TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

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September 17, 2010

Dianna M. Spieker
County Treasurer
Tom Green County
112 West Beauregard
San Angelo, Texas 76903-5887

RE: Taxpayer Number 17560011847

Dear Ms. Spieker:

Our audit, conducted in accordance with Code of Criminal Procedure, Article 103.0033, is complete. The audit covered the period July 1, 2009 through August 31, 2009.

This audit included the Collection Program Survey to determine if your county is in compliance with the requirements as defined by the Office of Court Administration. Please note that the calculations of the pre- and post-implementation collection rates have no bearing on the results of this Collection Program Survey and compliance determination.

All requirements for compliance have been met, and the county is in compliance with the Collection Improvement Program.

The results of the compliance audit are explained in the enclosed Audit Report.

If you have any questions about this compliance audit, please contact me in the Abilene Audit Office at (325) 695-4323. Thank you for your cooperation during the audit.

Gregory L. Froh
Auditor

AUDIT REPORT

Tom Green County
Taxpayer Number 17560011847
July 1, 2009 through August 31, 2009

This report summarizes the results of the compliance audit.

A Collection Program Survey was conducted to determine compliance with the eleven (11) critical components of the Office of Court Administration's (OCA) collection improvement program.

The county did meet the compliance audit standards per Rule 175.5(c)(1) and (c)(2) and Code of Criminal Procedure, Article 103.003(d)(2) related to local program operations and defendant communications.

The following procedures were used to evaluate the critical components for defendant communications:

1. Adjudicated and deferred cases where the defendant does not pay in full on the assessment date were obtained for the audit period.

2. An examination was performed for the above period for each court and/or collection department. Cases were examined during the first 4 months after the assessment date only.

3. Compliance percentages for each court and/or collection department were calculated on Exams 1A and 1B. The resulting compliance percentages were summarized for all courts and/or collection departments on Exam 1. For specifics, refer to the Notification of Procedures for Compliance Audit for these exams.

Tom Green County
San Angelo, Texas
Taxpayer Number 17560011847

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DESCRIPTION

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Exam	Apps. Taken	Contacts Verified	Inter-viewed	Payment Terms	Phone Contact	Mail Contact	Capias Notice
1A	90.00%	100.00%	100.00%	100.00%	100.00%	100.00%	96.67%
1B	100.00%	96.67%	100.00%	100.00%	90.00%	93.33%	
Compliance Percentage (Average of above)	**95.00%**	**98.33%**	**100.00%**	**100.00%**	**95.00%**	**96.67%**	**96.67%**

Note 3 -

Notes:

1. This exam summarizes information from Exams 1A and 1B.

2. To be in compliance with Rule 175.5(c)(2), only one (1) of the components can be 50% while all others must be at least 80%. No percentage can be less than 50%.

3. The District Courts do not seek a capias pro fine; therefore, this component was not reviewed for Exam 1B.

								Collection Program Survey Rule 175.3(c)	Q5 (1)	Q6 (2)	Q7 (3)	Q8 (4)(B)/(C)	Q8		Q9 (5)	Q10 (6)	Q11 (7)		
Cnt	Case Number	Term of CS	Date Assessed	Application Date	Judgment Total Amt $	Number of Payments	Payment Amount $	Increment of Pmt	Apps. Taken	Contact Verified	Inter-viewed	Payment Terms	Term Excp	Initial Default Date	Phone Contact	Mail Contact	Capias Notice	Comments:	Notes:
1	034205J4		08/18/09	09/16/09	$157.00	2	$79.00	2	D	D	D	D	J		F	F	F	1	Paid in full
2	0912529J4		08/03/09	08/03/09	$210.00	2	$105.00	2	D	D	D	D	J		F	F	F	1	Paid in full
3	09-2567J3		07/01/09	07/13/09	$355.00	5	$60.00	b	Y	Y	Y	Y	J	08/04/09	Y	Y	Y	Came in and paid after phone call	
4	076093J4		07/22/09	08/07/09	$389.00	3	$130.00	30	Y	Y	Y	Y	J	08/12/09	Y	Y	Y		
5	09-385J2		07/02/09	07/16/09	$175.00	3	$59.00	30	Y	Y	Y	Y	J	08/12/09	Y	Y	Y		
6	09-1646J3		07/31/09	08/10/09					D	D	D	D	J		F	F	F	1	Paid as agreed
7	0912173J4		07/06/09	07/24/09	$245.00	4	$65.00	30	Y	Y	Y	Y	J	08/20/09	Y	Y	Y	went to capias pro by JP	
8	0911541J4		07/28/09						D	D	D	D	J		F	F	F	1	Paid in full 8/25/09
9	09-01420L2		08/24/09	08/24/09	$518.00	4	$53.00	30	Y	Y	Y	Y	J	10/22/09	Y	Y	Y		
10	05-1620J2		08/12/09	08/27/09	$365.00	5	$61.00	30	Y	Y	Y	Y	J	09/02/09	Y	Y	Y		
11	09-1641J2		08/19/09	08/19/09	$195.00	3	$65.00	30	Y	Y	Y	Y	J	10/15/09	Y	Y	Y		
12	09-2677J3		07/07/09	07/20/09	$235.00				D	D	D	D	J		F	F	F	1	Part of another 3casesthat payments were in compliance
13	09-00585		08/11/09	08/11/09	$265.00	3	$85.00	30	Y	Y	Y	Y	J	10/21/09	Y	Y	Y		
14	09-1963J3		07/20/09	07/20/09	$235.00	3	$79.00	30	Y	Y	Y	Y	J	11/11/09	Y	Y	Y		
15	0912311J4		08/27/09	09/08/09	$220.00	5	$37.00	b	Y	Y	Y	Y	J	12/04/09	Y	Y	Y		
16	09-02122		08/25/09	08/25/09					D	D	D	D	J		F	F	F	1	no defaults
17	09-3335J3		08/31/09	09/14/09	$245.00	3	$82.00	30	Y	Y	Y	Y	J	11/30/09	Y	Y	Y	now with jp for warrant or showcoz	
18	09-2344J2		08/17/09						D	D	D	D	J		F	F	F	1	
19	09-2611J3		07/01/09	08/24/09	$325.00	3	$110.00	30	N	Y	Y	Y	J	10/01/09	Y	Y	Y		
20	09-2573J2		08/28/09	10/22/09	$205.00	3	$69.00	30	N	Y	Y	Y	J	11/22/09	Y	Y	Y		
21	09-2053J2		08/20/09	09/15/09	$235.00	3	$79.00	30	Y	Y	Y	Y	J	10/15/09	Y	Y	Y		
22	0912406J4		07/20/09	07/21/09	$270.00	4	$55.00	30	Y	Y	Y	Y	J	08/20/09	Y	Y	Y		
23	0912764J4		08/27/09						D	D	D	D	J		F	F	F	1	no show - docket call -
24	09-02251		08/25/09	08/25/09	$1,122.00	6	$161.00	30	Y	Y	Y	Y	J	10/01/09	Y	Y	Y		
25	0911683J4		08/04/09						D	D	D	D	J		F	F	F	1	No payment plan no show
26	09-2788J3		07/14/09	07/28/09	$175.00	3	$59.00	30	Y	Y	Y	Y	J	08/26/09	Y	Y	Y		
27	09-2966J3		08/31/09						D	D	D	D	J		F	F	F	1	Paid as agreed
28	0911987J4		07/14/09	07/28/09	$220.00	3	$74.00	30	Y	Y	Y	Y	J	08/28/09	Y	Y	N		
29	0911612J4		07/07/09						D	D	D	D	J		F	F	F	1	Paid in full no pp
30	09-00709		08/11/09	08/11/09	$998.00	7	$112.00	30	Y	Y	Y	Y	J	10/21/09	Y	Y	Y		
31	09-00515		08/17/09						D	D	D	D	J		F	F	F	1	Paid in full no pp
32	08-3627J2		07/24/09	09/11/09	$255.00	3	$85.00	30	N	Y	Y	Y	J	10/11/09	Y	Y	Y		
33	09-00983L2		08/17/09	09/14/09	$429.00	3	$143.00	30	Y	Y	Y	Y	J	12/14/09	Y	Y	Y		
34	09-394J2		07/07/09	08/04/09	$225.00	3	$75.00	30	Y	Y	Y	Y	J	10/04/09	Y	Y	Y		
35	088103J4		08/06/09						D	D	D	D	J		F	F	F	1	prior period
36	0810523J4		08/06/09						D	D	D	D	J		F	F	F	1	prior period

