most relevant data to enable courts and counties to meet the legislatively mandated reporting requirements.

Implementation Requirements and Costs

None.

Attachments:

Attachment A: Collections Performance Measures and Benchmarks

Attachment B: Collections Best Practices

Attachment C: Collections Reporting Template

Attachment D: Gartner Consulting, Inc., Project

Attachment E: Comments

Collections Performance Measures and Benchmarks

Performance Measure	Definition	Formula	Benchmark
Gross Recovery Rate (GRR)	Measures a collection program's ability to resolve delinquent court-ordered debt, including alternative sentences, community service, and suspended sentences.	Delinquent collections for the fiscal year + Adjustments / Referrals	34%
Success Rate (SR)	Measures the amount of revenue collected on delinquent court-ordered debt based on total delinquent accounts referred after adjustments, including NSF checks.	Delinquent collections for the fiscal year / Referrals - Adjustments	31%

The performance measures and benchmarks recommended above are based on results from the 2008 Gartner project and data submitted in FY 2004–2005 and FY 2005–2006 by collection programs in their reporting templates.

It is estimated that 80 percent of statewide collection programs are currently meeting or exceeding the percentages identified above. The proposed benchmarks represent a minimum standard of performance that should be achievable by all collection programs in the next fiscal year.

The Gross Recovery Rate and Success Rate use a formula that is standard in the collection industry.

Collections Best Practices

Penal Code section 1463.010 as amended by Assembly Bill 367 (Stats. 2007, ch.132) requires the Judicial Council to report the extent to which each court or county is following best practices for its collection program.

The collection programs are encouraged to use the following best practices. Additional information regarding best practices, including guidelines and standards, can be obtained on Serranus: <http://serranus.courtinfo.ca.gov/programs/collections/cpa.htm>; the external collections Web site: <http://www2.courtinfo.ca.gov/collections>; or by contacting staff of the Enhanced Collections Unit at collections@jud.ca.gov.

1. Develop a plan and put the plan in a written memorandum of understanding (MOU) that implements or enhances a program in which the court and county collaborate to collect court-ordered debt and other monies owed to a court under a court order.
2. Establish and maintain a cooperative superior court and county collection committee responsible for compliance, reporting, and internal enhancements of the joint collection program.
3. Meet at least 10 of the 17 components of a comprehensive collection program in order that the costs of operating the program can be recovered under Penal Code section 1463.007.
4. Complete all data components in the Collections Reporting Template.
5. Reconcile amounts placed in collection to the supporting case management systems.
6. Retain the joint court/county collection reports and supporting documents for at least three years.
7. Participate in both the Franchise Tax Board Court-Ordered Debt collection program and the Franchise Tax Board Interagency Intercept program.
8. Take appropriate steps to collect court-ordered debt locally before referring it to the Franchise Tax Board for collection.
9. Establish a process for handling the discharge of accountability for uncollectible court-ordered debt.
10. Participate in any program that authorizes the Department of Motor Vehicles to suspend or refuse to renew driver's licenses for licensees with unpaid fees, fines, or penalties.
11. Conduct trials by written declaration under Vehicle Code section 40903 and, as appropriate in the context of such trials, impose a civil assessment.

12. Follow the *Criteria for a Successful Civil Assessment Program* if the court has implemented such a program.
13. Develop a process for the collection of unpaid attorney sanctions.
14. Evaluate the effectiveness and efficiency of external collection agencies or companies to which court-ordered debt is referred for collection.
15. Accept payments via credit and debit card.
16. Accept payments via the Internet.
17. Include in a collection program all court-ordered debt and monies owed to the court under a court order.
18. Include financial screening to assess the ability to pay prior to processing installment payment plans and account receivables.
19. Charge fees as authorized by Penal Code section 1205(d).
20. Charge fees as authorized by Penal Code section 1202.4(l).
21. Use restitution rebate, as appropriate, to further efforts for the collection of funds owed to the Restitution Fund as authorized by Government Code section 13963(f).
22. Participate in the statewide master agreement for collection services or renegotiate existing contracts to ensure appropriate levels of services are provided at an economical cost, when feasible.
23. Request mediation services from the AOC and California State Association of Counties if the court and county are unable to agree on a cooperative collection program.
24. Require private vendors to remit the gross amount collected to the court or county, as agreed.
25. Require private vendors to submit invoices for commission fees to court or county on a monthly basis.
26. Use collection terminology (as defined in the glossary, instructions, or other documents approved for use by courts and counties) for the development or enhancement of a collection program.
27. Require private vendors to complete the components of the Collections Reporting Template that corresponds to its collection program.

Collections Reporting Template

Instructions for Completing the Collections Reporting Template	
Note: Worksheets are protected. Data entry is permitted only in unshaded cells.	
1 BACKGROUND	
1.1 Collections Reporting Template	
	<p>Penal Code 1463.010, as amended by Assembly Bill 367, requires the Judicial Council to develop performance measures and benchmarks to review the effectiveness of the cooperative superior court and county collection programs. Each superior court and county shall jointly report to the Judicial Council information requested in a reporting template on or before September 1, 2009, and annually thereafter. The Judicial Council shall report to the Legislature on the extent to which each court or county is following best practices, the performance of each collection program, and any changes necessary to improve performance of collection programs statewide.</p>
	<p>The reporting consists of two components:</p> <ol style="list-style-type: none"> 1. The Annual Financial Report, which provides aggregate financial statistics and must be reported annually, beginning September 1, 2009. (see Section 2) 2. The Supplemental Data Gathering Questionnaire, which provides details on specific cases and must be reported monthly, beginning August 31, 2008. (see Section 3) <p>See the applicable sections below for instructions on each component.</p>
2 ANNUAL FINANCIAL REPORT	
2.1 Due Dates:	
	The Annual Financial Report is due on or before September 1, 2009, and annually thereafter.
	Reporting Period data, July 1 through June 30, should be reported by the last business day in August.
2.2 What Should Be Reported?	
	All court-ordered fines, fees, forfeitures, penalties, and assessments imposed by law or court order for all case types including traffic, criminal, juvenile type and other cases.
	All delinquent and non-delinquent cases should be reported.
	All court-ordered debt due to the State, Counties, Cities and Local Government entities or other parties for whom the court/county is collecting either directly or through a collection agency should be reported.
	Debt balances and revenue transactions that occurred during the reporting period.
2.3 Which worksheets should be completed?	
	<p>The following worksheets should be completed and submitted:</p> <ol style="list-style-type: none"> 1. Contact and Other Information 2. Annual Financial Report 3. Program Report 4. Performance Report
2.4 Contact and Other Information	
	Fill in or select responses to the questions on the Contact and Other Information worksheet.
2.5 Annual Financial Report	
	Enter data in the Annual Financial Report worksheet (see sections that follow for information on how this should be done).
2.6 Reporting Period	
	The reporting period is July 1 through June 30.
2.7 Fines, Fees, Forfeitures, Penalties and Assessments	
	In rows 3-9, for each program type, enter the transactions or adjustments that occurred during the reporting period.
	<p>Column B: <u>Number of New Cases Established or Referred in the Period</u> This data represents the total number of new cases that were established or referred to each respective program. Cases transferred from one program to another should be excluded from this figure (see Column D).</p>
	<p>Column C: <u>Value of New Cases Established or Referred in the Reporting Period</u> This data represents the total value of <u>new cases</u> that were established or referred to each program in the reporting period. Cases established and/or referred to a program in prior reporting period should be excluded from this figure. For example, if a county receives a referral from a court program, the amount referred should be noted as a referral in the period in which this occurs. If a debt item is subsequently referred to the FTB and then returned, this should be entered as a transfer rather than a new referral (since this would double-count referrals). See Column D instructions for more information.</p>

