

University of Nevada, Reno

**Revenue Generation vs. Justice: Where is the Balance?**

A thesis submitted in partial fulfillment of the  
requirements for the degree of Master of Art  
in Justice Management

by

Christina Hines

Dr. James T. Richardson/Thesis Advisor

May 2010

Copyright by Christina Hines 2010  
All Rights Reserved



University of Nevada, Reno  
Statewide • Worldwide

## THE GRADUATE SCHOOL

We recommend that the thesis  
prepared under our supervision by

**Christina Hines**

entitled

**Revenue Generation vs. Justice: Where is the Balance?**

be accepted in partial fulfillment of the  
requirements for the degree of

**Master of Justice Management**

Dr. James T. Richardson, Advisor

Dr. Chris Simon, Committee Member

Dr. Robert Bayer, Committee Member

Marsha H. Read, Ph. D., Associate Dean, Graduate School

May 2010

## Abstract

### Revenue Generation vs. Justice: Where is the Balance?

The intent of this paper is to show what revenue generation actually means in the judicial branch of government and create the understanding that the courts do not “generate revenue”, but dispense individual justice in individual cases. When a judge imposes monetary penalties in an individual case this is where “revenue generation” in the courts begins. In order to hold the offender accountable for the crimes committed there should be a means to collect these monetary penalties in the courts. This paper will combine secondary research with primary research to determine collection practices in courts and the effectiveness of those practices. A list of best practices in collections will be compiled from the research and a model to implement those practices in the courts will be created.

The anticipated outcome of the paper is that the courts will use the model of best practices in collections to increase the receipt of fines and fees owed by the offenders and justice will be served by holding the offenders accountable for their crimes. In addition to this, the executive and legislative branches of government will respect the position of the judicial branch in the fact that each case filed is individual and justice can not be served with the expectation that every case filed includes monetary penalties that will imposed and collected.

## Table of Contents

Chapter 1 – Introduction.....	1
Chapter 2 – Literature Review.....	3
Chapter 3 – Methodology.....	18
Chapter 4 – Research Findings.....	20
Chapter 5 – Summary, Conclusion, and Recommendations.....	33
References.....	40

## Revenue Generation vs. Justice: Where is the Balance?

The intent of this paper is to show what revenue generation actually means in the judicial branch of government and create the understanding that the courts do not “generate revenue”, but dispense individual justice in individual cases. When a judge imposes monetary penalties in an individual case this is where “revenue generation” in the courts begins. In order to hold the offender accountable for the crimes committed there should be a means to collect these monetary penalties in the courts. This paper will combine secondary research with primary research to determine collection practices in courts and the effectiveness of those practices. A list of best practices in collections will be compiled from the research and a model to implement those practices in the courts will be created.

The secondary research will also show the types of studies that have been conducted by the different branches of government with regard to revenue generation in the courts and how those studies fall short of the real reason courts exist. The judicial branch of government was not created to generate revenue when government coffers were falling short, it was created to serve justice and as a means of checks and balances with the executive and legislative branches of government. In hard economic times that purpose seems to be forgotten. Additionally, the research includes information regarding the role of other agencies in the Justice System in collecting fines and fees in the courts as well as the stakeholders who will benefit from enhanced collection efforts. This paper is intended to help the courts implement procedures to collect the monetary penalties imposed to hold offenders accountable for their actions, while showing

the other branches of government that the judicial branch does not exist as a revenue source.

The anticipated outcome of the paper is that the courts will use the model of best practices in collections to increase the receipt of fines and fees owed by the offenders, and that justice will be served by holding the offenders accountable for their crimes. In addition, it is hoped that the executive and legislative branches of government will be encouraged to understand that each case filed is individual, and justice cannot be served with the expectation that every case filed includes monetary penalties that will imposed and collected.