								Collection Program Survey Rule 175.3(c)	Q5 (1)	Q6 (2)	Q7 (3)	Q8 (4)(B)/(C)	Q8		Q9 (5)	Q10 (6)	Q11 (7)		
Cnt	Case Number	Term of CS	Date Assessed	Application Date	Judgment Total Amt $	Number of Payments	Payment Amount $	Increment of Pmt	Apps. Taken	Contact Verified	Inter-viewed	Payment Terms	Term Excp	Initial Default Date	Phone Contact	Mail Contact	Capias Notice	Comments:	Notes:
37	088521J4		07/15/09						D	D	D	D	J		F	F	F	1	No show no pp
38	033861J4		08/19/09	09/01/09	$170.35	3	$60.00	30	D	D	D	D	J		F	F	F	1	outside of audit period
39	09-2924J3		08/27/09	09/14/09	$185.00	3	$65.00	30	Y	Y	Y	Y	J	10/02/09	Y	Y	Y		
40	09-927J1		08/05/09	08/05/09	$355.00	3	$119.00	30	Y	Y	Y	Y	J	11/04/09	Y	Y	Y		
41	074736J4		08/26/09						D	D	D	D	J		F	F	F	1	outside of audit period
42	09-926J1		08/05/09	08/05/09	$355.00	3	$119.00	30	Y	Y	Y	Y	J	09/04/09	Y	Y	Y		
43	0912026J4		08/25/09						D	D	D	D	J		F	F	F	1	No show no pp
44	09-1222J2		07/10/09						D	D	D	D	J		F	F	F	1	No show no pp
45	09-2446J2		08/12/09	08/24/09	$260.00	3	$87.00	30	Y	Y	Y	Y	J	09/24/09	Y	Y	Y		
46	09-2467J3		07/15/09	07/15/09	$195.00	8	$25.00	7	Y	Y	Y	Y	J	09/01/09	Y	Y	Y		
47	0912383J4		08/12/09						D	D	D	D	J		F	F	F	1	jail time served
48	09-3183J3		08/26/09	08/26/09	$185.00	3	$62.00	30	Y	Y	Y	Y	J	10/14/09	Y	Y	Y	changed plan 10/19/09 -	
49	08-308J2		08/18/09						D	D	D	D	J		F	F	F	1	No show no pp
50	09-01088L2		08/11/09						D	D	D	D	J		F	F	F	1	no show - warrant issued
51	09-2871J3		08/14/09	08/14/09	$245.00	3	$82.00	30	Y	Y	Y	Y	J	10/03/09	Y	Y	Y		
52	09-2676J3		07/07/09	07/20/09	$190.00	3	$64.00	30	Y	Y	Y	Y	J	10/04/09	Y	Y	Y		
	52	Count						Y= Yes	27	30	30	30			30	30	29		
								D = Does Not Apply	22	22	22	22			0	0	0		
								N = No	3	0	0	0			0	0	1		
								Total Cases (Y+D+N)	52	52	52	52			30	30	30		
								Total Cases less D	30	30	30	30			30	30	30		
								Compliance Percentage	90.00%	100.00%	100.00%	100.00%			100.00%	100.00%	96.67%		

1. Case fell outside of tracking period, defendant in jail, or case paid in full. Replaced.
2. JP Court at Laws and County Courts are handled by Tom Green County Collection Department
   2(a) The JP Courts include - Justice of the Peace Court 1, Justice of the Peace Court 2, Justice of the Peace Court 3, and Justice of the Peace Court 4
   2(b) Person in charge of Collections for the JP Courts and County Courts is Debbie Holland - Collections Manager for Tom Green County
3. District Courts are handled by Community Supervision & Corrections Department
   3(a) The District Courts include 51st Judicial District, 119th Judicial District, 340th Judicial District, and 391st Judicial District.
   3(b) Person in Charge of Collection for the District Courts is Amanda Marquez - Court Collections Administrator

								Collection Program Survey Rule 175.3(c)	Q5 (1)	Q6 (2)	Q7 (3)	Q8 (4)(B)/(C)	Q8		Q9 (5)	Q10 (6)	Q11 (7)		
Cnt	Case Number	Term of CS	Date Assessed	Application Date	Judgment Total Amt $	Number of Payments	Payment Amount $	Increment of Pmt	Apps. Taken	Contact Verified	Inter-viewed	Payment Terms	Term Excp	Initial Default Date	Phone Contact	Mail Contact	Capias Notice	Comments:	Notes
1	D-08-1121-SB		07/02/09	07/02/09	$5,002.00	58	$75.00	30	Y	Y	Y	Y	J	10/10/09	Y	Y	R		
2	B-09-0546-SB		07/07/09	07/07/09	$2,386.00	23	$96.00	30	Y	Y	Y	Y	J	08/10/09	Y	Y	D		
3	B-08-0904-SB		07/07/09	07/07/09	$6,368.66	47	$144.00	30	Y	Y	Y	Y	J	08/07/09	Y	Y	D		
4	A-09-0231-SA		07/07/09	07/08/09	$6,813.00	72	$91.00	30	D	D	D	D	J	08/07/09	D	D	D	1	was in jail at time of application verification.
5	D-09-0149-SB		07/07/09	07/07/09	$4,718.00	59	$71.00	30	Y	Y	Y	Y	J	08/07/09	Y	Y	D		
6	C-08-1028-SA		07/08/09	07/08/09	$3,060.00	23	$113.00	30	Y	Y	Y	Y	J	08/08/09	Y	Y	D		
7	C-08-1029-SA		07/08/09	07/08/09	$14,726.44	95	$156.00	30	D	D	D	D	J		D	D	D	1	paid as per terms of PP
8	C-08-1033-SA		07/08/09	07/08/09	$5,469.00	47	$104.00	30	Y	Y	Y	Y	J	08/08/09	Y	Y	D		
9	C-08-0774-SA		07/08/09	07/08/09	$5,392.00	59	$88.00	30	Y	Y	Y	Y	J	09/08/09	Y	Y	D		
10	C-08-1150-SB		07/08/09	07/08/09	$6,094.22	59	$97.00	30	Y	Y	Y	Y	J	09/08/09	Y	Y	D		
11	C-08-1152-SB		07/08/09	07/08/09	$3,974.00	35	$105.00	30	Y	Y	Y	Y	J	09/08/09	Y	Y	D		
12	A-09-0650-SA		07/09/09	07/10/09	$10,046.00	120	$83.00	30	Y	Y	Y	Y	J	08/10/09	Y	Y	D		
13	C-08-0822-SA		07/09/09	07/09/09	$4,925.00	59	$69.00	30	Y	Y	Y	Y	J	09/10/09	Y	Y	D		
14	A-03-0455-S		07/10/09	07/10/09	$3,680.00	35	$96.00	30	Y	Y	Y	Y	J	09/10/09	Y	Y	D		
15	D-08-0482-SB		07/13/09	07/13/09	$3,306.00	23	$134.00	30	Y	Y	Y	Y	J	09/13/09	Y	Y	D		
16	D-09-0020-SA		07/13/09	07/13/09	$3,654.00	47	$73.00	30	Y	Y	Y	Y	J	10/13/09	Y	Y	D		
17	D-09-0403-SA		07/15/09	07/16/09	$1,781.00	59	$28.00	30	Y	Y	Y	Y	J	08/16/09	Y	Y	D	in jail for 45 days	
18	D-09-0046-SA		07/16/09	07/16/09	$3,675.37	35	$154.00	30	Y	Y	Y	Y	J	08/16/09	Y	Y	D		
19	D-08-0605-SA		07/16/09	07/16/09	$5,849.00	35	$160.00	30	Y	Y	Y	Y	J	08/16/09	Y	Y	D		
20	B-09-0515-SB		07/23/09	07/23/09	$9,954.00	118	$83.00	30	D	D	D	D	J	08/23/09	D	D	D	1	in jail for verification call 7/27/09
21	A-07-0804-S		07/27/09	07/28/09	$6,794.00	83	$80.00	30	Y	N	Y	Y	J	08/27/09	N	N	D		
22	D-08-1043-SA		07/27/09	07/27/09	$3,604.00	35	$85.00	30	Y	Y	Y	Y	J	08/27/09	Y	Y	D		
23	A-09-0359-SB		07/27/09	07/27/09	$6,281.00	59	$102.00	30	Y	Y	Y	Y	J	08/27/09	Y	Y	D		
24	A-09-0024-SA		07/29/09	07/29/09	$6,177.57	59	$100.00	30	Y	Y	Y	Y	J	08/29/09	N	Y	D		
25	A-09-0238-SA		07/29/09	07/29/09	$2,790.00	23	$108.00	30	Y	Y	Y	Y	J	09/29/09	Y	Y	D		
26	CR08-010		07/30/09	07/30/09	$5,559.00	59	$86.00	30	D	D	D	D	J	08/30/09	D	D	D	1	Irion County case - being handled for collections by Tom Green Co.
27	B-09-0432-SA		08/04/09	08/04/09	$5,312.00	58	$88.00	30	Y	Y	Y	Y	J	09/04/09	Y	Y	D		
28	B-09-0509-SB		08/04/09	08/04/09	$4,434.00	47	$87.00	30	Y	Y	Y	Y	J	10/04/09	Y	Y	D		
29	D-08-0652-SB		08/06/09	08/07/09	$6,099.76	35	$111.00	30	Y	Y	Y	Y	J	09/07/09	Y	Y	D		
30	A-07-0808-S		08/13/09	08/14/09					D	D	D	D	J		D	D	D	1	remains in jail until place to CRTC facility
31	A-07-0531-S		08/13/09	08/14/09					D	D	D	D	J		D	D	D	1	remains in jail until place to CRTC facility
32	B-09-0606-SA		08/14/09	08/14/09	$2,925.00	23	$108.00	30	D	D	D	D	J	12/10/09	D	D	D	1	
33	B-09-0700-SB		08/14/09	08/17/09	$7,884.00	59	$60.00	30	Y	Y	Y	Y	J	09/17/09	N	Y	D		
34	D-09-0553-SB		08/24/09	08/24/09	$2,301.00	23	$86.00	30	Y	Y	Y	Y	J	09/24/09	Y	N	D		