Collections Reporting Template

	<p>Column D: Debt Transfers: Enter the amount of debt balances transferred/referred from one program to another. If the amount represents a new referral for another program this would be entered as a referral for that program; if the transaction is not a new referral for another program it should be entered as a transfer for the recipient program. For example:</p> <ul style="list-style-type: none"> - If a \$700 debt is being referred from the Court Collection Program to a Private Agency, the amount referred should be entered as a negative amount for the Court Collection program (-\$700 in Column D, Row 4) and will offset the referral to the Private Agency program (+\$700 in Column D, Row 6). - If the private agency attempts to collect the debt for a period of time, but is unable to collect the debt and returns it to the Court Collection Program, this would represent a transfer from the Private Agency, but would not be a new referral for the Court Collection Program. It would be entered as -\$700 in Column D, Row 6 and +\$700 in Column D, Row 4.
	<p>Column E: Gross Revenue Collected During the Period Enter the total amount of revenue collected during the reporting period. For Row 3, collections should include traffic bail forfeitures.</p>
	<p>Column F: Cost of Collections (pursuant to Penal Code 1463.007): Enter, as a negative number, the cost of collections that, pursuant to PC 1463.007, is allowable to offset revenue prior to distribution to other governmental entities.</p>
	<p>Column G: Adjustments: Enter the total dollar amount of suspensions, alternative payments, dismissals, discharges, or other non-cash adjustments that occurred during the period. This should be entered as a positive number if the net effect is to reduce the amount of debt outstanding or a negative number if the net effect is to increase the amount of debt outstanding. For example if a \$600 debt item being collected by the County is discharged, +\$600 would be entered in Column G, Row 5. Charges for a "bad check" would be entered as a (-) dollar amount as it would increase the amount of debt outstanding.</p>
	<p>Rows 11-23: Quality Checklist: Review each quality criterion and check the box to note that the data supplied conforms to the specification. Do not check the box if the data supplied does not conform to a particular quality criterion. The Quality Checklist should be used to double-check that the Collections Reporting Template was filled out correctly.</p>
2.8	Fines, Fees, Forfeitures, Penalties and Assessments: Beginning and Ending Balances
	<p>In rows 24-29, for each program type, enter the number of cases in Columns H and K and the value of cases in Columns I and L. If you can't provide information by program type, please report in Other (Row 29).</p>
	<p>Column H: Number of Cases-Beginning Balance: Enter the total number of cases at the beginning of the period. The number should be the same as the number of cases at the end of the prior period.</p>
	<p>Column I: Value of Cases- Beginning Balance: This data represents the ending balance submitted by the Court/County for the previous fiscal year.</p>
	<p>Column K: Number of Cases- Ending Balance: Enter the total number of cases at the end of the reporting period for each program.</p>
	<p>Column L: Value of Cases- Ending Balance: Enter the total value of cases at the end of the reporting period for each program.</p>
	<p>Column M: Error Messages: This field will display "Out of Balance" if the ending balance does not equal the beginning balance plus the sum of transactions that occurred during the period. For example: If the beginning debt balance for the County Collection Program in Column I, Row 25 is \$10,000,000 and the total value of cases referred is \$3,000,000 in Column C, Row 5 and the Gross Revenue Collected in Column E, Row 5 is \$2,000,000 and the value of adjustments is \$500,000 in Column G, Row 5, the ending balance reported in Column L, Row 25 should be \$10,500,000 because $\\$10,000,000 + \\$3,000,000 - \\$2,000,000 - \\$500,000 = \\$10,500,000$.</p>
	<p>Rows 31-37: Quality Checklist: Review each quality criterion and check the box to note that the data supplied conforms to the specification. Do not check the box if the data supplied does not conform to a particular quality criterion. The Quality Checklist should be used to double-check that the Collections Reporting Template was filled out correctly.</p>
2.9	Victim Restitution and Other Justice Related Reimbursements
	<p>Rows 38-44: Victim Restitution and Other Justice Related Reimbursements: Enter transactions or adjustments that occurred during the reporting period. This may include victim restitution, court appointed counsel fees, and other court-imposed fees that are due to entities other than the State, Counties, Cities or Local Governments and not reported in Rows 3-9.</p>
	<p>Rows 46-49: Quality Checklist: Confirm that the data reported complies with the stated specification.</p>

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2.10	Victim Restitution and Other Justice Related Reimbursements: Beginning and Ending Balances
	<p>Rows 50-55: <u>Victim Restitution and Reimbursements: Beginning and Ending Balances</u>: Enter other debt balances. This may include restitution, court appointed counsel fees, and other criminal justice related fees not reported in Rows 24-29.</p> <ul style="list-style-type: none"> - Instructions are the same as Rows 24-29, except for the type of debt reported. - The ending balance in Column W should equal the beginning balance in Column U, plus the sum of transactions shown in Column S ($S = O + P - Q - R$).
	Column X: Enter a brief description of the debt reported in this section.
	Row 57: Quality Checklist: Confirm that the reported data complies with the stated specifications.
2.11	Collections Metrics for Fines, Fees, Forfeitures, Penalties and Assessments
	Rows 58-59: These are calculated fields; no entry is required. The numbers provide a quantitative explanation of aggregate collections performance for delinquent debt.
2.12	Error/Warning Messages
	Rows 60-61: Error/Warning Message: These rows are blank unless errors or potential errors are detected in the worksheet. If error messages are present, please correct the identified error.
2.13	Signature Block
	Sign and date the Collections Reporting Template.
2.14	Program Report
	Provide a description of any changes to your collections program during the fiscal year in the Program worksheet. Also, describe the extent to which your program is meeting the Judicial Council approved Collections Best Practices and identify any obstacles or problems that prevent the collections program from meeting any of the Judicial Council approved Collections Best Practices.
2.15	Performance Report
	Please provide a summary of your collection program's performance during the reporting period.
2.16	Submitting the Annual Financial Report
	<p>After each worksheet is completed, please:</p> <ol style="list-style-type: none"> 1) Print the Collections Reporting Template 2) Have the authorized court and county representative sign the Collections Reporting Template 3) Fax or mail to the AOC Enhanced Collections Unit 4) E-mail all worksheets listed in Section 2.3 to collections@jud.ca.gov <p>Contact Information: Administrative Office of the Courts (AOC) 2255 North Ontario Street, Suite 200 Burbank, California 91504 fax: (818) 558-3112 e-mail: collections@jud.ca.gov</p>
3	MONTHLY SUPPLEMENTAL DATA GATHERING QUESTIONNAIRE
3.1	Due Dates:
	<p>The Supplemental Data Gathering Questionnaire is due on the following dates:</p> <ol style="list-style-type: none"> 1. August 31, 2008 2. September 30, 2008 3. October 31, 2008 4. November 30, 2008 5. December 31, 2008 6. January 31, 2009 7. February 28, 2009 8. March 31, 2009 9. April 30, 2009 10. May 31, 2009 11. June 30, 2009 12. July 31, 2009 <p>See Section 4a for more information on what cases should be selected in each month.</p>

Collections Reporting Template

3.2 Purpose of Questionnaire	<p>The COLLECTIONS REPORTING TEMPLATE required as part of Penal Code 1463.010 looks at aggregate data across collection programs but does not allow the Judicial Council to assess the effectiveness of various processes, approaches and tools used in the collection of delinquent debt. The purpose of the Supplemental Data Gathering Questionnaire is to determine which components of the program have the most significant impact on collection effectiveness.</p> <p>It was determined that the collection of this data would be best accomplished by conducting randomized sampling since the configuration and development of formal reporting systems is not viable in the available time frame. Furthermore, investing in a large scale statewide data collection effort may not be an effective approach since some of the data required may not be needed in the future.</p>
3.3 Which worksheets should be completed?	<p>The following worksheets should be completed for the Supplemental Data Gathering Questionnaire:</p> <ol style="list-style-type: none"> 1. Contact and Other Information 2. Supplemental Questionnaire <p>Note: The Random Numbers worksheet can also be used to assist in selecting random case (see next sections).</p>
3.4 Contact and Other Information	<p>Provide the information requested in the <u>Contact and Other Information</u> worksheet. Much of this information may be the same from the prior month. Note: The Contact and Other Information worksheet is common to both the Annual Financial Report and the Supplemental Data Gathering Questionnaire.</p>
3.5 Overview of Sampling Methodology	<p>3.51 Each collection program is asked to pull a random sample of <u>20 traffic infraction cases each month</u>. The 20 random cases must meet the following criteria:</p> <ol style="list-style-type: none"> 1) The case type must be Traffic Infraction, Failure to Appear (FTA) or Traffic Failure to Pay (FTP). 2) The cases must be 2 years old at the time of the report. This means: <ol style="list-style-type: none"> a. For the August 31, 2008 report, the cases selected must have been referred in July 2006. b. For the September 30, 2008 report, the cases selected must have been referred in August 2006. c. For the June 30, 2009 report, the cases selected must have been referred in May 2007. 3) THE CASES MUST BE RANDOMLY SELECTED from the total pool of cases for the month in question. See Section 3.52 or Section 3.59 for information on how to select the sample cases. <p>The required sample is for 240 cases across each county/court collection program.</p> <p>3.52 Determine the best way to view the total pool of potential cases (i.e., all cases that were referred in the month in question). This may be original entry records, file drawers, assigned account numbers or some other means. The specific method for doing this may be unique to the county or court in question. If the candidate cases are spread across multiple collection programs select cases from each program in proportion to the total number of cases outstanding as of the end of last year. If you need assistance determining how to do this, please contact the Enhanced Collections Unit staff (see contact information below).</p> <p>3.53 Determine the number of pages, files or drawers that could potentially be pulled to obtain a sample. Use the random number generator tab to determine the specific page, file or drawer that will be pulled. This can be done by entering the number in "Col A". The result will be displayed in "Result A". This is the page, file or drawer that will be selected. Note: Check the box at the bottom of the page to calculate/recalculate the random numbers. This should be done after step 3.54 or step 3.55 if applicable.</p> <p>3.54 Determine (or estimate) the number of items that exist within the selected page, file or drawer. Use the random number generator tab to determine the specific item to be pulled. Do this by entering the number of items in "Col B" and selecting the item specified in "Result B".</p> <p>3.55 Use columns C and D as needed to continue to sub-divide the potential selections and determine the sample case that will be evaluated.</p> <p>3.56 Confirm that sample case meets the following criteria: 1) it is a traffic infraction FTA or Traffic FTP; 2) the original data of the fine, fee or assessment is within the month in question, and; 3) the case was randomly selected.</p> <p>3.57 If the sample case does not meet the proposed criteria, select another case.</p> <p>3.58 If possible, repeat the procedure for each day until 20 cases have been collected.</p>