There are many factors that come into play in the imposition of fines and fees in the courts. The defendants who are charged with criminal or traffic violations are not necessarily guilty of the crimes. If they are found guilty or plead guilty in court, it is the responsibility of the judge in the court to dispense individual justice in individual cases. Therefore, outside of minimum mandatory sentencing mandated by the legislature in certain laws, the judge has discretion in sentencing. When fines and fees are imposed by a judge the defendant can choose to convert the fines and fees to community service according to NRS 176.087 (Nevada Legislature, NRS 176.087, 2009). If the defendant makes the choice to pay the fines and fees instead of converting them to community service, the individual courts have the discretion as to how these fines and fees are collected. This is where the tension between revenue generation and dispensing justice exists because the executive and legislative branches of government often look to

the judicial branch to supplement the general fund by imposing and collecting fines and fees in the courts.

The fines and fees that are imposed by the judges are where revenue generation in the courts begins. Policies and procedures on ways to collect these fines and fees vary between courts and in many cases the fines and fees imposed are not collected. When the fines and fees imposed by the courts as sanctions on crimes committed are not collected the courts do not generate revenue to cover the costs of running the courts. In addition and more importantly, when the fines and fees are not collected the defendants who have been convicted of the crimes are not held accountable for their behavior.

#### Literature Review

The literature review in this study is extensively focused on the collection of fines and fees imposed on criminal defendants in courts throughout the United States and the methods used to collect those monetary penalties. Many of the sources cited in this research to show the methods used in collections are studies done on how to improve collections in courts, as most courts do not have viable collection programs in place to collect the fines and fees imposed. Court Administration guidelines will show that collection of monetary penalties is an important aspect of the business of running courts efficiently and effectively. This research also explains the role of other agencies in the collections of fines and fees imposed by the courts as well as the stakeholders in the process of holding the offenders accountable for their crimes.

Reviewing the existing literature on the topic of collection of fines and fees in the courts reveals that there is very little information specific to Nevada. In 1999 the Nevada State Legislature commissioned a study on the collection of fines and fees in the courts that was primarily focused on the collection of fines for Nevada Highway Patrol citations. According to Article 11 section 3 of the Nevada Constitution (Nevada Legislature, 2009) if a person pleads guilty or no contest to a citation issued by the Nevada Highway Patrol for a Nevada Revised Statute (NRS) charge and fines and fees are imposed, the money received for the fine is suppose to be sent to the Nevada State Treasurer for the school fund. The study shows that many times the charges are amended to local county or city ordinances which allow the money to stay at the local level instead of being sent to the Nevada State Treasurer.

The recommendations in this study became Bill Draft Requests (BDR) in the 70<sup>th</sup> session of the Nevada Legislature. The first recommendation by the commission became BDR R-176, and was submitted to the legislature as ACR2 which stated in part that the “Administrative Office of the Courts (AOC) develop standardized accounting procedures among the courts and to develop a minimum standard of technology to create more consistency among the courts”. This resolution did pass through the legislature and was enrolled on March 11, 1999 (Nevada Legislature, 1999). The second recommendation became BDR 43-175 and was submitted to the legislature as Assembly Bill 19. The bill stated in part, that NRS be amended to “clarify that money paid on a traffic citation in lieu of appearing in court must be treated as a fine for purposes of revenue.” This bill

did not pass the first house of the legislature before the deadline of April 9, 1999 and no further action was allowed on the bill pursuant to Joint Standing Rule 14.3.1 (Nevada Legislature, 1999). The third recommendation became BDR 1-178 which was submitted to the legislature as Assembly Bill 24. The bill amended the “NRS to authorize courts to accept payment for fees and fines by credit card”. This bill passed the legislature and was enrolled April 1, 1999 (Nevada Legislature, 1999). The final recommendation became BDR 43-177 which was submitted to the legislature as Assembly Bill 16. The bill amended the “NRS to provide that a person who has failed to pay a fee or fine to a court in this state may not renew his motor vehicle registration or his driver’s license until payment is complete.” This bill did not pass the first house of the legislature before the deadline of April 9, 1999 and no further action was allowed on the bill pursuant to Joint Standing Rule 14.3.1 (Nevada Legislature, 1999).