Exhibit IV pg 6 of 10

Application/Contact Information

5. If a defendant is unable to pay in full on the day of assessment (sentencing or judgment imposed date), is an application used to determine a defendant's ability to pay or is current contact information obtained?

   a. ☒ Yes ☐ No - Comment: _____

   Is the application/contact info taken: ☒ Immediately ☐ 2-5 days ☐ 6 days - 1 mo.

   Does the application/contact information include?

		Item		Yes	No
Application	Contact Info	Home address		☒	☐
		Home phone number or primary contact phone number		☒	☐
		Employer's or source of support's	Name	☒	☐
			Address	☒	☐
			Phone number	☒	☐
		Personal references (at least 2)		☒	☐
		Signature or acknowledgement and date		☒	☐
	Financial institutions and account balances		☐ N/A	☒	☐
	Creditors, debt balances and payment amounts		☐ N/A	☒	☐
	Stated income		☐ N/A	☒	☐

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Is application/contact information completed within one month of assessment date?	☒	☐	☐

Attach a copy of the application form.

Verification of Contact Information

6. Is the contact information verified?

   a. ☒ Yes ☐ No - Comment: As stated earlier if the defendant is indigent and has no home or residence or possibly a residence with no phone then the phone may not be attainable. Also in this society of prepaid cell phones they are finding that prepaid cell phones will work one day and the next be nonfunctional the following date due to lack of funds.

   Is the verification generally done: ☒ Immediately ☐ 2-5 days ☐ More than 5 days

   Who conducts this verification? Amanda Marquez

   Is the home or contact phone verified? ☒ Yes ☐ No

   Is employment or source of support verified? ☒ Yes ☐ No

   How is it done? Verbally - Amanda makes phone contact with all contacts given if there are phone numbers to be used.

   How is the verification documented? Amanda makes comments on the credit applications.

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Is contact information verified within 5 days?	☒	☐	☐

Interview

7. Does the court/department conduct an in-person or telephone interview with the defendant either to review the application and determine an appropriate payment plan or to review the terms of the judge-imposed payment plan?
   a. ☒ Yes ☐ No
   Review is done: ☒ Immediately ☒ 2-5 days ☐ 6-14 days
   Who conducts the review? Amanda Marquez
   How is it done? In person
   Is each interview/review documented? ☒ Yes - Where? Case-Trak Software. Also this information is recorded on the computer with the citation.
   ☐ No

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Is date (within 14 days of receipt of application) and name of interviewer documented?	☒	☐	☐

Auditor observed interview process in action? ☒ Yes ☐ No

Payment Terms

8. Payment plans should require the highest payment amounts in the shortest period of time that the defendant can successfully make, considering the amount owed, the defendant's ability to pay, and the defendant's obligations for payment of any other court-mandated fees, including child support, victim restitution, and fees for drug testing, rehabilitation programs, or community supervision.
   a. Describe what happens if I were to go to court and am unable to pay in full:
   Initially the court would have you meet with the district Judge and of course once the judgement had been determined the District Judge would hear the claims for a need to have an alternative payout plan. Then the Judge would forward the person to meet immediately with Amanda Marquez. Upon the completion of the application you would have a meeting to review application information as well as to discuss your financial situation. Then they would verify the information on the application (usually while your setting there). This will encourage the defendants to produce accurate information immediately. Then she will discuss with you your income . Then she will discuss the structure of the courts payout policy and the need for payments within this policy. Usually the Judge will already have a predetermined payout plan set up, if not then Amanda then makes a suggestion as to what she wants the payments to be and then starts the process of working with the individual to determine a good payment policy. She will then set a first payment date which is their default date. Record the date on the computer for follow up and for Payment notifications. She will have you sign the payout agreement and then release the individual.
   Who sets the payment terms? Either Amanda or one of the District Judges.
   How is the payment plan determined? based on the defendants financial ability as well as based on the counties payout policies.

   b. Time requirements for payment plans set by a judge are within judicial discretion. If the judge does not set the terms, the time requirements are as follows:
   (1). Municipal and Justice Court Cases:
   Do the payment plans provide for full payment within four (4) months of the assessment date?
   (2). County and District Court Cases:
   (a). Defendants placed on community supervision:

Do the payment plans provide for full payment at least two (2) months before expiration of the term of community supervision?

(b). Cases not involving community supervision:

1. No incarceration - Do the payment plans provide for full payment within six (6) months of the assessment date?
2. Incarceration - No time requirement on payment plan.

	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Payment Terms	☒	☐	☐

Phone Contact

9. Is a phone call made to the defendant when a payment is not paid on the due date?
   a. ☒ Yes - ☒ Immediately ☐ 2-5 days ☒ 6 days - 1 month
   ☐ No
   Who does this? Amanda Marquez makes the phone calls for any default payment. They are standardized follow up calls so that they consistently make the same statements concerning the payment due, potential court issues, and where to make the payments
   How is it done? Daily and by Phone
   Is there a record made of these phone calls? ☒ Yes - Where? on the computer in the docket.
   ☐ No

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Phone contact for past-due payments within one month?	☒	☐	☐

Mail Contact

10. Is a written delinquency notice sent to the defendant when a payment is not paid on the due date?
   a. ☒ Yes - ☐ 1-5 days ☐ 6-15 days ☒ 16 days - 1 month
   ☐ No
   Who does this? Amanda Marquez prints the letters and all handles all of the mailing for any delinquency notices.
   How is it done? This is done on a Daily basis as the items become due. Amanda mails all items as they become due based on the default dates set in the computer. Understand that the default dates are automatically generated based on the type payment and the date of the payment contract and the terms of the payments.
   Is there a record made of these notices? ☒ Yes - Where? Amanda showed me that on their computer they have everything logged in. This system is not a user friendly as the I-Plow system in that it does not allow you to run individual reports to verify phone calls, mailings, etc. To do this you have to individually get into the computer to each citation .
   ☐ No

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Written delinquency notice for past-due payments within one month?	☒	☐	☐

Attach a copy

Capias Pro Fine Notice

11. Is a capias pro fine sought?

a. ☐ No - Justice Courts ☐ No - County Courts ☒ No - District Courts

☐ Yes - Is either a pre- or post-capias pro fine phone call made or written notice sent to the defendant in addition to the efforts as detailed in items 9 and 10 when the defendant fails to respond to those efforts?

Notice Sent - ☐ 1-15 days ☐ 16 days - 1 month ☐ Over 1 month

Who does this? N/A.

How is it done? N/A

Is there a record made of these notices? ☐ Yes - Where? _____

☒ No

b.

	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Capias pro fine phone call made or notice sent for past-due payments within one month of phone contact /mail notice in items 9 and 10 (whichever is later)?	☐	☐	☐

Attach a copy of the notice if a notice is sent

Interview

7. Does the court/department conduct an in-person or telephone interview with the defendant either to review the application and determine an appropriate payment plan or to review the terms of the judge-imposed payment plan?
   a. ☒ Yes ☐ No
   Review is done: ☒ Immediately ☒ 2-5 days ☐ 6-14 days
   Who conducts the review? Debbie Holland
   How is it done? In person
   Is each interview/review documented? ☒ Yes - Where? I-Plow Software. Also this information is recorded on the computer with the citation.
   ☐ No

b.