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3.59	<p>Alternate Procedure: If it is easier to do so, it is acceptable to select the first case at random and then select additional cases at a fixed interval. The specific interval depends on the total number of cases in the month. For example:</p> <ol style="list-style-type: none"> 1. If there are 4,000 potential cases in the month, select one of the first 100 cases at random. 2. Determine the interval by dividing the remainder by 19. In this case $4,000 - 100 = 3,900$. Since 19 cases are needed the interval should be $3,900/19 = 205$. 3. Select every 205th case to fill out the sample. 4. Confirm that the cases meet the criteria specified in Section 3.51. If necessary reduce the interval to permit enough valid cases to be selected.
3.6	Instructions for Filling out the Supplemental Questionnaire
	<p>For each sample case drawn at random according to Section 3.51 or 3.59 , please fill out the information in the Supplemental Questionnaire worksheet. The information for all sample cases must be entered in the same sheet.</p> <p>The perspective of the questionnaire is to view the life of the cases in question within the two year period. This may require coordination between collection programs to provide a complete picture of a debt item that has been transferred between collection programs. Please coordinate with the other programs to the extent possible to capture the requested information.</p>
3.7	Submitting the Monthly Supplemental Data Gathering Questionnaire
	<p>After the Questionnaire is completed, please:</p> <p>1) E-mail the Questionnaire and Contact and Other Information worksheet to collections@jud.ca.gov</p>
4	QUESTIONS
4.1	Who To Contact If You Have Questions
	<p>If you have questions about the Collections Reporting Template, please contact staff of the Enhanced Collections Unit :</p> <p style="padding-left: 40px;">Administrative Office of the Courts (AOC) phone: 818-558-3081 or 818-558-3080 or 818-558-3001 e-mail: collections@jud.ca.gov</p>

Glossary

TERMS USED IN THE COLLECTIONS REPORTING TEMPLATE	
Term	Definition
Adjustments	Any cash or non-cash adjustment that increases or decreases the amount of debt outstanding subsequent to the initial assessment. Non-cash adjustments include suspensions, alternative payments, dismissals and discharge from accountability. Most frequently these reduce the amount of debt outstanding, but adjustments can also increase the amount of debt outstanding. Cash adjustments include transactions for a bad check or a correction to the initial assessment amount.
Alternative Sentence Payment	An alternative payment for resolving court-ordered debt designed for an individual who demonstrates an inability to pay. Examples include community service and work furlough.
Case	Set of official court documents filed in connection with an action.
Closed Cases	A case where no further collection action is necessary to enforce a court-ordered payment, including suspensions, alternative payments, dismissals, and discharged accounts.
Comprehensive Collection Program	A comprehensive collection program designed to collect delinquent court-ordered fines, fees, forfeitures, penalties, and assessments that satisfies 10 of the 17 criteria identified in Penal Code Section 1463.007.
Continuance	To postpone, stay, or withhold payment under certain conditions for a temporary period of time.
Contract/Hard to Collect	This includes all accounts referred to a private collection agency on cases ready or eligible to be discharged from accountability.
Cost of Collections (pursuant to Penal Code Section 1463.007)	Collection costs that are allowable to be offset by revenues pursuant to Penal Code Section 1463.007.
County Collections Program	A collections program administered by the county.
Court Collections Program	A collections program administered by the local court.
Delinquent Account	Accounts related to a defendant that has not complied with the court-ordered or agreed-upon terms and conditions of payment.
Discharged Accounts	Cases that were deemed uncollectible and received a discharge from accountability. The debt is still owed; however, collection efforts have been exhausted. The actual discharge is based on established criteria by an authorized body, pursuant to Government Code Section 25258.
Dismissals	To drop a criminal or civil action without settling the issues involved. The initial court-ordered debt no longer exists.
Forthwith Payments	<u>Full payment</u> of court-ordered fines, fees, forfeitures, penalties, and assessments on or before the due date. Installment plans or accounts receivable plans are not forthwith payments.
FTB Court-Ordered Debt	Franchise Tax Board Court-Ordered Debt collection program.
FTB Tax Intercept	Franchise Tax Board Tax Interagency Intercept collection program.
Gross Revenue Collected	Revenue collected in collection program, prior to consideration of any realized or implied reductions for cost offsets.
Hybrid	When referenced in connection with primary collections program, cases initially referred to multiple programs depending on case type. For instance, traffic cases are referred to a private agency, and criminal cases are referred to the county.
Net Revenue	Gross revenue collected less cost of collections (i.e., allowable cost offsets pursuant to Penal Code Section 1463.007).
Penal Code Section 1463.007	Legislation enacted in 1998 allowing, among other things, the county or court to deduct and deposit in the county treasury or trial court operations fund the cost of operating a "comprehensive program to identify and collect delinquent fines and forfeitures" from any revenues collected prior to making any distribution of revenues to other governmental entities. The statute defines the criteria for the comprehensive collection program, the establishment of a minimum base fine or forfeiture amount, and sets forth specific criteria for the calculation and deduction for this collection program.
Primary Collection Program	A collections program to which a debt is initially referred when it becomes delinquent.
Private Collection Agency	A private entity employed to collect court-ordered fines, fees, forfeitures, assessments, and penalties.
Referral	Court-ordered debts submitted to other collection entities for collections.
Revenue Collected	Monies received towards the satisfaction of a court-ordered debt.
Secondary Collection Program	A collections program to which a debt is referred when the primary collections program has been unable to resolve the debt.
Community Service	Credits applied to an assessment that reduce the outstanding balance.
Suspensions	An assessment that is reduced or eliminated as a result of a judicial order.
Value of Cases	Court-ordered debt still expected to be collectible for all court cases. For closed cases, sum of (gross) debt collected, dismissals, alternative payments, suspensions, and discharged accounts.
Victim Restitution	A victim of crime who incurs any economic loss as a result of the commission of a crime may receive restitution directly from any defendant convicted of that crime as a condition of probation.

Contact and Other Information

1	Court/County	Select court/county (see Contact Information wo... ▼ :		
2	Court Contact:			
3	Telephone Number:			
4	E-mail Address:			
5	County Contact:			
6	Telephone Number:			
7	E-mail Address:			
8				
9	Private Collection Agencies Used:			
10				
11	Does your court/county have a comprehensive collections program pursuant to Penal Code 1463.007?	Select Y or N ▼		
12	Which of the 17 comprehensive collection program components, pursuant to Penal Code 1463.007, does your court/county currently use? If you indicated YES to question #11, you must check at least 10 components.	Check the components the Court uses.	Check the components the County uses.	Check the components the private agency uses.
13	a - Monthly bill or account statements to all debtors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	b - Telephone contact with delinquent debtors to apprise them of their failure to meet payment obligations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	c - Issuance of warning letters to advise delinquent debtors of an outstanding obligation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16	d - Requests for credit reports to assist in locating delinquent debtors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	e - Access to Employment Development Department employment and wage information.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18	f - The generation of monthly delinquent reports.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19	g - Participation in the Franchise Tax Board's tax intercept program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	h - The use of Department of Motor Vehicle information to locate delinquent debtors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21	i - The use of wage and bank account garnishments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22	j - The imposition of liens on real property and proceeds from the sale of real property held by a title company.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23	k - The filing of objections to the inclusion of outstanding fines and forfeitures in bankruptcy proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24	l - Coordination with the probation department to locate debtors who may be on formal or informal probation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	m - The initiation of drivers' license suspension actions where appropriate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26	n - The capability to accept credit card payments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27	o- Participation in the F.T.B.'s Court-Ordered Debt Collection Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28	p-Contracting with one or more private debt collectors (Please indicate above at 8, 9 and 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29	q-The use of skip tracing or locator resources or services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30	Does the primary collection program to which the majority of delinquent debts are referred accept debit cards?	Select Y or N ▼		
31	Does the primary collection program to which the majority of delinquent debts are referred allow internet payments?	Select Y or N ▼		
32	Do you have an Enhanced Collections and Compliance Coordination Committee?	Select Y or N ▼		
33	If a defendant fails to appear, does the court impose a civil assessment?	Select Y or N ▼		
34	If a defendant fails to appear, does the court charge VC 40508(a) as an infraction?	Select Y or N ▼		
35	If a defendant fails to appear, does the court charge VC 40508(a) as a misdemeanor?	Select Y or N ▼		
36	Does the court have a Trial by Written Declaration (in Absentia) program under VC40903?	Select Y or N ▼		
37	Does court/county have an MOU allowing the DMV to take payments on court-ordered debt?	Select Y or N ▼		
38	Is a specialized data collection form used to capture debtor demographic, employment, and other personal information (including SSN) on non-forthwith payments?	Select Y or N ▼		
39	Do collections program personnel capture information on debtors that cannot pay forthwith?	Select Y or N ▼		
40	Which program recovers cost pursuant to PC 1463.007?	Select Programs That Apply ▼		
41	Primary collection program to which the majority of delinquent debt is initially referred.	Select Primary Program ▼		
42	Does the primary collection program to which the majority of delinquent debt is referred routinely make outbound calls on nights (after 6:00pm) and weekends?	Select Y or N ▼		
43	Which computer system does the primary collection program to which the majority of delinquent debt is referred use?	Select System Used ▼		
44	Does the primary collection program to which the majority of delinquent debt is referred use a predictive dialer?	Select Y or N ▼		

