Collections Reporting Template Training and Information

Funds and Revenues Unit
May 2021

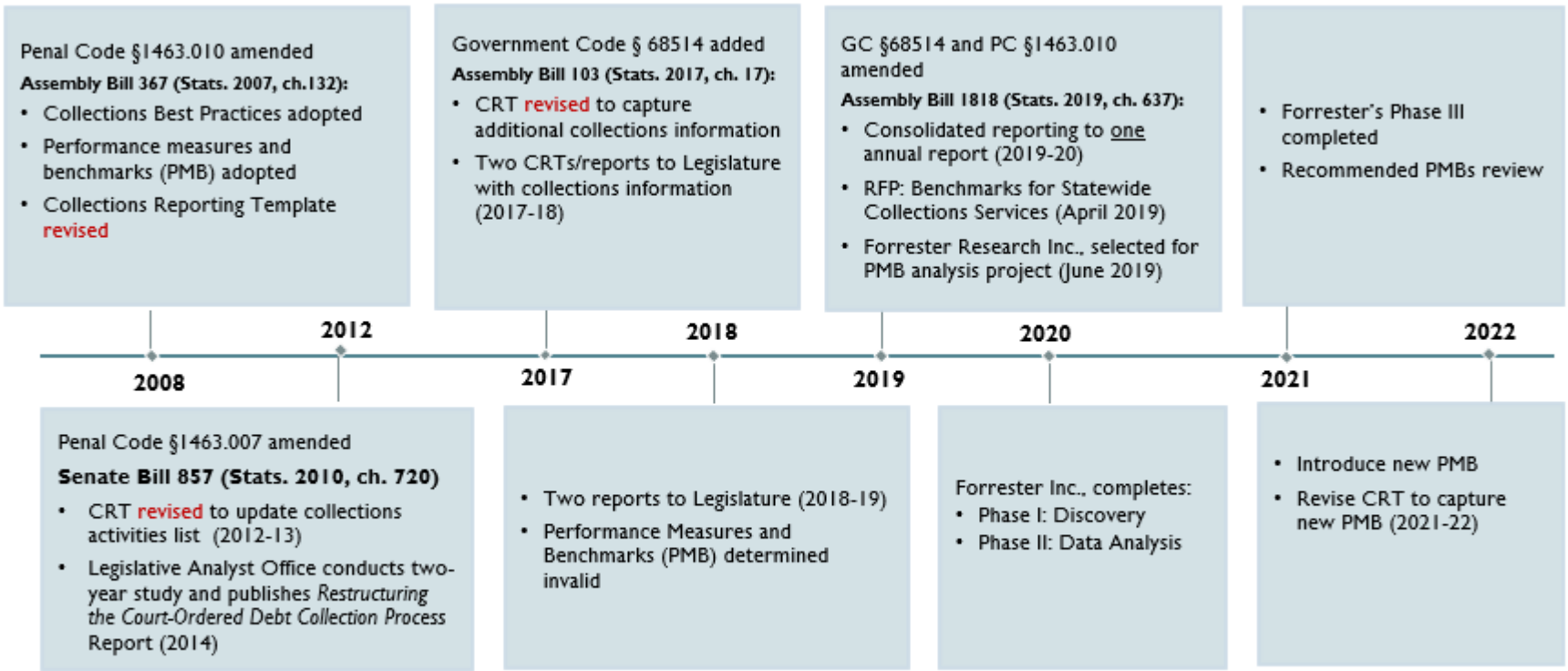
Training Goals

- Provide update on study of performance measures and benchmarks
- Review reporting requirement and data elements
  - Online Ability to Pay (AtP) determinations
  - Repeal of administrative fees (AB1869)
- Walk-through Collections Reporting Template (Excel)
- Discuss 2020-21 reporting process and importance of clean data

JUDICIAL COUNCIL
OF CALIFORNIA

COLLECTIONS REPORTING

2008 to 2022



Update: Performance Measures and Benchmarks Study

Performance Measures and Benchmarks (PMB)

- Established in 2008:
  - 34% Gross Recovery Rate
  - 31% Success Rate
- Forrester Research, Inc.
  - Reevaluate PMBs
  - Proposed new PMBs
  - Recast in 2021-22

JUDICIAL COUNCIL OF CALIFORNIA

Reporting Requirement

Penal Code § 1463.010

Penal Code § 1463.010 (c): Each superior court and county to jointly report to the Judicial Council, information requested, on reporting template (CRT) on or before September 1.

Judicial Council report annually, on or before December 31, to the Legislature, the Joint Legislative Budget Committee, and the Department of Finance all information required to be collected and reported pursuant to subdivision (a) of Section 68514 of the Government Code.