	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Is date (within 14 days of receipt of application) and name of interviewer documented?	☒	☐	☐

Auditor observed interview process in action? ☒ Yes ☐ No

Payment Terms

8. Payment plans should require the highest payment amounts in the shortest period of time that the defendant can successfully make, considering the amount owed, the defendant's ability to pay, and the defendant's obligations for payment of any other court-mandated fees, including child support, victim restitution, and fees for drug testing, rehabilitation programs, or community supervision.
   a. Describe what happens if I were to go to court and am unable to pay in full:
   Initially the court would have you meet with Debbie Holland to set up payment program. You would then complete the application. Have a meeting with Debbie Holland to review application information as well as to discuss your financial situation. Then they would verify the information on the application (usually while your setting there). This will encourage the defendants to produce accurate information immediately. Then she will discuss with you your income and receipt of income. Then she will discuss the structure of the courts payout policy and the need for payments within this policy. DebbieHolland then makes a suggestion as to what she wants the payments to be and then starts the process of working with the individual to determine a good payment policy. She will then set a first payment date which is their default date. Record the date on the computer for follow up and for Payment notifications. She will have you sign the payout agreement and then release the individual.
   Who sets the payment terms? Either Debbie Holland or one of the Justice of the Peace - Judge.
   How is the payment plan determined? based on the defendants financial ability as well as based on the cities payout policies (cities payout policies match to the states policies).

   b. Time requirements for payment plans set by a judge are within judicial discretion. If the judge does not set the terms, the time requirements are as follows:
   (1). Municipal and Justice Court Cases:
   Do the payment plans provide for full payment within four (4) months of the assessment date?
   (2). County and District Court Cases:
   (a). Defendants placed on community supervision:
   Do the payment plans provide for full payment at least two (2) months

before expiration of the term of community supervision?

(b). Cases not involving community supervision:

1. No incarceration - Do the payment plans provide for full payment within six (6) months of the assessment date?
2. Incarceration - No time requirement on payment plan.

	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Payment Terms	☒	☐	☐

Phone Contact

9. Is a phone call made to the defendant when a payment is not paid on the due date?
   a. ☒ Yes - ☒ Immediately ☐ 2-5 days ☒ 6 days - 1 month
   ☐ No
   Who does this? Debbie Holland and all staff for the department assist in making the calls. They are standardized follow up calls so that they all make the same statements concerning the payment due, potential court issues, and where to make the payments
   How is it done? Daily and by Phone
   Is there a record made of these phone calls? ☒ Yes - Where? on the computer in the docket.
   ☐ No

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Phone contact for past-due payments within one month?	☒	☐	☐

Mail Contact

10. Is a written delinquency notice sent to the defendant when a payment is not paid on the due date?
   a. ☒ Yes - ☐ 1-5 days ☐ 6-15 days ☒ 16 days - 1 month
   ☐ No
   Who does this? Debbie Holland prints the letters and all clerks assist in the mailing of the notices.
   How is it done? This is done on a Daily basis as the items become due. Debbie and crew mail all items as they become due based on the default dates set in the computer. Understand that the default dates are automatically generated based on the type payment and the date of the payment contract and the terms of the payments.
   Is there a record made of these notices? ☒ Yes - Where? Debbie Holland showed me that on their computer they have everything logged in. They can actually run reports showing what citiations had phone calls on, mail documents on, etc. We used one of these reports to input data into our reports even.
   ☐ No

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Written delinquency notice for past-due payments within one month?	☒	☐	☐

Attach a copy

Capias Pro Fine Notice

11. Is a capias pro fine sought?

a. ☐ No - Justice Courts ☐ No - County Courts ☐ No - District Courts

☒ Yes - Is either a pre- or post-capias pro fine phone call made or written notice sent to the defendant in addition to the efforts as detailed in items 9 and 10 when the defendant fails to respond to those efforts?

Notice Sent - ☐ 1-15 days ☒ 16 days - 1 month ☐ Over 1 month

Who does this? Debbie Holland initiates the letters being printed and then her and her staff mail all of the notices out.

How is it done? This is done on a daily basis and is generated by the computer. When the computer flags a collection issue the coordinated solution is generated. For instance - default date passes and it generates a phone contact, the payment is still not made and the following day a mailing notice is sent.

Is there a record made of these notices? ☒ Yes - Where? The computer (I-Plow) maintains all of the information concerning phone calls, past due notice, and then capias notice.

☐ No

b.

	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Capias pro fine phone call made or notice sent for past-due payments within one month of phone contact /mail notice in items 9 and 10 (whichever is later)?	☒	☐	☐

Attach a copy of the notice if a notice is sent

COLLECTION PROGRAM SURVEY

Name of City or County: **Tom Green County**	Taxpayer Number: 17560011847

Date of Survey: **6/3/10**

Auditor: Gregory L. Froh

Program, Department or Court: Community Supervision & Corrections Department

List all courts handled by a particular program or department: District Courts

List any courts listed above that are not participating: None

Individual answering (Collections Supervising Official) Name(s) and Title(s): Amanda Marquez - Court Collections Administrator

General Instructions

1. A separate "Collection Program Survey" is needed for each collection department or court. A city will have only 1 survey. A county may have more than one survey form. For example, if a county has a separate collection department for all justice courts, another department for county courts, and another department for district courts, there will be 3 separate surveys.
2. Questions 1 - 4 relate to local program operations. For a city, all 4 requirements must be met to be in compliance. For a county, all 4 requirements must be met for either 90% of all criminal courts in the county, or all courts except one court, whichever is greater. If the city or county does not meet these 4 critical components, the auditor will ask only the "a" part of the remaining questions 5 - 11 and not pull any cases to examine.
3. Questions 5 - 11 relate to defendant communications. If, and only if, the city or county has met compliance for the 4 components related to local program operations, the auditor will select, initially, 30 cases for each court or collection department to measure compliance for the 7 components related to defendant communications.

The "a." part of the survey will be completed by questioning the court/department administrator responsible for the program. Little factual evidence will be obtained for its completion.

The "b." part will include the gathering of facts that demonstrate whether the criteria have been met or not.

Full text governing the Collection Improvement Program is 1 TAC §§ 175.1 through 175.7 and Art. 103.0033, Code of Criminal Procedure.

Dedicated Staff

1. Is there a minimum of one staff person in this court/department whose priority job function is collection activities? (The priority collections job function may be concentrated in one individual employee or distributed among two or more employees. The collection function need not require 40 hours per week of FTE time, but must be a priority.)
   a. ☒ Yes ☐ No - Comment: _____
   Who is responsible or who is your collection person? Margie Ramirez
   What is his/her title? Collections Supervisor

   b. Is there a job description containing the essential job functions of collection activity?
   ☐ Yes, there is a **written** job description (Attach a copy)
   ☒ Yes, there is an **oral** job description (Although there is not a written one, the employee verbalizes job duties that contain the appropriate collection activities.)
   ☐ No

DESCRIPTION OF THE PROCESS:

When the defendant cannot pay the court costs, fees, and fines ***in full*** at the time of assessment (sentencing or judgment imposed date), what happens? The defendant is sent to Amanda Marquez -Court Collections Administrator. Amanda then has the defendant complete a credit report and if possible also supply a copy of their current pay stub, copy of their utility invoices, and any other supporting debts that they can bring in documentation on. Amanda then has a meeting with the defendant to go over the application as well as to make sure that all items are completed. She then reviews the data for abnormalities and asks questions on them. She verifies their address and phone number if possible. Discusses with the defendant their financial situation and then reports to the judge her recommendation. The judge then determines how to set up payments using her recommendations. A payout agreement is obtained and signed by the defendant and put into the defendants jacket with their citation.

Is the process the same for each court or judge? ☒ Yes ☐ No - Explain: _____

Who is responsible for collection of court costs, fees, and fines? (Do not include collection of paid-in-full payments.)

		Comments
☐	Collection/ Compliance Dept.	
☒	CSCD	If other staff are needed then Amanda directs each person.
☐	County Clerk	
☒	District Clerk	
☐	Justice Court	
☐	Municipal Court	

Comments: Community Supervision & Corrections Dept don't have very many citations to work for collections. Most of their citations are for such offenses that they take a couple of days or more in court and they usually involve communiy services or incarceration. Amanda does maintain a daily worksheet for all citations on pay out plans. She reviews this daily showing all activity. If an account gets paid off then it of course gets removed from the list.

