



COLLIN COUNTY

Lynne Finley
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Date: August 29, 2018

Subject: Felony Collections Clerk

To: Collin County Commissioners

From: Lynne Finley
District Clerk

As part of the FY'18 Budget Process, as District Clerk, I requested the addition of one felony collections clerk. As outlined in my request, this position is needed to maintain statutory compliance for the collection of court costs, fees, and fines from defendants convicted of felony charges. The need for this position is based on several factors:

1. Criminal case load increased by 24.7%, from 4,679 cases in FY'15 to 5,837 cases in FY'16.
2. Better tracking and follow-up of defendants sentenced to state felonies and defendants who have additional court fees added long after the original case was adjudicated, has resulted in a higher case load.
3. New rules became effective January 1, 2017, that required additional interactions with defendants. Specifically, the new statutory rules require:
 - Every contact with a defendant must include specific instructions on what the defendant can do if they are unable to make payments, and information on how they may request a hearing with a judge.
 - Judges have started to order community service as an option for payment of court costs. Collection staff is now required to verify, monitor and track community service.
 - Ability to Pay applications meeting certain criteria must be evaluated, tracked and forwarded to the judge for review.
4. The average number of monthly incoming and outgoing phone calls by collection staff increased 39.4% between FY'16 and FY'17. Three collection clerks are currently handling an average of 5,461 calls each month, equating to 87.4 calls per employee each day, and 10.9 calls per hour.

In FY'16, the Felony collections staff collected \$1.43 million in court costs, fees and fines. We anticipate that the amount of fees collected remaining in the county will increase in the next fiscal year. Effective April 1, 2017, the District Judges signed a Standing Order, which changed the order in which payments by defendants are allocated to court costs, fees and fines. Fees are now paid in the following order: Court Costs (County Fees), Pre-Disposition Attorney Fees, Attorney Fees, Fines, and State Fees. Prior to April 1, 2017 County Fees and State Fees were paid first.

As I stressed during the budget hearings, we are having difficulty in staying in compliance with the statute. Failure to maintain compliance may jeopardize reimbursements by the State. I urge you to reconsider the recommendation of your District Clerk and Budget Office and approve my request for a collections clerk.