GC § 68514(a)

(1) Total non-delinquent revenue collected, and the number of cases associated with those collections.

(2) Total delinquent revenue collected, and the number of cases associated with those collections, as reported by each superior court and county pursuant to section 1463.010 of the Penal Code.

(3) Total amount of fines and fees dismissed, discharged, or satisfied by means other than payment.

(4) A description of the collection activities used pursuant to section 1463.007 of the Penal Code.

(5) The total amount collected per collection activity.

(6) The total number of cases by collection activity and the total number of individuals associated with those cases.

(7) Total operating costs per collection activity.

(8) The percentage of fines or fees that are defaulted on.

(9) The extent to which each court or county is meeting the collections best practices and **performance measures and benchmarks**, developed pursuant to subdivision (c) of Section 1463.010 of the Penal Code, for its collection program.

(10) Any changes necessary to improve the performance of collection program statewide.

Collections Totals

	2018-19	2019-20	Change
Total revenue:	$1.4B	$1.2B	**-14.3%**
-Delinquent	$543M	$484M	**-10.9%**
-Non delinquent	$859M	$679M	**-20.9%**
Adjustments:	$355M	$2.0B	**+471%**
Discharged debt	$452M	$319M	**-29.5%**
Administrative cost	$110M	$109M	**-0.7%**
% Cost of Collections	20.3%	22.7%	**+2.4%**
Outstanding balance	$10.6B	$8.6B	**-18.3%**

Ability to Pay

Determination requests: online and walk-in

- Reporting information on CRT
  - Annual Financial Report: delinquent total
  - Performance Report: non-delinquent total
  - Contact sheet: delinquent total

Pending statewide implementation of online determinations

Assembly Bill 1869

- Assembly Bill 1869 repealed several administrative fees.
- Effective July 1, 2021, courts will no longer have authority to collect these fees.
- If assessed, report any dismissed fees as **Adjustments** in CRT.

AB 1869 Repealed Fees

Government Code Section:

- 27712 (public defense fee)
- 27753 (cost of counsel)
- 29550(c) (criminal justice administration fee)
- 29550(f) (administrative screening fee and citation processing fee)
- 29550.1 (criminal justice administration fee)
- 29550.2 (county booking fee)
- 29550.3 (city booking fee)

Penal Code Section:

- 987.4 (minor public defense fee)
- 987.5 (public defense registration fee)
- 987.8 (public defense fee)
- 1203 (interstate compact supervision)
- 1203.016(g) (adult home detention administrative fee)
- 1203.018(j) (electronic monitoring administrative fee)
- 1203.1b (probation department investigation/progress report fee)
- 1203.1e (parole supervision fee)
- 1208.2(b) (program administrative fee)
- 1210.15 (continuous electronic monitoring fee)
- 3010.8 (parole continuous electronic monitoring fee)
- 4024.2(e) (work furlough administrative fee)
- 6266 (work furlough program fee)

Collections Reporting Template

- Contact and Other Information Sheet
- Program Report
- Performance Report
- Annual Financial Report (AFR)
- Transfer worksheet
- Categories
- Quality Checklist
- Instructions
- Glossary

JUDICIAL COUNCIL OF CALIFORNIA

CRT CROSSWALK

Mapping GC § 68514 Items to CRT

Item	Description	Worksheet	Column
1	Non-delinquent revenue, number of cases	Annual Financial Report	D, E, O, P
2	Delinquent revenue, number of cases	Annual Financial Report	D, E, O, P
3	Fine and fees dismissed, discharged, satisfied by other means	Annual Financial Report	G, H, R, S
4	Collection activities used pursuant to PC 1463.007	Program Report	Item 4
5	Total amount collected per collection activity	Contact sheet	Item 5
6	Total number of cases by collection activity, individuals associated	Contact sheet	Item 6a, 6b
7	Total operating costs per collection activity	Contact sheet	Item 7
8	Percentage of fines and fees defaulted on	Annual Financial Report	J, K, U, V
9	Extent best practices and performance measures/benchmarks met	Program Report Annual Financial Report	AI, AJ
10	Changes necessary to improve performance	NA	NA

Key Data Elements

Gross Revenue Collected

- Number of cases with payments received
- Non-delinquent collections
  - 6 reported no non-delinquent collections
  - 25 reported collections without case counts
- Separation of delinquent from non-delinquent debt required
- If data cannot be separated, report all information in Prior Period section