Exhibit IV pg 3 of 1

MANAGEMENT SYSTEMS:

What Case Management software do you use?

Case Trak Software

What Collection Software do you use? Case Trak Software

Payment Plan Compliance Monitor

2. Is collection/compliance staff person(s) assigned to monitor compliance with payment agreements?
   a. ☒ Yes ☐ No
   Who does this? Amanda Marquez
   Is it in their job description or can staff verbalize their collection tasks/duties?
   ☒ Yes ☐ No
   How is this done? Amanda's system provides her with the data concerning the citations and their status. She also maintains a manual report that she uses to be able to quickly review all accounts at a glance. On this daily report she can tell what accounts are past due and what accounts are going beyond their payment terms. She can then take the necessary action to attempt to bring them into compliance. She states that normally a simple phone contact will bring them in. That most have issues of probation to comply with and noncompliance usually means incarceration. Besides Amanda's personal manual system the computer also gives her a report that lets her know which citations are in default status. From this status reports she can also follow up on the citation.
   How is it documented? Phone contacts are all reported in the computer on each citation as well as being reported on their hand written log book. Case-Trak monitors daily each collection issue and then reports the action needed and then reports the actions taken as recorded by the individual entering the data.

   b. Is there an updated payment due list or a manual or electronic tickler system?
   ☒ Yes ☐ No

(Auditor verified documentation or assignment to in-house staff; verified documentation of past due list, tickler system, or computerized system; observed the monitor compliance process.)

Seriously Delinquent Cases

3. Does the court/department have a component designed to improve collection of balances more than 60 days past due?
   a. ☒ Yes
   Describe the component(s): The main emphasis put on the Court Collections Administrator according to Amanda is to keep the payout program within the state requirements. She does state that since the judge sets the times for most of the payouts and because most of the payouts run consistently with the other judgements such as community service or probation. She did say that they main parts of the judgement for court fees and all are paid within the first 3 months of the payout and the remaining part of the payout is for probation fees or restitution. If the alternative program was used it was noted that this was set by the judge and therefore is the judges determination. The collection administrator also reviews the data for payout programs and if there appears to be issues she will then contact the judge over the presiding district court and recommend that the citation be forwarded on to their outside collection agency . This is usually done within the first 4 weeks of the citation. However their main focuses are on prompt payment of debt and of course actual collection of debt. Some citations to defendants that are homeless or handicapped or have other special circumstances or simply don't have the money they realize are not possible to collect. With these specific individuals they understand that many times they don't have a phone contact and in some instance no physical address. However they get as much information as possible and make all efforts to collect.
   Where is it documented? All activity / communication with a defendant is recorded

on the computer - since all of the information is intially flagged by the computer the staff person doing whatever function is requested next by the computer then goes in and notates their name and the specifics of what was done and the outcome.

☐ No

b. Is there a documented process/component designed to improve collection of balances more than 60 days past due? ☒ Yes ☐ No

Reporting

4. Is this court/department reporting in the approved format to the Office of Court Administration updated information regarding the collection activity?

a. ☒ Yes - ☒ Reporting Monthly by the 20th of the next month
☐ Reporting Annually

Who does the entry? Dianna Spieker - Treasurer

☐ No

b. Contact OCA for verification of reporting.
Reporting? ☒ Yes ☐ No ☐ N/A (Temporary waiver from this requirement)
Name of OCA staff providing verification: Daphne Webber Date: 4/23/10

								Collection Program Survey Rule 175.3(c)	Q5 (1)	Q6 (2)	Q7 (3)	Q8 (4)(B)/(C)	Q8		Q9 (5)	Q10 (6)	Q11 (7)		
Cnt	Case Number	Term of CS	Date Assessed	Application Date	Judgment Total Amt $	Number of Payments	Payment Amount $	Increment of Pmt	Apps. Taken	Contact Verified	Inter-viewed	Payment Terms	Term Excp	Initial Default Date	Phone Contact	Mail Contact	Capias Notice	Comments:	Notes
35	C-09-0309-SB		08/25/09	08/25/09	$3,356.00	23	$136.00	30	Y	Y	Y	Y	J	10/25/09	Y	Y	D		
36	D-09-0649-SA		08/26/09	08/25/09	$4,020.00	58	$72.00	30	D	D	D	D	J	09/25/09	D	D	D	1	paid as per terms of PP
37	B-07-0356-S		07/07/09	07/07/09	$4,016.00	59	$65.00	30	Y	Y	Y	Y	J	09/07/09	Y	Y	D		
38	C-08-1143-SB		07/08/09	07/08/09	$12,054.00	59	$181.00	30	Y	Y	Y	Y	J	08/08/09	Y	Y	D		
39	C-08-0570-SB		07/09/09	07/13/09	$5,310.57	47	$162.00	30	D	D	D	D	J	09/13/09	D	D	D	1	
40	C-09-0303-SB		07/10/09	07/10/09	$2,792.00	35	$62.00	30	D	D	D	D	J	08/10/09	D	D	D	1	
	40	Count						Y= Yes	30	29	30	30			27	28	0		
							D = Does Not Apply		10	10	10	10			10	10	39		
								N = No	0	1	0	0			3	2	0		
							Total Cases (Y+D+N)		40	40	40	40			40	40	39		
							Total Cases less D		30	30	30	30			30	30	0		
							Compliance Percentage		100.00%	96.67%	100.00%	100.00%			90.00%	93.33%	0.00%		

1. Case fell outside of tracking period, defendant in jail, or case paid in full. Replaced.
2. JP Court at Laws and County Courts are handled by Tom Green County Collection Department
   2(a) The JP Courts include - Justice of the Peace Court 1, Justice of the Peace Court 2, Justice of the Peace Court 3, and Justice of the Peace Court 4
   2(b) Person in charge of Collections for the JP Courts and County Courts is Debbie Holland - Collections Manager for Tom Green County
3. District Courts are handled by Community Supervision & Corrections Department
   3(a) The District Courts include 51st Judicial District, 119th Judicial District, 340th Judicial District, and 391st Judicial District.
   3(b) Person in Charge of Collection for the District Courts is Amanda Marquez - Court Collections Administrator

EXHIBIT I
1/3

Amended Notification – This supersedes previously issued notification of 06/03/10.

COMPTROLLER OF PUBLIC ACCOUNTS
STATE OF TEXAS

NOTIFICATION OF PROCEDURES FOR COMPLIANCE AUDIT

Taxpayer Name	:	Tom Green County
Taxpayer Number	:	17560011847
Type of Tax	:	Compliance Audit (Code of Crim. Proc., Art. 103.0033)
Audit Period	:	July 1, 2009 through August 31, 2009
Reporting Category	:	Compliance Audit Subcategory: Critical Components for Defendant Communications

1. The records to be examined in performing the compliance audit will include (but are not limited to): manual or computerized dockets, payout agreements, a detailed monthly report listing all adjudicated and deferred cases where the defendant does not pay in full on the date the court costs, fees, and fines are assessed including those with payment plans, and any other applicable documentation. A payment plan means a schedule of payment(s) to be paid by a defendant who does not pay all court costs, fees, and fines at the time they are assessed and payment is requested. (Texas Administrative Code, Title 1, Part 8, Chapter 175, Subchapter A, Rule 175.2)

2. The item examined will be:
   - adjudicated and deferred cases where the defendant does not pay in full on the assessment date and a capias pro fine will be sought requiring verification of a second phone call or written delinquency notice
   - adjudicated and deferred cases where the defendant does not pay in full on the assessment date, requiring verification of telephone contact and mail contact critical components

3. The method of selecting the items will be:
   random, computer-generated

4. The total items examined will be:
   - adjudicated and deferred cases where the defendant does not pay in full on the assessment date and a capias pro fine will be sought requiring verification of a second phone call or written delinquency notice *(see attached Table 1, Columns 1 and 2)*
   - adjudicated and deferred cases where the defendant does not pay in full on the assessment date, requiring verification of telephone contact and mail contact critical components *(see attached Table 1, Columns 1 and 3)*

5. Procedures are being utilized to randomly select cases for purposes of measuring compliance in accordance with Rule 175.3(c) (Texas Administrative Code, Title 1, Part 8, Chapter 175, Subchapter A). Items described in Item #4 will be examined for each collection department or court. Each case examined will be designated with either 'yes', 'no', or 'not applicable' for meeting the criteria in Rule 175.3(c). The number of cases designated with 'yes' will be divided by the total number of cases examined less the number of cases designated with 'not applicable' to derive a percentage for each collection department or court. The percentages of each collection department or court for each critical component will be averaged to derive an overall compliance percentage for each critical component. To be in substantial compliance with a critical component of Rule 175.3(c), the requirement must be met for at least 80% of the cases at that stage of collection. To be in partial compliance with a critical component of Rule 175.3(c), the requirement must be met for at least 50% of the cases at that stage of collection. To be in compliance with the requirements of Rule 175.3(c), the county cannot be in less than partial compliance with any critical component, may be in partial compliance with a maximum of one critical component, and shall be in substantial compliance with all of the other applicable critical components.

