



To the Mayor and Members of the City Council

March 24, 2015

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SUBJECT: MUNICIPAL COURT COLLECTIONS AND DISTRIBUTION OF REVENUES

The purpose of this Informal Report is to respond to the City Council request to provide information related to the Municipal Courts collectibles on adjudicated cases and the distribution of revenues to local and state accounts. A case is deemed collectible after it has been adjudicated, which means a judgment of guilty has been rendered. Satisfaction of the judgment can be realized through payment and non-payment remedies. Non-payment remedies would include methods such as community service, credit-for-time served, compliance through community court, a finding of indigence, etc. Should satisfaction of the judgment not be met, the Court attempts to enforce compliance by issuing a warrant and/or referring the case to external collections, as authorized by state law.

Collectibles & External Collections Activity

The following charts include court related information as requested. The first chart illustrates that the Municipal Courts current total active open caseload for criminal violations is approximately 956K cases with a remaining 547K cases that are non-adjudicated. The judgment rendered column reflects adjudicated cases only, which is a portion of the open active cases. The remaining balance column is only for adjudicated cases.

Collectibles - Adjudicated Active Criminal Cases

FY	TOTAL OPEN CASES	JUDGMENT RENDERED (ADJUDICATED)	REMAINING BALANCE
2005 and Prior	160,176	81,405	\$23,338,453
2006	18,054	13,533	\$4,432,011
2007	70,546	38,016	\$13,253,450
2008	100,361	51,564	\$18,459,678
2009	102,681	53,002	\$19,773,543
2010	109,553	49,053	\$18,965,380
2011	93,440	43,847	\$17,264,463
2012	82,289	32,499	\$12,744,630
2013	80,354	22,596	\$8,618,235
2014	94,555	19,941	\$6,733,138
2015	44,043	3,239	\$875,600
Totals	956,052	408,695	\$144,458,580

Data as of 2/16/2015



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The chart below illustrates a current total active caseload for parking violations of approximately 275K cases. A parking case becomes adjudicated either by default on the 21st day of no activity or a finding of liable by the hearing officer. Satisfaction of a finding of liable can only be remedied through payment.

Parking

FY	CASES	LIABLE FINDING	REMAINING BALANCE
2005 and Prior	67,974	67,974	\$3,244,376
2006	22,805	22,805	\$1,266,295
2007	24,030	24,030	\$1,336,693
2008	23,221	23,221	\$1,260,274
2009	23,766	23,766	\$1,291,746
2010	23,701	23,701	\$1,739,459
2011	20,421	20,421	\$1,752,483
2012	17,872	17,872	\$1,564,045
2013	22,365	22,365	\$1,812,687
2014	19,602	19,602	\$1,612,063
2015	9475	5,913	\$440,050
Totals	275,232	271,670	\$17,320,172

Data as of 2/18/2015

The total collectible amount for adjudicated active criminal and parking cases is approximately \$161.8M. Please note that the remaining balance and potential value amounts will include the collection agency fee surcharge of 30% that is added to any delinquent case at the time of referral to the external collections agency. This surcharge is remitted directly to Linebarger Goggan Blair and Sampson, LLP and not retained by the City.

External Collections Activity

The information below shows activity related to the Court’s external collections (as of February 16, 2015) program. Charts 1 and 2 include data on criminal and parking cases that have been adjudicated. Chart 3 includes data on non-adjudicated criminal cases that have been referred to external collections. The balances include all fines and fees potentially due. The amount dismissed is a result of the reduction of fees associated with special programs designed to encourage compliance. Adjudicated criminal cases are referred to Linebarger on the 121st day of noncompliance. Parking cases are referred to Linebarger on the



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61st day of delinquency. At a minimum non-adjudicated cases are also referred to Linebarger on the 121st day of delinquency.

Chart 1: Adjudicated Criminal

FY	CASES	AMOUNT OWED	AMOUNT COLLECTED	AMOUNT DISMISSED	REMAINING BALANCE
2005 and Prior	31,632	\$11,905,197	\$1,325,624	\$147,556	\$10,432,017
2006	9,576	\$3,813,633	\$402,443	\$50,234	\$3,360,956
2007	30,100	\$12,103,899	\$883,539	\$171,066	\$11,049,294
2008	43,507	\$17,815,022	\$1,313,597	\$395,915	\$16,105,510
2009	46,156	\$19,395,717	\$1,265,142	\$371,368	\$17,759,207
2010	44,293	\$18,726,915	\$1,112,592	\$176,880	\$17,437,443
2011	40,010	\$17,155,507	\$930,629	\$179,435	\$16,045,444
2012	28,574	\$12,242,199	\$632,314	\$139,640	\$11,470,244
2013	19,059	\$8,103,515	\$420,361	\$103,421	\$7,579,733
2014	11,127	\$4,569,724	\$155,713	\$41,308	\$4,372,703
2015	127	\$48,351	\$833	\$153	\$47,365
Totals	304,161	\$125,879,679	\$8,442,786	\$1,776,976	\$115,659,917