Cost Recovery

- Authorized by Penal Code § 1463.007
- Program must comply with Penal Code § 1463.010(b)
  - Cooperative plan between court and county
  - Current written MOU satisfies requirement
- Perform at least 10 of 16 collections activities
- Eligible v. non-eligible costs
- Calculate operating and staff costs
- Separate delinquent from nondelinquent revenue

See Guidelines and Standards for Cost Recovery

Adjustments

- Include only court-ordered suspensions, dismissals, and alternative payments such as community service or post sentence service of time in custody in lieu of fine, or other non-cash adjustments that occurred during the reporting period.
    - May include ability to pay reduced amounts and fees vacated as a result of legislation (e.g., AB 1869)
- Civil assessments should be reported as part of delinquent debt established, not in adjustments

Discharge from Accountability

- Discharge is authorized and can be approved by responsible collecting entity (Government Code § 25257 and § 25259.7)
- Discharge relieves entity of obligation to actively pursue the debt, but individual remains liable for payment.
- Discharge any balance too small to justify collections cost or likelihood of collection does not warrant the expense.
- Discharge provides realistic accounting of outstanding debt.

Coffee Break

CRT Worksheets Walk-thru

(in Excel)

2020-21 Reporting

- CRT format unchanged
- CRT pre-populated
- CRT due September 1st (PC § 1463.010)