This notification was mailed on Date: September 17, 2010

TO: Dianna M. Spieker Title: County Treasurer

SIGN HERE > Gregory L. Inch
Comptroller's Representative

Amended Notification – This supersedes previously issued notification of 06/03/10. EXHIBIT I 2/3

Table 1

Column 1	Column 2 Seek Capias Pro Fine	Column 3 Do Not Seek Capias Pro Fine
Name of Collection Department and/or Court	**# of cases reviewed**	**# of cases reviewed**
Collection Department for JP Courts and County Courts	30	N/A
Collection Department for District Courts	N/A	30 *

* Note: Cases reviewed for district courts were detailed

Exhibit I
Pg 3 of 3

COMPTROLLER OF PUBLIC ACCOUNTS
STATE OF TEXAS

NOTIFICATION OF PROCEDURES FOR COMPLIANCE AUDIT

Taxpayer Name	:	Tom Green County
Taxpayer Number	:	17560011847
Type of Tax	:	Compliance Audit (Code of Crim. Proc., Art. 103.0033)
Audit Period	:	July 1, 2009 through August 31, 2009
Reporting Category	:	Compliance Audit Subcategory: Critical Components for Defendant Communications

1. The records to be examined in performing the compliance audit will include (but are not limited to): manual or computerized dockets, payout agreements, a detailed monthly report listing all adjudicated and deferred cases where the defendant does not pay in full on the date the court costs, fees, and fines are assessed including those with payment plans, and any other applicable documentation. A payment plan means a schedule of payment(s) to be paid by a defendant who does not pay all court costs, fees, and fines at the time they are assessed and payment is requested. (Texas Administrative Code, Title 1, Part 8, Chapter 175, Subchapter A, Rule 175.2)

2. The item examined will be:
   adjudicated and deferred cases where the defendant does not pay in full on the assessment date

3. The method of selecting the items will be:
   random, computer-generated

4. The total items examined will be:
   thirty (30) adjudicated and deferred cases where the defendant does not pay in full on the assessment date per each collection department or court

5. Procedures are being utilized to randomly select cases for purposes of measuring compliance in accordance with Rule 175.3(c) (Texas Administrative Code, Title 1, Part 8, Chapter 175, Subchapter A). Thirty (30) adjudicated and deferred cases where the defendant does not pay in full on the assessment date will be examined for each collection department or court. Each case examined will be designated with either 'yes', 'no', or 'not applicable' for meeting the criteria in Rule 175.3(c). The results of each collection department or court will be summarized. The number of cases designated with 'yes' will be divided by the total number of cases examined less the number of cases designated with 'not applicable' to derive a percentage. To be in substantial compliance with a critical component of Rule 175.3(c), the requirement must be met for at least 80% of the cases at that stage of collection. To be in partial compliance with a critical component of Rule 175.3(c), the requirement must be met for at least 50% of the cases at that stage of collection. To be in compliance with the requirements of Rule 175.3(c), the county cannot be in less than partial compliance with any critical component, may be in partial compliance with a maximum of one critical component, and shall be in substantial compliance with all of the other applicable critical components.

This notification was hand delivered on Date: June 3, 2010

TO: Debbie Holland Title: Collection Manager

SIGN HERE >

Comptroller's Representative

CAMS	STR	SEL_	EXAI	RECORD	SEL	casenumber	sentencedate	LNAME	FNAME	amount
1	A	1	11	18	S	034205J4	08/18/2009	LAREZ	LINDA	1
1	A	2	11	402	S	0912529J4	08/03/2009	OROSCO	ROY	1
1	A	3	11	503	S	09-2567J3	07/01/2009	RHINE	RICKY JEAN	1
1	A	4	11	83	S	076093J4	07/22/2009	CHIPMAN	MARK RANDALL	1
1	A	5	11	577	S	09-385J2	07/02/2009	SELVEY	MICHAEL D.	1
1	A	6	11	432	S	09-1646J3	07/31/2009	MADISON	MARCUS WADE	1
1	A	7	11	344	S	0912173J4	07/06/2009	FLORES	GILBERT GONZALES	1
1	A	8	11	301	S	0911541J4	07/28/2009	Henry	Payton Wayne	1
1	A	9	11	242	S	09-01420L2	08/24/2009	GOVEA	JOHN DANIEL	1
1	A	10	11	28	S	05-1620J2	08/12/2009	Aguirre Jr.	Willie	1
1	A	11	11	430	S	09-1641J2	08/19/2009	ANDERSON	Rosalind Yvette	1
1	A	12	11	513	S	09-2677J3	07/07/2009	LONG	RICHARD CLAYTON	1
1	A	13	11	184	S	09-00585	08/11/2009	RODRIGUEZ	REUBEN	1
1	A	14	11	457	S	09-1963J3	07/20/2009	CHAVEZ	MARK ANTHONY	1
1	A	15	11	364	S	0912311J4	08/27/2009	GARZA	LAUREN ASHLEY	1
1	A	16	11	267	S	09-02122	08/25/2009	NEWTON	CHANCE PATRICK	1
1	A	17	11	573	S	09-3335J3	08/31/2009	BRANDON	TIMOTHY EDWARD	1
1	A	18	11	488	S	09-2344J2	08/17/2009	RODRIGUEZ	CHRISTINA	1
1	A	19	11	508	S	09-2611J3	07/01/2009	MORALES JR	ALVARO	1
1	A	20	11	504	S	09-2573J2	08/28/2009	SMITH	JAMES M	1
1	A	21	11	466	S	09-2053J2	08/20/2009	GARZA JR.	FERNANDO	1
1	A	22	11	381	S	0912406J4	07/20/2009	KUHN	CYNTHIA ANN	1
1	A	23	11	426	S	0912764J4	08/27/2009	BILBO	NICOLE LYNN	1
1	A	24	11	269	S	09-02251	08/25/2009	LAWLER	ARTHUR LEE	1
1	A	25	11	310	S	0911683J4	08/04/2009	SPECIALE	ELIZABETH	1
1	A	26	11	519	S	09-2788J3	07/14/2009	COLE	AMY JEAN	1
1	A	27	11	542	S	09-2966J3	08/31/2009	RICHARDSON	CORY J.	1
1	A	28	11	326	S	0911987J4	07/14/2009	JOHNSON	MEGHANN AMBER	1
1	A	29	11	304	S	0911612J4	07/07/2009	GALLEGOS	GERARDO	1
1	A	30	11	191	S	09-00709	08/11/2009	SANCHEZ	JUAN CARLOS	1
1	A	31	11	179	S	09-00515	08/17/2009	TURBEVILLE	JOEY	1
1	A	32	11	139	S	08-3627J2	07/24/2009	LATHAM	DAYNA RENEE	1
1	A	33	11	207	S	09-00983L2	08/17/2009	BURNEY	TODD	1
1	A	34	11	580	S	09-394J2	07/07/2009	AUTREY	DANA KERRY	1
1	A	35	11	147	S	088103J4	08/06/2009	WALKER	DARLA RECHELLE	1
1	A	36	11	121	S	0810523J4	08/06/2009	WALKER	DARLA RECHELLE	1
1	A	37	11	150	S	088521J4	07/15/2009	GUERRERO	JOEL	1
1	A	38	11	14	S	033861J4	08/19/2009	RIGGINS	BRITT LASHA	1
1	A	39	11	532	S	09-2924J3	08/27/2009	REZA	MICHELLE M.	1
1	A	40	11	603	S	09-927J1	08/05/2009	RANGEL	BETTY YBARRA	1
1	A	41	11	70	S	074736J4	08/26/2009	ADAIR	DAVID RAYMOND	1
1	A	42	11	602	S	09-926J1	08/05/2009	RANGEL	BETTY YBARRA	1
1	A	43	11	331	S	0912026J4	08/25/2009	HERNANDEZ	TIFFANY	1
1	A	44	11	349	S	09-1222J2	07/10/2009	HARRINGTON	CHRISTOPHER M.	1
1	A	45	11	493	S	09-2446J2	08/12/2009	MACON	CHRISTOPHER EUGE	1
1	A	46	11	495	S	09-2467J3	07/15/2009	ENYART	DONALD WAYNE	1
1	A	47	11	378	S	0912383J4	08/12/2009	DEBBRECHT	HEATHER M.	1
1	A	48	11	568	S	09-3183J3	08/26/2009	JALOMO	ROY SALAS	1
1	A	49	11	136	S	08-308J2	08/18/2009	BUTCH	YANCY HUTTON	1
1	A	50	11	214	S	09-01088L2	08/11/2009	ZURITA	ORLANDO	1
1	A	51	11	527	S	09-2871J3	08/14/2009	MOYA	GEORGE L.	1
1	A	52	11	512	S	09-2676J3	07/07/2009	LONG	RICHARD CLAYTON	1
1	A	53	11	479	S	09-2217J2	07/24/2009	MORRIS	BRANDY DAWN	1
1	A	54	11	40	S	063367J4	08/14/2009	TIGGS	ALEX BRANDON	1