Program Report

Select court/county (see Contact Information worksheet #1)

Use the space below to describe your collection program.

Describe the extent to which your collection program is meeting the Judicial Council approved Collections Best Practices. In the description please identify which of the twenty-seven (27) Best Practices your collection program has implemented.

Type here.

Please identify any obstacles or problems that prevent the collection program from meeting any of the Judicial Council approved Collections Best Practices.

Type here.

Performance Report

Select court/county (see Contact Information worksheet #1)
Use the space below to discuss your collection program.

Please provide any comments on your Gross Recovery Rate or Success Rate.

Type here.

Additional comments on collection program for this Reporting Period.

Type here.

Annual Financial Report

Select court/county (see Contact Information worksheet #1)

REPORTING PERIOD			
		Reporting Period	
Row	Program	Col. A	
1	Beginning Date	01-Jul-08	First day of Reporting Period
2	Ending Date	30-Jun-09	Last day of Reporting Period

FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS							
		Number of Cases Established/ Referred in Period	Value of Cases Established/ Referred in Period	Debt Transfers	Gross Revenue Collected During the Period	Cost of Collections (pursuant to Penal Code 1463.007)	Adjustments
Row	Program	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G
3	Non-Delinquent Collections						
4	Court Collection Program						
5	County Collection Program						-
6	Private Agency						
7	FTB Court-Ordered Debt						
8	Contract/Hard to Collect						
9	Other						
10	Total		-	-	-	-	-

Row	Quality Checklist	Quality Criteria
11	<input type="checkbox"/>	Rows 3-10 includes all fines, fees, forfeitures, penalties and assessments except victim restitution and other justice related reimbursements (see Row 46 for more information).
12	<input type="checkbox"/>	Rows 3-10 includes traffic, criminal, juvenile case types.
13	<input type="checkbox"/>	Rows 3-10 includes felonies, misdemeanors and infractions.
14	<input type="checkbox"/>	Row 3 includes all collections for cases that <u>were paid in full</u> on or before the due date.
15	<input type="checkbox"/>	Rows 4-9 includes all cases that were not paid in full on or before the due date.
16	<input type="checkbox"/>	Rows 3-10 includes only cases referred/established, transfers processed, revenue collected, or adjustments posted during the reporting period.
17	<input type="checkbox"/>	Row, 3, Column E, includes traffic bail forfeitures.
18	<input type="checkbox"/>	Rows 4-9, Columns B and C, represents new debt referrals to collection programs (returned cases should be reported in Column D).
19	<input type="checkbox"/>	Debts that were returned by or transferred between collections program are recorded as a negative value in Column D. Debt returned to a program are recorded as a positive value in Column D.
20	<input type="checkbox"/>	Column E includes all monies received towards the satisfaction of court-ordered debts.
21	<input type="checkbox"/>	Column F includes the cost of collections that, pursuant to PC 1463.007, is allowable to offset revenue prior to distribution to other governmental entities.
22	<input type="checkbox"/>	Cost of collections is entered in Column F as a negative number unless posting a reversal.
23	<input type="checkbox"/>	Value of adjustments reported in Column G includes all suspensions, alternative payments, dismissals, discharges or other non-cash adjustments that decrease or increase the amount outstanding for individual debt items.

FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS: BEGINNING AND ENDING BALANCES							
		Number of Cases - Beginning Balance	Value of Cases - Beginning Balance	Change in Value (from above)	Number of Cases - Ending Balance	Value of Cases - Ending Balance	Error Messages
Row	Program	Col. H	Col. I	Col. J	Col. K	Col. L	Col M
24	Court Collection Program			-			
25	County Collection Program			-			
26	Private Agency			-			
27	FTB Court-Ordered Debt			-			
28	Contract/Hard to Collect			-			
29	Other			-			
30	Total	-	-	-	-	-	

Row	Quality Checklist	Quality Criteria
31	<input type="checkbox"/>	Rows 24-29 includes fines, fees, forfeitures, penalties and assessments except victim restitution and other justice related reimbursements.
32	<input type="checkbox"/>	Rows 24-29 includes cases that have been referred to a collection program.
33	<input type="checkbox"/>	Columns I and L includes traffic, criminal, and juvenile case types.
34	<input type="checkbox"/>	Number of cases and value reported in Columns I and L reconcile to figures reported from underlying systems and vendors.
35	<input type="checkbox"/>	Number of cases and value reported in columns H and I match ending value reported in prior year.
36	<input type="checkbox"/>	Value of cases at end of period (Column L) balances to value of cases at beginning of period (Column I), plus change in value reported in Column J (which is the sum of Columns C and D less the amounts shown in Columns E and G).
37	<input type="checkbox"/>	No error messages shown in Column M. Note: An error message in Column M indicates that the beginning balance in Column I, plus the value of transactions reported in Column J (J = C + D - E - G) does not equal the ending balance reported in Column L.

Annual Financial Report

VICTIM RESTITUTION AND OTHER JUSTICE RELATED REIMBURSEMENTS							
Row	Program	Number of Cases Established/ Referred in Period Col. N	Value of Cases Established/ Referred in Period Col. O	Debt Transfers Col. P	Gross Revenue Collected During the Period Col. Q	Adjustments Col. R	Change in Value Col. S
38	Non-Delinquent Collections						-
39	Court Collection Program						-
40	County Collection Program						-
41	Private Agency						-
42	FTB Court-Ordered Debt						-
43	Contract/Hard to Collect						-
44	Other						-
45	Total		-	-	-	-	-

Row	Quality Checklist	Quality Criteria
46	<input type="checkbox"/>	Rows 38-44 includes any victim restitution and reimbursements (to court appointed counsel and other parties) that were not included in rows 4-9.
47	<input type="checkbox"/>	Rows 38-44 includes only cases referred/established, transfers processed, revenue collected, or adjustments posted during the reporting period.
48	<input type="checkbox"/>	Gross revenue collected is entered in Column Q as a positive number unless posting reversal.
49	<input type="checkbox"/>	Adjustments in Column R are entered as a positive number if it causes the outstanding balance to decrease or as a negative number if it causes the outstanding balance to increase.

VICTIM RESTITUTION AND OTHER JUSTICE RELATED REIMBURSEMENTS: BEGINNING AND ENDING BALANCES							
Row	Program	Number of Cases - Beginning Balance Col. T	Value of Cases - Beginning Balance Col. U	Number of Cases - Ending Balance Col. V	Value of Cases - Ending Balance Col. W	Description of Items Included Col. X	Error Messages Col. Y
50	Court Collection Program						
51	County Collection Program						
52	Private Agency						
53	FTB Court-Ordered Debt						
54	Contract/Hard to Collect						
55	Other						
56	Total	-	-	-	-		

Row	Quality Checklist	Quality Criteria
57	<input type="checkbox"/>	Rows 50-55 include any victim restitution and other justice related reimbursements (to court appointed counsel and other parties) that were not included in rows 24-29.

COLLECTIONS METRICS FOR FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS				
Row	Metric Col. Z	Current Performance Col. AA	Formula Col. AB	Definition Col. AC
58	Gross Recovery Rate		(Collections + Adjustments) / Referrals	Measures a collection program's ability to resolve delinquent court-ordered debt, including alternative sentences, community service, and suspended sentences.
59	Success Rate		Collections / (Referrals - Adjustments)	Measures the amount of revenue collected on delinquent court-ordered debt based on total delinquent accounts referred after adjustments, including NSF checks.