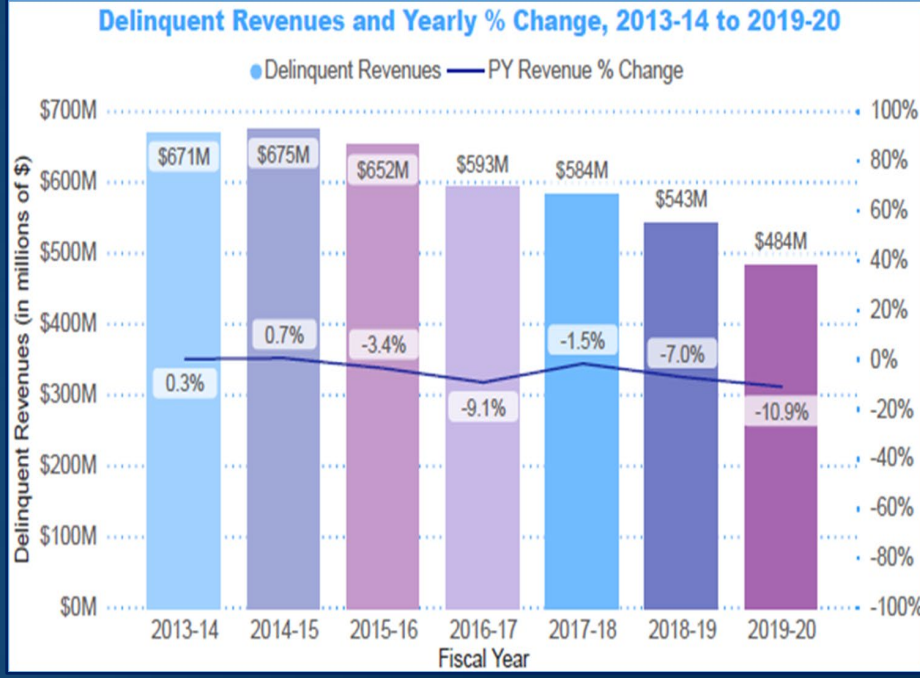
JUDICIAL COUNCIL OF CALIFORNIA

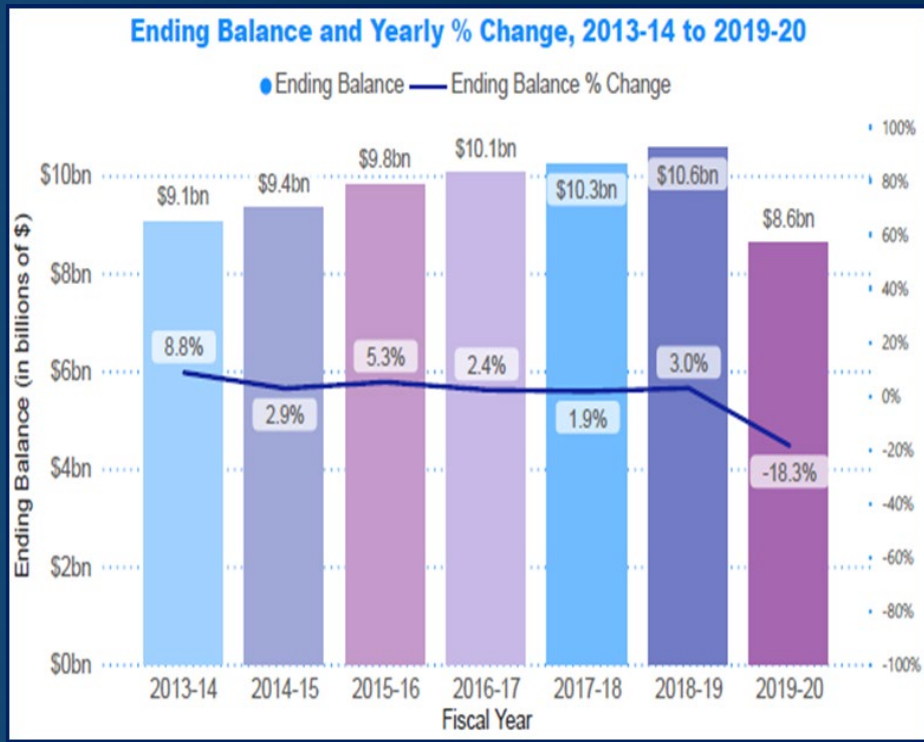
Legislative Report

Narrative:

In 2019–20, statewide collections programs collected $1.163 billion in total revenue, of which $679 million was nondelinquent (forthwith) court-ordered debt and $484 million was from delinquent accounts. This is a decline of 17 percent over the $1.4 billion collected in the prior fiscal year. According to input from various courts and county collections programs, the primary contributing factor to the decline in revenue is the COVID-19 pandemic and subsequent recession. A total of approximately $2.0 billion in delinquent debt was adjusted or satisfied by means other than payment, such as court-ordered waiver, dismissal, or alternative sentence.

Since reporting began in 2008–09, a total of $7.4 billion in delinquent court-ordered debt has been collected by court and county collections programs. The total outstanding delinquent debt at the end of 2019–20 was $8.6 billion, an 18 percent decrease from the $10.6 billion balance reported for 2018–19. This marks the first decline in outstanding debt since 2008–09.





Individual Program Report

Alameda Court and County 2019–20 Summary

County Population: 1,670,834
Authorized Judges/Commissioners: 73/10.0

Program Overview

The collection of delinquent court-ordered debt is a cooperative effort between the Superior Court of Alameda County and the County of Alameda. The court and county have a written memorandum of understanding (MOU) for their collections program. The program includes the following activities as reported in the *Collections Reporting Template*:

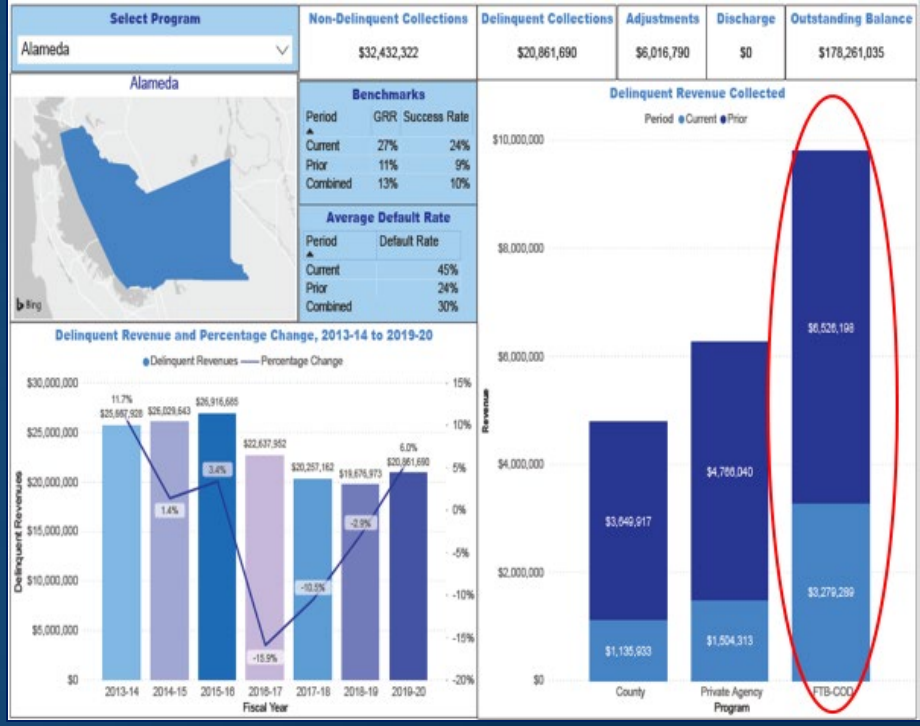
- Meets all 25 of the recommended collections best practices. (see Attachment 3); and
- Engages 16 of the 16 collection activity components pursuant to Penal Code section 1463.007.