This study referenced a 1995 Audit Report that showed that “only 60 percent of the fines and 74 percent of the administrative assessments” were collected on citations issued by the Nevada Highway Patrol (NHP) (Nevada Legislature, 1999). This study does not take into consideration any of the other fines and fees that may be imposed upon defendants because of arrests or citations from local law enforcement agencies; therefore, the study was narrowly focused on revenue generation from NHP citations. This is the problem with the executive or legislative branches of government conducting these types of studies, as the perception in these branches of government seems to be that every citation generates revenue which is not the case. In this country when someone is charged

with a crime, and in Nevada, traffic citations are misdemeanor crimes, they are innocent until proven guilty beyond a reasonable doubt. If a defendant is found guilty or pleads guilty the judge must take into consideration all circumstances of the case before a sentence is imposed. If the judge determines that a monetary penalty should be imposed to hold the offender accountable for his or her crime then the collection of that imposed sanction involves the court in revenue generation.

There was no further Nevada specific information regarding the collection of fines and fees in the courts and what should be done to collect the fines and fees imposed. A Reno Gazette Journal article on March 29, 2009 regarding the uncollected district court fines and fees in Washoe County the article states that over 19 million dollars in fines and fees are owed to the Washoe County District Court. The article called attention to proposed legislation to create a centralized collection plan under the direction of the Administrative Office of the Courts that would be in charge of collection of all fines, fees, and restitution in the courts in Nevada. The proposed legislation in the 75<sup>th</sup> Legislative Session was Assembly Bill 271 and was backed by Nevada Supreme Court Chief Justice James Hardesty (Bellisle, 2009). This bill would have allowed the “Office of the State Court Administrator” to implement a collection plan in each court both limited and general jurisdiction so that the monetary penalties imposed in cases were collected and the offenders were held accountable. The bill passed in the Assembly Judiciary Committee, on the Assembly Floor, and then the Senate Judiciary Committee. However, it did not pass in the Senate Finance Committee,

and therefore, did not become law (Nevada Legislature, 2009). If Assembly Bill 271 had passed both houses of the legislature, a definitive collection process could have been developed and implemented by the Administrative Office of the Courts, and the offenders convicted of crimes would have been held accountable for the monetary penalties imposed by the courts. As it stands now each court has its own collection program and, as will be shown in the findings of this study, these programs are widely varied.

Agencies throughout the Justice System may have a hand in collecting court imposed monetary penalties. The Nevada Department of Corrections (NDOC) collect payments for fines and fees from offenders incarcerated for their crimes who work in the prison system and are making a wage “equal to or greater than minimum wage”. NDOC Administrative Regulation 258 covers inmate fiscal procedures and includes the hierarchy of the deductions from inmate monies earned as payroll in the Inmate Banking Services Division. This hierarchy includes amounts or percentages deducted from the inmates’ payroll while working during their incarceration. In this hierarchy, one percent of the inmate’s wages are sent to the courts for his or her existing obligation for court ordered administrative assessment fees is number ten on the list and one percent of the inmate’s wages are sent to the courts for his or her existing obligation for court ordered fines is number eleven on the list . However, when “the deductions, in order of priority, exhaust the available funds the deductions will stop” and if the inmate’s wage is below minimum wage the hierarchy of deductions does not include fines and fees imposed by the courts (Nevada Department of Corrections,

2010). If an inmate does work while incarcerated and receives minimum wage and works fulltime, the courts would only receive \$12.00 per month on fines that are a minimum of \$2000.00.

In some cases the Parole and Probation Division (P&P) of the Department of Public Safety does make an effort to enforce the monetary penalties imposed by the courts when an offender is released on from prison on parole by sending the offender to the court to set up a payment plan. Restitution to the victim or victims in a case is required as a condition of parole according to NRS 213.176, but there is no provision in the NRS that requires the payment of fines and fees to the court to be a condition of parole (Nevada Legislature, 2010). This may be an area to be further explored as a method of collecting monetary penalties imposed on gross misdemeanor and felony cases in Nevada.

The research conducted shows that most states leave the collection of fines and fees to the individual courts as is the case in the Nevada court system. In doing the research it was found that there is a Court Executive Development Program (CEDP) fellowship program through the National Center for State Courts (NCSC), and each fellowship candidate must “prepare a comprehensive research paper.” There are papers available from the 1990s through 2007 regarding the collections of “monetary penalties” in the courts, and these papers can be found on the NCSC website (NCSC, 2009).