1	A	55	11	596	S	09-864J1	07/02/2009	LEDEZMA	JULIO RODREGUEZ	1
1	A	56	11	253	S	09-01613	07/01/2009	QUIROZ	KRYSTLE BROOKE	1
1	A	57	11	183	S	09-00576L2	08/04/2009	SHAFFER	LOGAN KIRK	1
1	A	58	11	586	S	09-595J1	08/14/2009	BURKES	ROLAND EUGENE	1
1	A	59	11	141	S	08-3651J2	07/15/2009	AGUILAR	KENNETH CLEOFAS	1
1	A	60	11	64	S	074724J4	08/26/2009	ADAIR	DAVID RAYMOND	1
1	A	61	11	46	S	07-03020L2	08/24/2009	RUBIO	CRYSTAL ANN	1
1	A	62	11	196	S	09-00814L2	08/25/2009	ALVAREZ	LUCAS AYALA	1
1	A	63	11	185	S	09-00589	07/08/2009	RAY	MARY IRENE	1
1	A	64	11	392	S	0912494J4	08/13/2009	BRADLEY	SARAH MEGHAN	1
1	A	65	11	285	S	0911112J4	07/01/2009	GLAZE	JOSHUA RAY	1
1	A	66	11	250	S	09-01599L2	08/27/2009	COOK	DELVIN BERNARD	1
1	A	67	11	537	S	09-2960J3	07/30/2009	SALAZAR	JUSTIN ANDREW	1
1	A	68	11	282	S	0910952J4	08/27/2009	BILBO	NICOLE LYNN	1
1	A	69	11	346	S	0912183J4	08/07/2009	HUDGINS	CHRISTOPHER DON	1
1	A	70	11	530	S	09-2882J3	07/21/2009	DELEON	EMANUEL MORALES	1
1	A	71	11	343	S	0912170J4	07/06/2009	SMITH	LEVI JAY	1
1	A	72	11	235	S	09-01363	07/14/2009	HARVEY	BLAKE RYAN	1
1	A	73	11	78	S	075354J4	08/26/2009	ADAIR	DAVID RAYMOND	1
1	A	74	11	265	S	09-01959	08/26/2009	BELTRAN	DIANA ARRIAGA	1
1	A	75	11	521	S	09-2813J3	07/20/2009	ALONZO	TERESA DEJESUS	1
1	A	76	11	345	S	0912182J4	07/28/2009	DAVENPORT	DYLAN MITCHELL WA	1
1	A	77	11	535	S	09-2935J3	08/07/2009	WALTON	AUTUME DAWNE	1
1	A	78	11	19	S	04-01072L2	08/21/2009	FOWLER	CHRISTOPHER ROBE	1
1	A	79	11	594	S	09-828J1	07/17/2009	WAHPEKECHE	KERMAN E.	1
1	A	80	11	524	S	09-2842J3	07/28/2009	ANDERSON	MELISSA DAWN	1
1	A	81	11	87	S	07-676J3	07/06/2009	TORSON	CHRISTOPHER LEWI	1
1	A	82	11	489	S	09-2345J2	08/17/2009	RODRIGUEZ	CHRISTINA	1
1	A	83	11	93	S	08-00665	08/05/2009	GREEN	JASON D'MON	1
1	A	84	11	188	S	09-00673	08/26/2009	CORBIN	PARKER JEREMY	1
1	A	85	11	380	S	0912393J4	08/04/2009	PINTADO	SERGIO REGALADO	1
1	A	86	11	23	S	04-5123J2	08/04/2009	TORRES	SUSSIE	1
1	A	87	11	401	S	0912526J4	08/20/2009	STOGNER	JEFFERY JOSEPH	1
1	A	88	11	543	S	09-2967J3	08/31/2009	RICHARDSON	CORY J.	1
1	A	89	11	610	S	09-991J1	08/04/2009	WOOD	JONATHAN ANDREW	1
1	A	90	11	462	S	09-2023J2	07/13/2009	SMOCK	CHRISTOPHER M	1
1	A	91	11	251	S	09-01603	07/15/2009	SHULTZ	STEPHANIE	1
1	A	92	11	55	S	07-3102J3	07/01/2009	SUTTON	SAMUEL BANKS	1
1	A	93	11	482	S	09-2224J2	08/21/2009	HERNANDEZ	ADAM	1
1	A	94	11	259	S	09-01753	07/15/2009	NIELSON	TOBY LEE	1
1	A	95	11	321	S	0911951J4	07/31/2009	CANNON	JOSEPH BRENNAN	1
1	A	96	11	385	S	0912431J4	08/05/2009	ROBINSON	DWIGHT BENARD	1
1	A	97	11	529	S	09-2881J3	07/21/2009	DELEON	EMANUEL MORALES	1
1	A	98	11	118	S	0810361J4	07/28/2009	DAVIS	RENITA HARRIS	1
1	A	99	11	559	S	09-3039J3	08/05/2009	VASQUEZ JR	FERNANDO EMILIO	1
1	A	100	11	332	S	0912032J4	07/31/2009	STROUT	HANNAH	1
1	A	101	11	231	S	09-01342L2	08/24/2009	CHACON	GILBERTO	1
1	A	102	11	384	S	0912429J4	08/03/2009	MARTINEZ	ALEXANDRO	1
1	A	103	11	339	S	0912109J4	08/28/2009	GARCIA	LILIANA	1
1	A	104	11	571	S	09-3270J3	08/31/2009	JUAREZ	DAVID ANTHONY	1
1	A	105	11	464	S	09-2040J2	07/14/2009	GARCIA	PEDRO BALDERAS	1
1	A	106	11	57	S	074096J4	08/26/2009	ADAIR	DAVID RAYMOND	1
1	A	107	11	359	S	0912295J4	07/16/2009	RODRIGUEZ	KLAUDIA MIRAMONT	1
1	A	108	11	481	S	09-2223J2	08/07/2009	HERNANDEZ	ADAM	1
1	A	109	11	363	S	0912310J4	07/06/2009	GARZA	GUSTAVO R.	1

1	A	110	11	398	S	0912510J4	08/25/2009	HALL	DUSTIN MICHAEL	1
1	A	111	11	601	S	09-919J1	07/28/2009	DIAZ	SYLVIA HERNANDEZ	1
1	A	112	11	409	S	0912573J4	08/04/2009	BRADLEY	JULIAN RONNELL	1
1	A	113	11	613	S	99-4629J2	07/15/2009	DELEON	RICARDO	1
1	A	114	11	252	S	09-01611	07/01/2009	MORALES-HERN	FELIPE ANTONIO	1
1	A	115	11	377	S	0912382J4	08/20/2009	COWART	ASHLEY	1
1	A	116	11	422	S	0912702J4	08/28/2009	ALVARADO	SYLVIA J.	1
1	A	117	11	434	S	09-171J1	08/25/2009	ZAPATA	AUDRY JEAN	1
1	A	118	11	193	S	09-00754L2	08/27/2009	PITRE	JAMES K	1
1	A	119	11	41	S	063385J4	07/20/2009	COUVION	MIRRISSA ANN	1
1	A	120	11	556	S	09-3013J3	08/12/2009	MENDEZ	ENRIQUE CARLOS	1
1	A	121	11	328	S	0912005J4	07/28/2009	BISCAINO	JAMES ALAN	1
1	A	122	11	546	S	09-2972J3	08/07/2009	QUISENBERRY	BILLY JOEL	1
1	A	123	11	26	S	05-03715	07/21/2009	HERNANDEZ	OLIVIA S.	1
1	A	124	11	77	S	075352J4	08/03/2009	Montoya	Gabriel	1
1	A	125	11	431	S	09-1643J2	08/19/2009	ANDERSON	Rosalind Yvette	1