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Chart 2: Parking

FY	CASES	AMOUNT OWED	AMOUNT COLLECTED	AMOUNT DISMISSED	REMAINING BALANCE
2005 and Prior	67,851	\$3,241,504	\$2,274	\$323	\$3,238,908
2006	22,843	\$1,340,035	\$8,391	\$67,623	\$1,264,022
2007	24,287	\$1,456,121	\$19,876	\$102,053	\$1,334,192
2008	23,458	\$1,368,083	\$21,623	\$88,091	\$1,258,368
2009	23,743	\$1,309,460	\$14,083	\$6,029	\$1,289,347
2010	23,652	\$1,764,216	\$24,546	\$3,607	\$1,736,063
2011	20,360	\$1,772,020	\$21,365	\$2,161	\$1,748,494
2012	14,953	\$1,321,872	\$15,433	\$2,896	\$1,303,544
2013	22,242	\$1,833,838	\$24,582	\$5,405	\$1,803,851
2014	19,336	\$1,617,635	\$20,352	\$3,919	\$1,593,364
2015	<u>4,745</u>	<u>\$397,754</u>	<u>\$6,561</u>	<u>\$1,122</u>	<u>\$390,071</u>
Totals	267,470	\$17,422,537	\$179,085	\$283,229	\$16,960,223

Note: The large dismissal amount during the 06-08 time period was due to mass recall of parking cases referred to collections. The referral added a 30% surcharge to the amount owed and was dismissed at the time of recall.

Chart 3: Non-Adjudicated Criminal

FY	CASES	POTENTIAL VALUE
2005 and Prior	2,481	\$0-\$832,533
2006	1,058	\$0-\$361,828
2007	25,907	\$0-\$8,464,305
2008	37,379	\$0-\$12,561,015
2009	36,221	\$0-\$12,569,134
2010	41,482	\$0-\$14,328,044
2011	40,856	\$0-\$14,588,406
2012	39,895	\$0-\$14,095,952
2013	45,637	\$0-\$16,059,106
2014	50,762	\$0-\$18,137,871
2015	<u>4,713</u>	<u>\$0-\$1,672,261</u>
Totals	326,391	\$0-\$113,670,454



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Collectibles versus Receivables

This informal report references the term “collectible” versus using the term “receivable”. The amounts shown as collectibles are not recorded as receivables on the general ledger, even after the cases are adjudicated. This practice is consistent with governmentally accepted accounting principles.

The Municipal Courts role is to process cases and enforce judgments. The court encourages voluntary compliance. When that is not achieved it utilizes tools such as, issuing a warrant, the State authorized collections process, referral to external collections, and participating in the Statewide Warrant Program. We continue to identify new methods to encourage compliance.

Distribution of Revenues

Function and Distribution of Municipal Court Revenues

- A requirement of Municipal Courts is the collection and proper disbursements of fines upon conviction.
- The total fine amount is the sum of the local fine, court costs, and in some cases additional fees authorized by state law.
- The local fine is set by the court of jurisdiction and retained locally. In some instances state law requires that some portion of the local fine be sent to other agencies and/or the state.
- Court Costs are a combination of state and locally retained amounts authorized under state law and in some instances city ordinance.

The chart below illustrates how the disbursement rules are applied for a sample of common violations. The violations listed below should not be considered as an all-inclusive list of the City of Fort Worth violations:

VIOLATION	LOCAL FINE	COURT COST - STATE	COURT COST - LOCAL	FWISD	TOTAL FINE
Stop Sign	\$ 117.90	\$ 75.40	\$ 26.70		\$ 220.00
Maintain Substandard Structure	\$ 500.00	\$ 47.80	\$ 16.20		\$ 564.00
Theft Under \$50	\$ 500.00	\$ 47.80	\$ 21.20		\$ 569.00
Parent Contributing	\$ 250.00	\$ 47.80	\$ 36.20	\$ 250.00	\$ 584.00
Seatbelt*	\$ 25.00	\$ 100.30	\$ 26.70		\$ 152.00

Note: The above fine chart is based on the posted fine schedule of the court and state authorized costs.

*Local fine for seatbelt is \$50.00 however 50% (\$25.00) is remitted to the state and has been assigned to the state court cost column.

David Cooke
City Manager