One paper written in May 1999 addresses the “purposes, processes, and outcomes of a professional court collections program” in an Arizona Municipal Court (Landrum, 1999). The paper was written in 1999, when the court

administration was just beginning to take an active role in collections because “historically the enforcement [of sanctions] had been handled from the bench” (Landrum, 1999). Another paper written in 2007 focuses on using Courtools, which is a best practice guide for courts published by the NCSC. Measure Seven of Courtools is a tool for collection of monetary penalties in courts (Dybas, 2007). This paper was also focused on courts in Arizona, so it is evident that although literature exists regarding collections of fines and fees, the courts are continuing to struggle with collections.

A CEDP paper written in 2001, “Best Practices for Collection of Traffic Fines in Edmonds Municipal Court”, gave a compilation of best practices for collections after extensive research. The following is a list of the best practices included in this paper: Identity theft Polaroid picture taken at the time the citation is issued (the law enforcement takes a Polaroid picture of the offender when the citation is issued for identification later); Time pay agreements; 24 hour drop box; use of collection agencies; credit card payment; Amnesty programs; Six private sector Collection Core Competencies, which are preparation, listening, communication, negotiation, closure, and follow-up. When these best practices were implemented into Edmonds Municipal Court there was an eight percent increase in collections (Ferebee, 2001). In 1993 a CEDP paper was written on the cost effectiveness of collections in the courts. This paper entitled, “Fine Enforcement: A Revolution in the Courts”, focuses on the cost effectiveness to collect fines of over \$100.00 and that are over 60 days past due. The California courts were just starting to implement programs to collect fines and fees imposed,

and the legislature had passed a law that allowed the courts to implement collection programs and keep a certain amount of the money collected to establish and maintain a collection unit in the courts (Galeotti, 1993). Cost effectiveness of collections is a very valid point to examine because, if the effort is not cost effective, should the effort be made to collect the monetary penalties? As stated earlier it should not matter if collecting the fines and fees is cost effective, because the court is holding the offender accountable; therefore any amount owed to the courts should be collected.

A “review of the collection of court fines and fees” done by the Office of Program Policy Analysis and Government Accountability (OPPAGA) was requested by the Florida State Legislature in January 2004. This report evaluates the court collection processes in Florida and determines collection practices that are necessary to efficiently collect fines and fees in the courts. In the conclusion there is the statement that “fines, fees, service charges, and court costs are an important source of revenue for the state court system” (2004). As was the case in the study previously mentioned that was commissioned by the Nevada Legislature, in Florida they seem more concerned about revenue generation than offender accountability.

A news story from Norman, Oklahoma found on News9.com reported that courthouse officials in the state are being required to attend collection workshops to “make sure fines are imposed and court costs are paid” (Matthews, 2009). The story explains that collections were down in Oklahoma in part because “less citations being written by the Oklahoma Highway Patrol” because “there are not

as many troopers on the road as there used to be” (Matthews, 2009). This article is another example of the opinion that the courts exist to generate revenue, an opinion that causes contention between the branches of government, especially in bad economic times.

An article in the journal Due Process entitled, “How Courts Collect Fines and Fees Owed Them”, shows that a “staggering \$1.25 trillion” is collected by United States Courts. However, another “estimated \$40 billion in delinquent debt is owed to local governments, courts among them” (Huddleston, 2008). This article is basically an advertisement for software that will help the courts in their collection efforts, but it explains some of the problems facing the courts in collection efforts, such as lack of adequate staff to set up collection programs and accessibility to the courts by the public (Huddleston, 2008). These problems can be found throughout the court systems in the entire United States, and in hard economic times these problems increase. Advanced software may be part of the answer, but it will not solve all of the problems. In these economic times government entities are unlikely to buy new software even if it will increase efficiency.