ERROR/WARNING MESSAGES	
60	
61	

Reviewed by Court

Printed Name _____

Signature _____

Date _____

Title (Court Executive or Presiding Judge) _____

Reviewed by County

Printed Name _____

Signature _____

Date _____

Title (County Auditor-Controller or other) _____

Supplemental Data Gathering Questionnaire

		Instructions	Sample Case # 1	Sample Case # 2	Sample Case # 3	Sample Case # 4	Sample Case # 5	Sample Case # 6
Basic Case Information								
1	Date when traffic ticket was issued	Enter date						
2	Date debt was originally due	Enter date						
3	Date of original referral to primary collections program	Enter date						
4	Ticket/case identifier (must be unique and will be used for reference purpose only)	Enter the number/identifier of the ticket or case that is being pulled as part of the sample.						
5	Traffic infraction case	FTP = Failure to Pay FTA = Failure to Appear						
6	Total dollar amount assessed on this case, including fees, fines, forfeitures, penalties and assessments	Include all assessments.						
7	Total dollar amount suspended, dismissed, waived or other adjustments.	Include all adjustments.						
8	Total dollar amount paid to date on this case							
9	Total dollar amount referred to secondary collection program, if applicable	Enter balance, in dollars at time of referral to secondary collections program, if applicable.						
10	Payments attributable to secondary collections program	Enter payments made while case was with secondary collections program.						
11	Adjustments attributable to secondary collections program	Enter adjustments that occurred while case was with secondary collections program.						
12	Has the debtor agreed to pay the debt in installments?	Yes or No						
13	If there is an installment plan, what is the duration in months?	Enter installment plan duration in months, if applicable.						
14	Date debt was paid in full, if applicable	Enter date.						
15	Number of payments to date	Enter a whole number.						
People and Sourcing Approach								
16	Collections program to which the delinquent debt was initially referred	A - County program B - Court program C - Private agency D - FTB COD E - None						
17	Collections program to which the debt was referred for secondary collection efforts, if applicable.	A- County B- Court C-Private agency D- FTB COD E - FTB TIP						
18	Date debt was referred to secondary collections program	Enter date						
Process								
19	Was driver's license revoked or suspended?	Yes or No						
20	Was a DMV hold placed?	Yes or No						
21	Was the VC40903 process used?	Yes or No						
Collection of Debt								
22	Was address on the citation valid?	Yes or No						
23	Where does the debtor currently reside?	California Resident Out of State Resident Out of Country Resident Unknown						
Quantity of Effort								
24	Number of attempted calls to date where contact was made by primary collections program	Enter number of attempted calls or messages left.						
25	Number of attempted calls in first 60 days after referral to primary collections program	Enter number of attempted calls or messages left.						
26	Number of completed calls to date where contact was made by primary collections program	Enter the number of "live" conversations with debtor.						
27	Number of completed calls in first 60 days of referral to primary collections program	Enter the number of "live" conversations with debtor.						
28	Number of letters mailed to date by primary collections program	Enter the number of letters mailed.						
29	Was a skip trace performed by the primary collections program?	Yes or No						
30	Is the SSN known?	Yes or No						
Related Cases								
31	Additional fines, fees and assessments, on other cases for this debtor, as of the initial referral date to the primary collections program.	Enter the total amount of fines, fees and assessments on other cases since the date this case was referred to the primary collections program.						
32	Collections on other cases, for this debtor, as of the initial referral date to the primary collections program.	Enter the total amount of collections received on other cases since the date this case was referred to the primary collections program.						
33	Total adjustments on other cases, for this debtor, as of the initial referral date to the primary collections program.	Enter the total amount of adjustments on other cases since the date this case was referred to the primary collections program.						
34	Total amount outstanding on other cases, for this debtor, at the end of the period.	The total amount outstanding on other cases at the end of the period.						

Supplemental Data Gathering Questionnaire

		Sample Case # 7	Sample Case # 8	Sample Case # 9	Sample Case # 10	Sample Case # 11	Sample Case # 12	Sample Case # 13
Basic Case Information								
1	Date when traffic ticket was issued							
2	Date debt was originally due							
3	Date of original referral to primary collections program							
4	Ticket/case identifier (must be unique and will be used for reference purpose only)							
5	Traffic infraction case							
6	Total dollar amount assessed on this case, including fees, fines, forfeitures, penalties and assessments							
7	Total dollar amount suspended, dismissed, waived or other adjustments.							
8	Total dollar amount paid to date on this case							
9	Total dollar amount referred to secondary collection program, if applicable							
10	Payments attributable to secondary collections program							
11	Adjustments attributable to secondary collections program							
12	Has the debtor agreed to pay the debt in installments?							
13	If there is an installment plan, what is the duration in months?							
14	Date debt was paid in full, if applicable							
15	Number of payments to date							
People and Sourcing Approach								
16	Collections program to which the delinquent debt was initially referred							
17	Collections program to which the debt was referred for secondary collection efforts, if applicable.							
18	Date debt was referred to secondary collections program							
Process								
19	Was driver's license revoked or suspended?							
20	Was a DMV hold placed?							
21	Was the VC40903 process used?							
Collection of Debt								
22	Was address on the citation valid?							
23	Where does the debtor currently reside?							
Quantity of Effort								
24	Number of attempted calls to date where contact was made by primary collections program							
25	Number of attempted calls in first 60 days after referral to primary collections program							
26	Number of completed calls to date where contact was made by primary collections program							
27	Number of completed calls in first 60 days of referral to primary collections program							
28	Number of letters mailed to date by primary collections program							
29	Was a skip trace performed by the primary collections program?							
30	Is the SSN known?							
Related Cases								
31	Additional fines, fees and assessments, on other cases for this debtor, as of the initial referral date to the primary collections program.							
32	Collections on other cases, for this debtor, as of the initial referral date to the primary collections program.							
33	Total adjustments on other cases, for this debtor, as of the initial referral date to the primary collections program.							
34	Total amount outstanding on other cases, for this debtor, at the end of the period.							

Supplemental Data Gathering Questionnaire

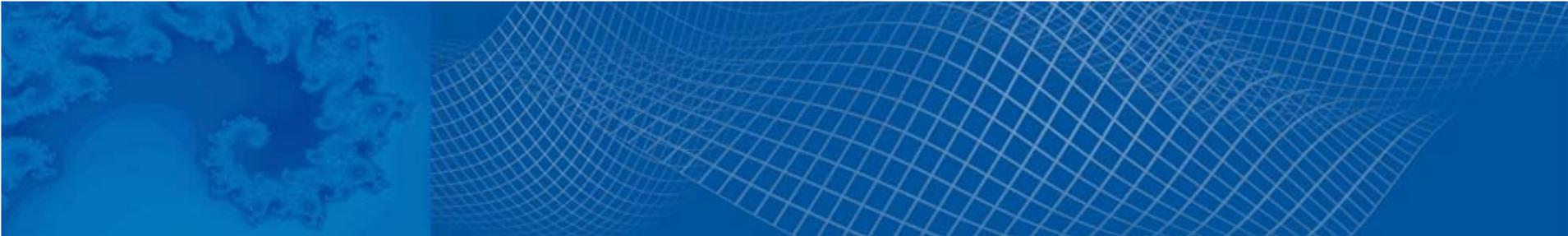
		Sample Case # 14	Sample Case # 15	Sample Case # 16	Sample Case # 17	Sample Case # 18	Sample Case # 19	Sample Case # 20
Basic Case Information								
1	Date when traffic ticket was issued							
2	Date debt was originally due							
3	Date of original referral to primary collections program							
4	Ticket/case identifier (must be unique and will be used for reference purpose only)							
5	Traffic infraction case							
6	Total dollar amount assessed on this case, including fees, fines, forfeitures, penalties and assessments							
7	Total dollar amount suspended, dismissed, waived or other adjustments.							
8	Total dollar amount paid to date on this case							
9	Total dollar amount referred to secondary collection program, if applicable							
10	Payments attributable to secondary collections program							
11	Adjustments attributable to secondary collections program							
12	Has the debtor agreed to pay the debt in installments?							
13	If there is an installment plan, what is the duration in months?							
14	Date debt was paid in full, if applicable							
15	Number of payments to date							
People and Sourcing Approach								
16	Collections program to which the delinquent debt was initially referred							
17	Collections program to which the debt was referred for secondary collection efforts, if applicable.							
18	Date debt was referred to secondary collections program							
Process								
19	Was driver's license revoked or suspended?							
20	Was a DMV hold placed?							
21	Was the VC40903 process used?							
Collection of Debt								
22	Was address on the citation valid?							
23	Where does the debtor currently reside?							
Quantity of Effort								
24	Number of attempted calls to date where contact was made by primary collections program							
25	Number of attempted calls in first 60 days after referral to primary collections program							
26	Number of completed calls to date where contact was made by primary collections program							
27	Number of completed calls in first 60 days of referral to primary collections program							
28	Number of letters mailed to date by primary collections program							
29	Was a skip trace performed by the primary collections program?							
30	Is the SSN known?							
Related Cases								
31	Additional fines, fees and assessments, on other cases for this debtor, as of the initial referral date to the primary collections program.							
32	Collections on other cases, for this debtor, as of the initial referral date to the primary collections program.							
33	Total adjustments on other cases, for this debtor, as of the initial referral date to the primary collections program.							
34	Total amount outstanding on other cases, for this debtor, at the end of the period.							