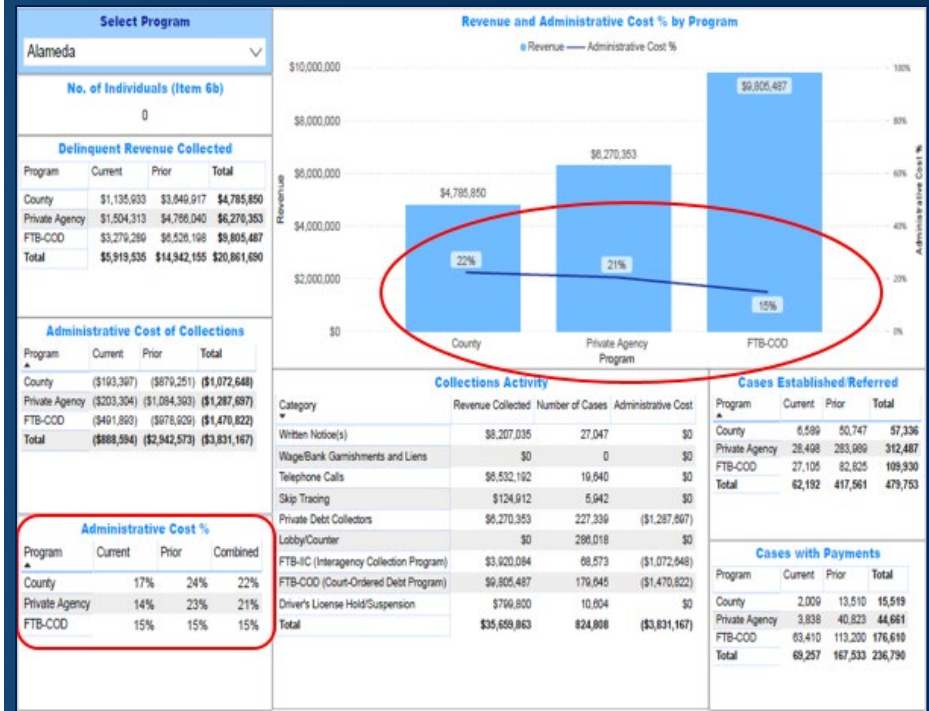
Performance

According to the Alameda collections program, this year brought many changes due to COVID-19 pandemic. As a result of the crisis, most collections efforts were suspended for various periods beginning in March 2020. The Gross Recovery Rate (GRR) increased from 16 percent to 27 percent and the Success Rate (SR) increased from 10 percent to 24 percent for the current period. The increase in recovery rates is likely a result of multiple factors, but not limited to the increase in the amount collected by the Franchise Tax Board (FTB) and change to a new private collection agency. The GRR decreased from 38 percent to 11 percent, and the SR decreased from 10 percent to 9 percent from the prior period. The decrease occurred because discharge from accountability was not performed during this reporting period.

Delinquent traffic collections are handled by a private vendor while delinquent criminal collections are handled by the county. Both in turn refer cases to both FTB collections programs. The data submitted by the private collection agency does not reflect the ending balances from last year due to the change in private vendors. During the transfer of accounts, duplicate and inaccurate information was identified and corrected.

The court will continue to work in collaboration with the various collections programs to ensure continuity of the data reported in the Collections Reporting Template (CRT). Each agency uses different tools for storing data and different methods for interpreting and accessing the data, so the task of completing the CRT is not without challenges. The court will continue attempts to improve the quality of data reported and encourage all participating agencies to contribute to the effort.





IS THERE A BETTER WAY TO VISUALIZE THE DATA TO MAKE YOUR POINT?

Common Data Errors

- Blank cells
- Duplicate entries
- Outdated information
- Incorrect/missing information

JUDICIAL COUNCIL
OF CALIFORNIA

Suggested solutions:

- Develop required report(s)
- Reprogram system(s)
- Use available tools:
  - Instructions
  - Prior training (2020)
- Double-check entries

Resources

Report on Statewide Collection of Court-Ordered Debt for 2019-20

Collection website:
http://www.courts.ca.gov/partners/collections.htm

Collections related questions: collections@jud.ca.gov

Revenue Distribution: revenuedistribution@jud.ca.gov

Training Evaluation

- Please complete the SurveyMonkey evaluation (link below) after watching the training sessions.
- After your evaluation is recorded, we will email a training certificate indicating the hours you have completed.
- Your feedback is very important to us — it guides us in planning future training sessions that meet your needs.
- Thank you!

https://www.surveymonkey.com/r/May2021RevDistTraining