A report made by the United States General Accounting Office (GAO) to the United States Senate in July 2001 regarding “criminal debt” was found during the research. This report was conducted by the GAO in July 2001 regarding the “deficiencies in Justice’s collection processes” (United States General Accounting Office, 2001). The report explains an increase in “criminal debt” in the United States District Courts, the debt has increased from \$5.6 billion as of September

30, 1995 to over \$13 billion as of September 30, 1999. The two reasons for the increase as stated in the report are that the entities involved in assessing and collecting the debt “do not always use the available enforcement techniques” and “do not coordinate efforts so that resources are used most effectively.” The recommendations in this report were to form a task force made up of the Attorney General, the Director of the United States Administrative Office of the Courts, the Director of the Office of Management and Budget, and the Secretary of Treasury to establish a strategic plan to improve criminal debt collection by managing, accounting for, and reporting the debt (2001). These recommendations were intended to have the agencies establish a meaningful plan by working together to increase the criminal debt collection. Three years later a follow-up report shows that a plan had not been established.

The conclusion of the follow-up report states that in 2001, 2002, and 2003 “criminal debt” has “increased significantly” and that collections has “decreased slightly.” The conclusion continues by reaffirming the recommendations from the report in 2001 stating that if the recommendations are not implemented that “the effectiveness of criminal fines and restitution may be diminished” (United States General Accounting Office, 2004). Therefore, the collection of fines, fees, and restitution, even at the federal level will hold the offenders accountable for their crimes and monetary penalties will continue to be a deterrent to criminal behavior.

The researcher found that the Office of Administration of the Courts (OAC) in Texas has a comprehensive collection program backed by the Texas

Judicial Council in the Texas Administrative Code, chapter 175. This code describes the Collection Improvement Program and how this program should be implemented in to the courts. This program “applies to criminal cases in which a defendant agrees to or is required to pay all court costs, fees, and fines under a payment plan” (Texas Administrative Code chapter 175, 2009). This program “is not designed to influence judicial determination of whether to order payment of costs, fines and fees, or otherwise to affect the sentencing or other disposition that is within the judge’s discretion” (Texas Administrative Code chapter 175, 2009). “The program is simply designed to improve the collection of court costs, fees and fines that have been imposed, while helping defendants satisfy their obligations” (Texas Administrative Code chapter 175, 2009). The Texas approach illustrates the point that this paper is trying to make in the collections of fines and fees in the courts. The courts should do what they can to hold the offenders accountable for their crimes, and collection of fines and fees imposed is accomplishing that. The following is a list of the methods used to implement this program in the courts in Texas:

1. Operations
  - a. Dedicated Staff
  - b. Payment Plan Compliance Monitoring
  - c. Proper Reporting
2. Defendant Communications
  - a. Application or Contact Information
  - b. Verification of Contact Information

- c. Defendant Interviews
- d. Specified Payment Terms
- e. Telephone Contact for Past Due Payments
- f. Mail Contact for Past Due Payments
- g. Contact if Capias Pro Fine Sought

(Texas Administrative Code chapter 175, 2009)

During the primary research the information shows that many of these best practices are being implemented in the courts in Nevada for collections of fines and fees imposed. The methods that pertain to defendant communication will be included in the list of best practices, and the methods for operations will be included in creating a model to implement a collection program in the courts.

The researcher found that there are handbooks and textbooks that contain information about collections in the justice system. In the text book “The Art and Practice of Court Administration” chapter nine is titled “Hierarchy of Court Administration: Mission Critical Functions.” This chapter compares the “Mission Critical Functions” of court administration to Maslow’s Hierarchy of Needs for humans. The author states that “just as humans must and do seek to satisfy their basic physiological needs before they seek to fulfill other needs, so courts must see to be able to perform the mission-critical functions before they address other needs.” One of the mission-critical functions listed is “accounting and fiscal needs” which includes “special delinquent funds collection efforts.” (Aikman, 2005). If the research in this paper is analyzed using the information proposed in this chapter, many courts are not performing all of the “mission-critical functions”