Collection Reporting Template
Random Case Selection Tool

Attachment C

Item	Col A	Result A	Col B	Result B	Col C	Result C	Col D	Result D
1		0		0		0		0
2		0		0		0		0
3		0		0		0		0
4		0		0		0		0
5		0		0		0		0
6		0		0		0		0
7		0		0		0		0
8		0		0		0		0
9		0		0		0		0
10		0		0		0		0
11		0		0		0		0
12		0		0		0		0
13		0		0		0		0
14		0		0		0		0
15		0		0		0		0
16		0		0		0		0
17		0		0		0		0
18		0		0		0		0
19		0		0		0		0
20		0		0		0		0

Check box at right to calculate random numbers ----->



Judicial Council of California Administrative Office of the Courts



Courts Collection Benchmark

Statistics

June 12, 2008

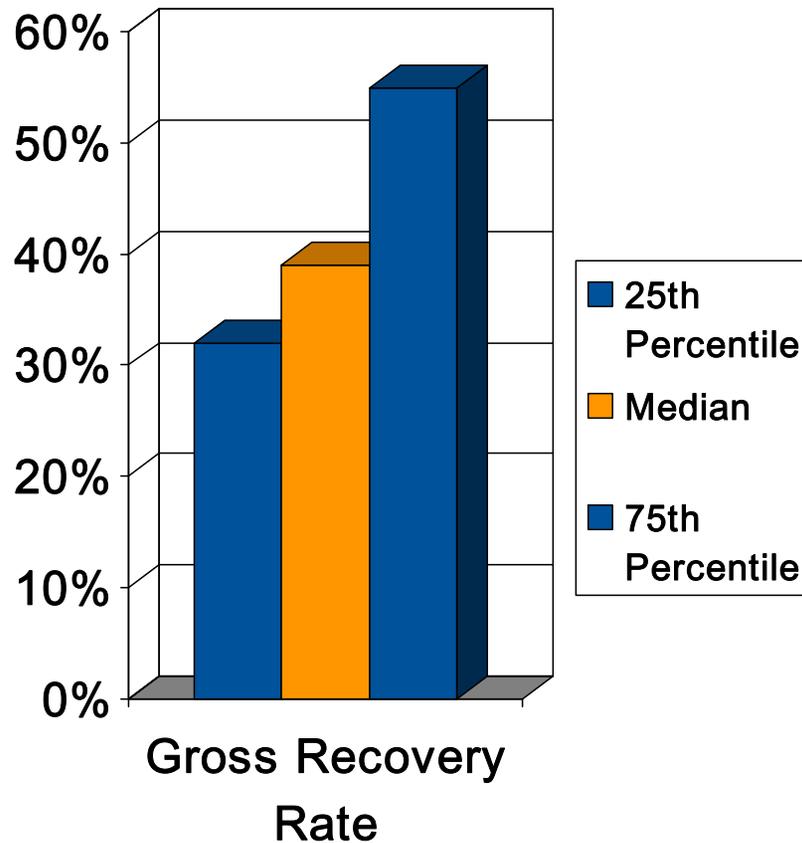
Engagement: 221951430

Gartner®

Background

- In conjunction with the AB 367 a project was conducted to determine county/court's ability to report data in the revised Collections Reporting Template. The project also included capturing information contained in a Supplemental Data Gathering Template to evaluate the factors influencing collections of court debt.
- Despite taking measures to simplify the reporting requirements (e.g. eliminating reporting on closed cases), counties and courts were very challenged to provide accurate reporting. Only 2 of the 16 pilot counties/courts provided data with no known errors.
- The pages that follow contain statistics from the effort. These statistics provide some insight into current court debt collections performance. However, it must be acknowledged that there were known problems with the data that was reported and care must be taken in drawing conclusions from this data.

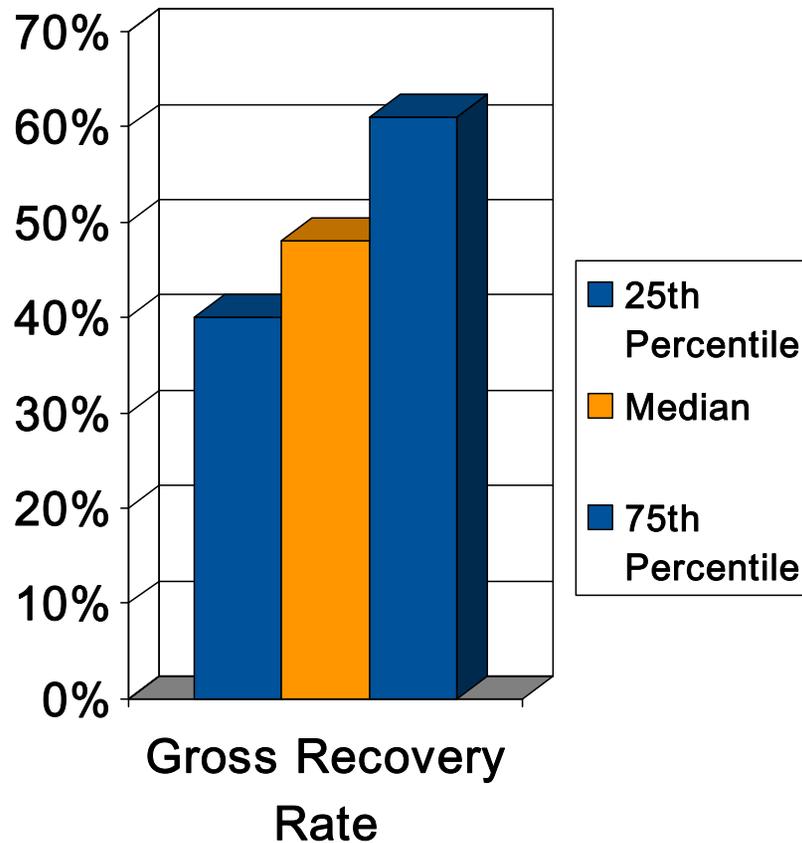
Success Rate



- The Success Rate (SR) represents the ability of the collection program to convert delinquent debt into cash.
- The data reported by 11 counties/courts, ignoring data quality issues, shows the following performance:
 - 25th Percentile = 32%
 - 50th Percentile = 39%
 - 75th Percentile = 55%
- The figures represent reported county/court performance in collecting non-forthwith court debts that were not paid on a forthwith basis.

$$\text{Success Rate} = \frac{\text{Collections}}{\text{Referrals} - \text{Adjustments}}$$

Gross Recovery Rate



- The Gross Recovery Rate (GRR) measures the ability to resolve delinquent court debts to ensure the justice is administered.
- The data reported by 11 counties/courts, ignoring data quality issues, shows the following performance:
 - 25th Percentile = 40%
 - 50th Percentile = 48%
 - 75th Percentile = 61%
- The figures represent reported county/court performance in collecting court debts that were not paid on a forthwith basis.

$$\text{Gross Recovery Rate} = \frac{\text{Collections + Adjustments}}{\text{Referrals}}$$

Influence of Phone Calls on Collections Performance

Collections performance is significantly influenced by number of calls

- The matrices at the right show the number of cases where payments were received (1+ payments) and where there were no payments.
 - 173 of 268 (65%) debts where no payment were received had no calls.
 - 183 of 252 (73%) items where a payment was received had one or more calls.
- This data indicates (with 95% confidence) that phone calls influence collections performance.
 - Pearson Chi-Square Statistic = 72.126.
 - A value > 8 indicates that difference is significant with 95% confidence.