COLLECTION PROGRAM SURVEY

Name of City or County: **Tom Green County**	Taxpayer Number: 17560011847

Date of Survey: **6/3/10**

Auditor: Gregory L. Froh

Program, Department or Court: County and Justice Court Compliance Office for JP & County Courts

List all courts handled by a particular program or department: CCounty and Justice Court Compliance Office for JP & County Courts --

List any courts listed above that are not participating: None

Individual answering (Collections Supervising Official) Name(s) and Title(s): Debbie Holland - Collections Manager

General Instructions

1. A separate "Collection Program Survey" is needed for each collection department or court. A city will have only 1 survey. A county may have more than one survey form. For example, if a county has a separate collection department for all justice courts, another department for county courts, and another department for district courts, there will be 3 separate surveys.
2. Questions 1 - 4 relate to local program operations. For a city, all 4 requirements must be met to be in compliance. For a county, all 4 requirements must be met for either 90% of all criminal courts in the county, or all courts except one court, whichever is greater. If the city or county does not meet these 4 critical components, the auditor will ask only the "a" part of the remaining questions 5 - 11 and not pull any cases to examine.
3. Questions 5 - 11 relate to defendant communications. If, and only if, the city or county has met compliance for the 4 components related to local program operations, the auditor will select, initially, 30 cases for each court or collection department to measure compliance for the 7 components related to defendant communications.

The "a." part of the survey will be completed by questioning the court/department administrator responsible for the program. Little factual evidence will be obtained for its completion.

The "b." part will include the gathering of facts that demonstrate whether the criteria have been met or not.

Full text governing the Collection Improvement Program is 1 TAC §§ 175.1 through 175.7 and Art. 103.0033, Code of Criminal Procedure.

Dedicated Staff

1. Is there a minimum of one staff person in this court/department whose priority job function is collection activities? (The priority collections job function may be concentrated in one individual employee or distributed among two or more employees. The collection function need not require 40 hours per week of FTE time, but must be a priority.)
   a. ☒ Yes ☐ No - Comment: _____
   Who is responsible or who is your collection person? Margie Ramirez
   What is his/her title? Collections Supervisor

   b. Is there a job description containing the essential job functions of collection activity?
   ☐ Yes, there is a **written** job description (Attach a copy)
   ☒ Yes, there is an **oral** job description (Although there is not a written one, the employee verbalizes job duties that contain the appropriate collection activities.)
   ☐ No

DESCRIPTION OF THE PROCESS:

When the defendant cannot pay the court costs, fees, and fines ***in full*** at the time of assessment (sentencing or judgment imposed date), what happens? The defendant is sent to Debbie Holland - Collections Supervisor. Margie then has the defendant complete a credit report and if possible also supply a copy of their current pay stub, copy of their utility invoices, and any other supporting debts that they can bring in documentation on. Debbie then has a meeting with the defendant (Credit Analysis Meeting) to go over the application as well as to make sure that all items are completed. She then reviews the data for abnormalities and asks questions on them. She verifies their address and phone number if possible. Discusses with the defendant their financial situation and then reports to the judge her recommendation. The judge then determines how to set up payments using Debbies recommendations. A payout agreement is obtained and signed by the defendant and put into the defendants jacket with their citation.

Is the process the same for each court or judge? ☒ Yes ☐ No - Explain: _____

Who is responsible for collection of court costs, fees, and fines? (Do not include collection of paid-in-full payments.)

		Comments
☒	Collection/ Compliance Dept.	All Clerks and staff are used for this processes
☐	CSCD	
☐	County Clerk	
☐	District Clerk	
☐	Justice Court	
☐	Municipal Court	

Comments: Tom Green County uses all their staff to make phone contacts as well as to do the follow ups to any pay out plans. They make reminder phone contacts for the payments as well as for citations.

MANAGEMENT SYSTEMS:

What Case Management software do you use? I-Plow Software

What Collection Software do you use? I-Plow

Payment Plan Compliance Monitor

2. Is collection/compliance staff person(s) assigned to monitor compliance with payment agreements?
   a. ☒ Yes ☐ No
   Who does this? Debbie Holland or her staff
   Is it in their job description or can staff verbalize their collection tasks/duties? ☒ Yes ☐ No
   How is this done? The I-plow system send them reports that are accounts that are past due or going past the default period. Reports are generated and printed daily & calls are made from these reports for all computer flagged citations that appear.
   How is it documented? Phone contacts are all reported in the computer on each citation as well as being reported on their hand written log book. I -Plow flags each collection issue and then reports the action needed and then reports the actions taken as recorded by the individual entering the data.

   b. Is there an updated payment due list or a manual or electronic tickler system? ☒ Yes ☐ No

(Auditor verified documentation or assignment to in-house staff; verified documentation of past due list, tickler system, or computerized system; observed the monitor compliance process.)

Seriously Delinquent Cases

3. Does the court/department have a component designed to improve collection of balances more than 60 days past due?
   a. ☒ Yes
   Describe the component(s): The main emphasis put on the collection supervisor is to bring collections down to within 4 weeks if possible. She did explain that if the defendants credit did not merit a payment program that would fall within the 4-6 week period she would recommend to the judge the alternative payment program and the judge would then determine yes or no. If the alternative program was used it was noted that this was set by the judge and therefore is the judges determination. The collection manager also reviews the data for payout programs and if there appears to be issues she will then contact Dianna Spieker and recommend that the citation be forwarded on to their outside collection agency . This is usually done within the first 4 weeks of the citation. However their main focuses are on prompt payment of debt and of course actual collection of debt. Some citations to defendants that are homeless or handicapped or have other special circumstances or simply don't have the money they realize are not possible to collect. With these specific individuals they understand that many times they don't have a phone contact and in some instance no physical address. However they get as much information as possible and make all efforts to collect.
   Where is it documented? All activity / communication with a defendant is recorded on the computer - since all of the information is intially flagged by the computer the staff person doing whatever function is requested next by the computer then goes in and notates their name and the specifics of what was done and the outcome.
   ☐ No

   b. Is there a documented process/component designed to improve collection of balances more than 60 days past due? ☒ Yes ☐ No

Reporting

4. Is this court/department reporting in the approved format to the Office of Court Administration updated information regarding the collection activity?
   a. ☒ Yes - ☒ Reporting Monthly by the 20th of the next month
      ☐ Reporting Annually

   Who does the entry? Dianna Spieker - Treasurer

   ☐ No

   b. Contact OCA for verification of reporting.
   Reporting? ☒ Yes ☐ No ☐ N/A (Temporary waiver from this requirement)
   Name of OCA staff providing verification: Daphne Webber Date: 4/23/10

Exhibit III pt 5 of 9

Application/Contact Information

5. If a defendant is unable to pay in full on the day of assessment (sentencing or judgment imposed date), is an application used to determine a defendant's ability to pay or is current contact information obtained?

   a. ☒ Yes ☐ No - Comment: _____

   Is the application/contact info taken: ☒ Immediately ☐ 2-5 days ☐ 6 days - 1 mo.

   Does the application/contact information include?

		Item		Yes	No
Application	Contact Info	Home address		☒	☐
		Home phone number or primary contact phone number		☒	☐
		Employer's or source of support's	Name	☒	☐
			Address	☒	☐
			Phone number	☒	☐
		Personal references (at least 2)		☒	☐
		Signature or acknowledgement and date		☒	☐
	Financial institutions and account balances		☐ N/A	☒	☐
	Creditors, debt balances and payment amounts		☐ N/A	☒	☐
	Stated income		☐ N/A	☒	☐

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Is application/contact information completed within one month of assessment date?	☒	☐	☐

Attach a copy of the application form.

Verification of Contact Information

6. Is the contact information verified?

   a. ☒ Yes ☐ No - Comment: As stated earlier if the defendant is indigent and has no home or residence or possibly a residence with no phone then the phone may not be attainable. Also in this society of prepaid cell phones they are finding that prepaid cell phones will work one day and the next be nonfunctional the following date due to lack of funds.

   Is the verification generally done: ☒ Immediately ☐ 2-5 days ☐ More than 5 days

   Who conducts this verification? Debbie Holland

   Is the home or contact phone verified? ☒ Yes ☐ No

   Is employment or source of support verified? ☒ Yes ☐ No

   How is it done? Verbally - Margie makes phone contact with all contacts given if there are phone numbers to be used.

   How is the verification documented? Margie makes comments on the credit applications.

b.	Yes 80% to 100%	Partial 50% to 79%	No Less than 50%
Is contact information verified within 5 days?	☒	☐	☐