

IN THE 25TH JUDICIAL CIRCUIT OF MISSOURI

ADMINISTRATIVE ORDER NUMBER 26

FIRST AMENDED

ADMINISTRATIVE PLAN FOR COLLECTION OF COURT DEBT

Effective June 13, 2014, the 25th Judicial Circuit Court, comprised of Phelps County, Pulaski County, Maries County, and Texas County, Missouri, has adopted the following First Amended Administrative Plan for the Collection of Court Debt to improve debt collection and ensure compliance with Court Operating Rule 21.11.

Convenient Payment Methods

The circuit clerks of Phelps, Pulaski, Maries and Texas counties shall accept debit and credit cards for payment of court costs.

A link will be included in the court's website to the debit/credit card vendors' website in order to facilitate payments by the defendant of court costs and compliance with payment plans.

Probation and Parole Coordination

Probation and parole officers assigned to the circuit are encourage to follow the uniform collection standards promulgated by the Missouri Division of Probation and Parole and the Office of State Courts Administrator for collection of fine, costs and restitution.

Establishment of Rates and Collection of Jail Board Bills

The jail board bill rate per day is set at \$50.00 for Phelps County, \$35 for Pulaski County, \$23.00 for Maries County and \$45.00 for Texas County. The jail board bill rate shall be assessed daily on all applicable cases. However, the judge presiding over the case may adjust the total jail board bill based upon the financial circumstances of the defendant.

Payment Plans

- 1) The effective date (i.e. due date for first payment) for payment plans shall be the disposition date of the case or the disposition date plus 30 days.
- 2) Unless the court determines otherwise, a payment of \$25.00 or 10 percent of the original balance, whichever is greater, is required at the disposition date of the case and each month thereafter until paid in full.

- 3) For all individuals assigned to probation, the amount of the monthly payments will ensure payment in full prior to two months before the end of probation.
- 4) Individuals shall only be granted time to pay if they provide a signed financial statement form which includes a social security number.
- 5) Payment plans can be set up as a lump-sum payment on a certain date, but lump-sum payment plans will only be used in exceptional cases, for example, a case where a defendant has been ordered to make substantial restitution payments.

Sanctions for Non-Payment of Debt

Possible sanctions for non-payment of debt include, but are not limited to, the following: show cause orders, warrant for arrest, tax intercept, debt collection and revocation of driver's license for moving traffic violations.

Settlement Agreements

The court shall allow settlement agreements through the debt collection vendor based upon the following conditions:

- 1) The defendant is required to file the financial statement form approved by the State Judicial Records Committee. The statement should be updated for changes in circumstances since the last financial statement used to grant a payment plan.
- 2) Settlement agreements of the outstanding costs can be offered to an individual after assignment to the debt collection vendor.
- 3) The debt collection vendor is authorized to offer a reduction of not more than 50 percent of the outstanding balance due the court. Restitution assigned to debt collection is not eligible for settlement agreements.
- 4) The settlement agreement offered by the debt collection vendor and agreed to by the debtor is not accepted until the judge presiding over the case has approved the settlement.

Review and Write-Off of Accounts Receivable

In any case where a defendant is sentenced to a county jail or to the Missouri Department of Corrections, the judge assigned to the case shall determine whether the court costs assessed are collectible and consider waiving the costs if the judge determines they are uncollectible.

In cases where the defendant is placed on probation, the judge assigned to a case will review the case at the time the defendant's probation expires or it is revoked and consider waiving the costs if the judge determines they are uncollectible.

Those accounts including court costs deemed to be uncollectible by the judge shall be written off by court order.

The Court *en banc* shall review accounts receivable reports developed by the Office of State Courts Administrator and the debt collection vendor at least every year. This Order is effective June 13, 2014, and to remain in effect until further order of this Court.

SO ORDERED this 13th day of June, 2014.

DAVID GREGORY WARREN
Presiding Judge