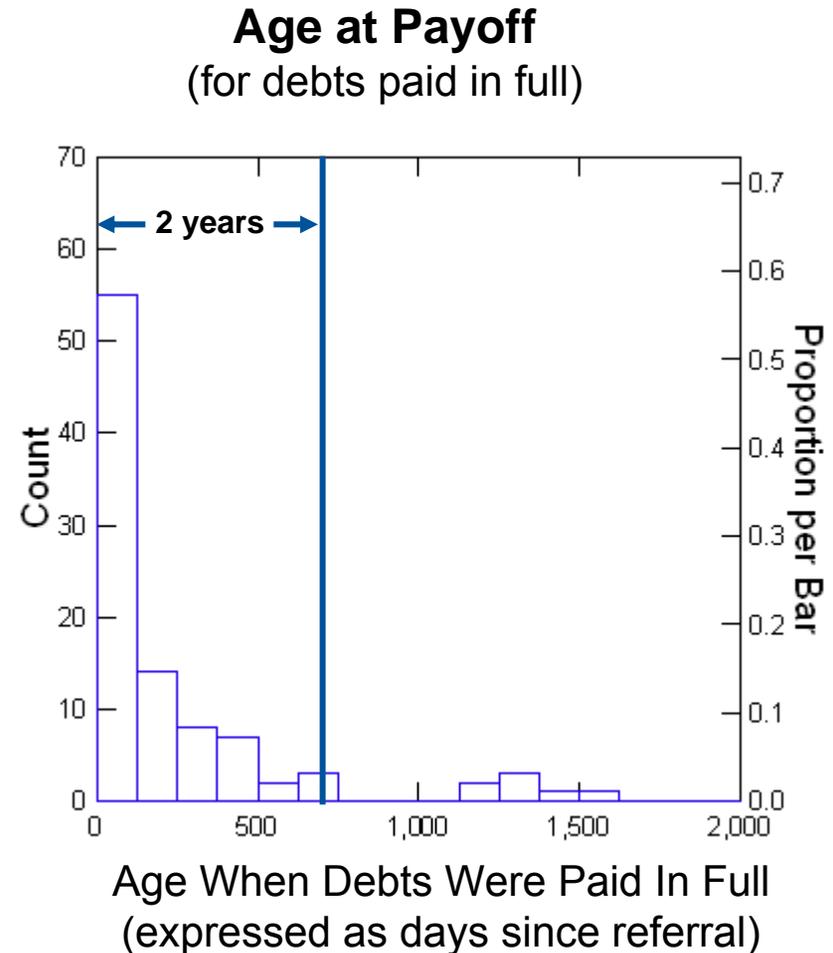
	Number of Items		Total
	No Payments	1+ Payments	
No Calls	173	69	242
1+ Calls	95	183	278
Total	268	252	520

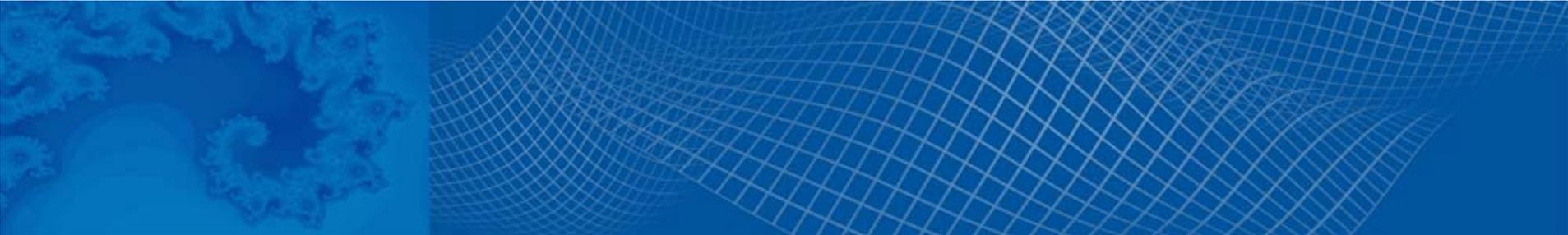
Test Statistic	Value
Pearson Chi-square	72.126

Age at Payoff

The majority of tickets that are paid in full are paid within 2 years of date of referral

- The table at the right shows data on cases that were paid in full.
- The bars represent the quantity of debts that were paid off with the specified number of days after referral (horizontal axis).





■ ■ ■ ■ **Contact Information**

Client Contact

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**Comments on
Assembly Bill 367: Performance Measures and Benchmarks and Collections Reporting Template**

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Response
1.	Superior Court of Los Angeles County, Michael Gatiglio, Finance Administrator, Revenue Enhancement	AM	<p>Recommendation #1: Consider revising the definition of “Forthwith Payments” as found in the glossary by removing the word “original.” The current definition reads: “<u>Full payment of court-ordered fines, fees, forfeitures, penalties, and assessments on or before the original court-mandated due date. Installment plans or accounts receivable plans are not forthwith payments.</u>”</p> <p>For example, when a defendant receives an extension for their appearance due date on a traffic citation and then pays within the time frame of the extension, that is considered a forthwith payment.</p> <p>However, the current definition uses the qualifier “original due date.” By definition when an extension is granted it is no longer the “original” due date even though it is considered a forthwith payment as in the example above.</p> <p>Recommendation #1a: Consider refining the definition of “Forthwith Payments” as found in the glossary and listed above. There are cases which a defendant makes “monthly payments” on a fine; however, the full payment is received prior to the due date given by the court.</p> <p>To illustrate, on criminal cases there are normally no fines or fees owed until the defendant is sentenced. Therefore, the original</p>	<p>Recommendation 1 and 1a: Agree. The definition of “Forthwith Payments” as used in the <i>Collections Reporting Template</i> glossary has been revised and the word “original” has been deleted.</p>

**Comments on
Assembly Bill 367: Performance Measures and Benchmarks and Collections Reporting Template**

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	Commentator	Position	Comment	Response
			<p>court mandated “due date” for appearance would not apply. Only at sentencing is the defendant given a “due date” to pay the imposed fine and thus becomes an account receivable.</p> <p>For example, a defendant is charged with theft and given a court appearance date of March 1, 2008. After some pre-trial continuances, on July 1, 2008 the defendant is sentenced to pay a \$900 fine and given a fine due date of November 1, 2008. Note that is the first time the defendant is made aware of the fine amount and a payment due date. Using the definition and example above, it is unclear whether the payment(s) would be considered forthwith or non-forthwith. So, if the defendant made monthly payments but paid in full before the due date it is a forthwith payment. However, by the current definition, making monthly payments it also could be considered a non-forthwith payment.</p> <p>Recommendation #2: Consider revising the <u>Contact and Other Information</u> page to allow separate “Yes or No” answers for questions 30 through 44. Some Courts and Counties may differ in their responses to these questions. Also, in lines 8 through 10 (Private Collection Agencies Used) consider adding an identifier as to who (County or Court) uses which collection vendor(s).</p> <p>Comment on Reporting Template:</p>	<p>Recommendation 2: Agree. Suggestions have been incorporated, with minor alterations, into the <i>Template</i> that is recommended for adoption. The <i>Template</i> was developed to capture collection programs information, based on a “cooperative” perspective. The <i>Contact and Other Information</i> worksheet has been modified; the information for questions 30-44 and lines 8-10 is limited to delinquent account referrals and collections by the primary collection program only.</p>

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			<p>Overall, completing this reporting template is straightforward. The Los Angeles Superior Court can obtain accurate and complete data from our private and public collection vendors. Because these vendors' in-house systems are structured like an accounts receivable program, the reports provided by these vendors match up to the data requested in the Collections Reporting Template. Conversely, data requested for the pre-collection program is obtained from the Court's numerous case management systems. Therefore, the court is left with providing its best approximation of the data requested in the Collections Reporting Template. The majority of case management systems used by the courts were not designed or intended to be used as an accounts receivable database. These case management systems were primarily designed to keep a record of court proceedings, track individual case status and automate those functions that were previously done manually. Until the California Case Management System (CCMS) is implemented, which has built in data components for collection accounts receivable, most courts will continue to provide an approximation of the data requested based on the limitations of their systems.</p>	<p>Comment on <i>Collections Reporting Template</i>—no response required.</p>
2.	Sandy Conte,	AM	It is important to mention that we had	We understand your dilemma, however any

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	Revenue Services Manager, Placer County		<p>previously upgraded our collection system to automatically retrieve the appropriate data in order to complete the AOC’s prior Court Reporting Template, approximate upgrade cost \$4,000. We were able to run and generate all data requested, and it worked until changes were made to the template.</p> <p>We have now forwarded the Fiscal Year 2008 2009 Collections Reporting Template to our Vendor for a cost estimate in automating this report as well. However, before we proceed with this newest automation, we need to be assured that the information requested on the report will not change. We realize that there may be a need for some tweaking of the report in the future, however it would have to be minor in order for us to avoid additional expense and delay in timely reporting.</p> <p>In reviewing the information requested on the Supplemental Data Gathering Questionnaire, we have determined that the County will not be able to provide the information requested on items 19, 20 and 21. The County does not report cases to DMV, place holds on licenses or suspend licenses. In addition, the requested information on the Supplemental Data Gathering Questionnaire cannot be automated in our system and would take substantial staff hours for both the County and the Court to gather, research, and manually prepare the</p>	<p>changes made by the Legislature or the Judicial Council are beyond our control, making it impractical to guarantee that the report will not change. We will make every effort to minimize major changes to the reporting template.</p> <p>Agree. We understand that some courts and counties may not have the system capabilities to provide all of the information requested in the <i>Collections Reporting Template</i>; however, we are asking that the questionnaire be completed to the extent possible.</p> <p>If your collections program does not perform the collection procedure or task on a case as listed in the questionnaire, please answer with a “No” or “NA” as appropriate.</p>

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			report each month. Items 31, 32, 33 and 34 would involve intense research by staff to review each record. Our system is not currently set up to track data in this format and each and every debtor record would need to be researched and analyzed in order to provide accurate reporting back to the AOC. This would also take numerous staff hours. Our goal is to provide the AOC with accurate data automatically retrieved from our system that can be used to complete the reporting template.	
3.	Superior Court of San Francisco County, Sally Pina, Manager	AM	<p>These comments address only the Supplemental Data Gathering Questionnaire. The questionnaire is incredibly labor intensive. We currently do not have the resources or staff to provide the detailed information asked for in this questionnaire. In addition, 20 sample cases per month is prohibitive due to the detail required and the fact that our systems are not programmed to capture the kinds of data and information regarding collection activities the questionnaire is seeking.</p> <p>We propose to take a monthly sample of 10 cases and provide what detail we can.</p>	Agree. We understand that some courts and counties may not have the system capabilities to provide all of the information requested in the <i>Collections Reporting Template</i> ; however, we are asking that the questionnaire be completed to the extent possible.
4.	Sacramento County,	AM	<u>Collection Reporting Template</u> : a) If total	Agree. The <i>Collections Reporting Template</i> has

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	Martie Cornwell, Assistant Director,		<p>referrals are to include any pending or to be determined amounts, does this overstate referrals as these amounts are not yet due and may never be referred for collection? Using this escalated total to compare to gross collection totals would result in a lower collection percentage. The template is unclear whether pending amounts dismissed are to be included in the adjustment column (G) or not. If so, this may resolve this issue. b) Supplemental Data Gathering Questionnaire; All data required may not be available from all collection, therefore anticipate questionnaire to be incompletd. In order to gather account information programming may be required, which will be an additional expense to progam current systems. In areas where ability to automatically pull this date does not exist, process will be completely manual requiring additional staff time to compile.</p> <p><u>Performance Measures and Benchmarking:</u> Agree with the benchmarch as set but have question on how they are applied. At the AB367 Workshop held in Sacramento, those present went through a data gathering exercise to determine which courts and counties have the ability to report the necessary aspects in the reporting template. As a result of that exercise, it appeared not all courts and counties would be able to do so. As entities begin to report, how will comparison be done and performance</p>	<p>been modified and collection programs will be reporting the same information. The revised <i>Template</i> captures financial information on delinquent accounts and limits reporting of non-delinquent accounts to gross revenue collected.</p> <p>Agree. We understand that some courts and counties may not have the system capabilities to provide all of the information requested in the <i>Collections Reporting Template</i>; however, we are asking that the questionnaire be completed to the extent possible.</p> <p>Performance Measures and Benchmarks: Agree. The <i>Collections Reporting Template</i> has been modified and collection programs will report the same information. Performance will be measured on an individual basis and comparisons made at the statewide, aggregate level. The <i>Benchmarks</i>, Gross Recovery Rate and Success Rate, have been established and each collection program will be held to the same standard.</p>

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			<p>measures be applied when not all are reporting the same information? Use of like size courts/counties as base comparison may not produce an accurate comparison (are we comparing apples to apples).</p>	
5.	<p>Thomas C. Mohan, Court Financial Officer, Superior Court of San Bernardino County</p>		<p>We have reviewed the above referenced report and concluded that for the amount of information derived this was a difficult and time consuming process which seems to support some of the commentary in the power point presentation.</p> <p>As a pilot court, we are equally concerned about the reporting template and I wish to take this opportunity to share our concerns. As pointed out in our meeting in Burbank, our court’s case management system is not an accounting system and the current capabilities do not include functioning as an accounts receivable engine for custom reporting. The system can and does provide reporting of delinquent payments. During committee review we approached our vendor and received an estimate of \$60,000 to extend this reporting to the non-delinquent, non-forthwith cases that were requested. The draft Reporting Template issued for comment extends the requirements again to include current cases. We’ve attempted on more than one occasion to communicate this with the consultant and find it very frustrating that he doesn’t accept what we are trying to say but, instead, tries to negotiate us into committing to report something that is</p>	<p>Agree. We understand that some courts and counties may not have the system capabilities to provide all of the information requested in the <i>Collections Reporting Template</i>; however, we are asking that the questionnaire be completed to the extent possible.</p> <p>We don’t expect all collection programs to be able to report initially at the requested level of detail. The <i>Collections Reporting Template</i> allows for reporting at a general level of detail. In all program categories, if data cannot be reported in detail, there is a category for “Other.” We ask that you provide an explanation of any difficulties, problems and inabilities in reporting requested data in the Performance Report.</p>

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			<p>not available.</p> <p>We are not the only court that is having these reporting problems and, in fact, the poll conducted at our regional meeting in Burbank revealed that only 3 small courts thought they might be able to meet the reporting requirements. This situation is going to continue until all courts in the State are on the new case management system.</p> <p>We would like to offer an alternative to the reporting template. Instead of trying to force the courts into trying to report statistics that are not available, develop some metrics that courts can supply. For example, our court can supply dollar values of the following:</p> <ul style="list-style-type: none"> • Gross Revenue collected for the month • Payments received on delinquent accounts • Payments received on current accounts (gross less delinquent) • Value of delinquent cases assigned to Collections <p>It would seem that the State would be interested in reducing the value of delinquent accounts and the collection of accounts once they become delinquent. Outstanding receivables where the dollar amounts are not valid until a case is dispositioned, or where the balance is not yet due, would seem to be of limited interest</p>	<p>Agree. The reporting template has been modified and collection programs will report the same information. The revised <i>Template</i> captures financial information on delinquent accounts and limits reporting of non-delinquent accounts to gross revenue collected.</p>
6.	Ms. Jackie Davenport, Assistant Court	N	I strongly oppose the Collections Reporting	Agree. We understand that some courts and

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	Executive Officer, Superior Court of El Dorado County		<p>Template as currently proposed. A majority of the data requested in the report is currently impossible to retrieve from our case management system. The hours to program the case management system and the cost associated with the programming is prohibitive especially in our current budget crisis.</p> <p>The Supplemental Data Gathering Questionnaire is labor intensive, costly in terms of man-power, and time. Our Court would be unable to provide all the data currently requested in the Annual Financial Report without programming by the case management vendor.</p> <p>In completing the supplemental data gathering questionnaire for 20 cases, we found that Court staff expended 6.5 hours to obtain the random case selection, manually review each case selected to gather the data required. County collection staff expended 4.5 hours to gather the data. The collection's staff found difficulty in having to go manually through all the notes to count the calls and letters and check for skip tracing.</p> <p>Currently many of our courts cases that are</p>	<p>counties may not have the system capabilities to provide all of the information requested in the <i>Collections Reporting Template</i>; however, we are asking that the questionnaire be completed to the extent possible.</p> <p>Agree. We don't expect all collection programs to be able to report initially at the requested level of detail. The <i>Collections Reporting Template</i> allows for reporting at a general level of detail. In all program categories, if data cannot be reported in detail, there is a category for "Other." We ask that you provide an explanation of any difficulties, problems and inabilities in reporting requested data in the Performance Report.</p> <p>Agree. Collections programs are not expected to incur costs to comply with the reporting requirements of AB 367. However, if the collection program is a comprehensive collections program, under Penal Code section 1463.007, eligible costs, including staff costs, may be recoverable.</p> <p>The <i>Questionnaire</i> requests information on 20</p>

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			collections are not in our current case management system. Our case management system was implemented in 2000. Cases in collections filed prior to 2000 are put into the courts case management system as staffing allows or as payments are received through the collection process. We would be unable to report on the cases not currently in our CMS.	randomly selected cases that are two-years old at the time of the report. For example, to complete the August 31, 2008, report, the cases selected must have been referred in July 2006. Cases filed prior to 2000 will not be required to complete the questionnaire.
7.	Chris Mc Caffree, Accounting Division Manager, Treasurer / Tax Collector Dept., El Dorado County	N	I strongly oppose the Collections Reporting Template as currently proposed. The data requested for the delinquent collections were very cumbersome and time consuming to try to extract out of the collector notes from each case. The data requested does not lend itself to being able to extract programmatically from the collection system, so there is no effective or efficient method of making the process streamlined. With pressure being put on the County for budget deficits, we do not have the ability to dedicate more staffing resources to this kind of monthly reporting. The Data Gathering Questionnaire is labor intensive, costly in terms of man-power, and time.	Agree. We understand that some courts and counties may not have the system capabilities to provide all of the information requested in the <i>Collections Reporting Template</i> ; however, we are asking that the questionnaire be completed to the extent possible. Agree. Collection programs are not expected to incur costs to comply with the reporting requirements of AB 367. However, if the collection program is a comprehensive collections program, under Penal Code section 1463.007, eligible costs, including staff costs, may be recoverable.