that should be performed before the other needs of the courts are met. This chapter explains that “Defaults would be reduced if there were a variety of payment methods available. And if the risk of nonpayment can be transferred to the private sector through credit cards or eliminated by same-day withdrawal of funds from banking accounts with debit payments, these are desirable outcomes.” (2005). If courts were to have the ability to generate a defendant’s credit report to know his or her available credit, then the monetary penalties could be collected through a credit or debit card transaction. The offender would be held accountable for the crime, the court case could be closed if there were no other sanctions, and the court personnel would not need to set up a payment schedule and perform the follow-up duties of collecting the fines and fees. However, many defendants who appear in courts do not have credit cards and do not have the funds in their bank accounts to cover monetary penalties imposed, so the courts will still need a method in place to collect fines and fees. Further information in chapter nine of “The Art and Practice of Court Administration” explains that “a collection rate of between 50 percent and 60 percent prior to default normally is achievable... but that means that 40 to 50 percent of fines and fees due are unpaid. Some courts run their own collection operation for these delinquent sums, some use the city’s or county’s collection staff and some use private collection companies.” (2005). As will be explained in the primary research, this is the case in the Nevada courts that were interviewed for this study.

In addition to holding the offenders accountable for their criminal behavior the collection of fines and fees will benefit many stakeholders in the

receipt of the revenue collected. In the limited jurisdiction courts which dispose of misdemeanor violations in the counties and cities in the state there are several fees added to the fines on misdemeanor convictions. The administrative assessment fee imposed in NRS 176.059 is on a sliding scale that increases as the fines imposed increases and this fee has three points of distribution. The first \$7.00 is put into a special revenue fund in the city or county for court operations, the next \$2.00 is sent to the county in which the court has jurisdiction for use in the county's juvenile court or for services to juvenile offenders, and the balance of the fee is sent to the State Controller for credit into a special account and 51 percent of this fund is sent to the Administrative Office of the Courts (AOC). The portion of the fee that is sent to the AOC is divided by percentage to the administration of courts, the development of a uniform system for judicial records, continuing judicial education, the Supreme Court, payment for services of retired justices and retired district judges, and the provision of specialty court programs. The other 49 percent of this fund is used "to the extent of legislative authorization for the support of" the Central Repository for Nevada Records of Criminal History, the Peace Officers' Standards and Training Commission, the operation by the Department of Public Safety of a computerized interoperative system for information related to law enforcement, the Fund for the Compensation of Victims of Crime, and the Advisory Council for Prosecuting Attorneys (Nevada Legislature, 2009). A Specialty Court fee of \$7.00 is assessed on each misdemeanor conviction for the provision of specialty court programs according to NRS 176.0613 (Nevada Legislature, 2009). Courts throughout Nevada can

apply for these funds to set up and run specialty courts, such as Drug Courts and Mental Health Courts. If the local government adopts an ordinance the court in that jurisdiction can add a \$10.00 fee for the provision of court facilities to each misdemeanor conviction according to NRS 176.0611. The fines imposed for local ordinance misdemeanor convictions are disbursed to the general fund of the county or city in which the court has jurisdiction. The fines imposed for NRS misdemeanor convictions are disbursed to the general fund of the state of Nevada. In the general jurisdiction courts a \$25.00 administrative assessment fee is added to each gross misdemeanor or felony conviction fine, this fee has two points of distribution according to NRS 176.062. The first \$5.00 is sent to the local county to support the courts operations and the balance is sent to the state controller for the assistance of criminal justice in the state general fund, this is distributed to the Attorney General as authorized by the Legislature (Nevada Legislature, 2009). The fines imposed on felony and gross misdemeanor convictions are all NRS violations and are distributed to the general fund of the state of Nevada. These agencies would have additional funds to provide services to the people in Nevada if there is an increase in collection of the fines and fees imposed in the courts.

As stated previously, the intention of this study is to research methods of collection of fines and fees in order to hold offenders accountable. The judiciary does not exist to generate revenue; it exists as an equal branch of government to the executive and legislative branches of government as part of the creation of this country, so there are checks and balances in the government. If and when criminal defendants are found guilty of violating laws passed by the legislative branch and

enforced by the executive branch, the judicial branch considers the circumstances in the case and imposes sanctions. If monetary sanctions are imposed, those sanctions should be collected. The collection of the fines and fees may generate revenue, but that should not be the ultimate purpose of these penalties.

### Methodology

The intention is to study the collection problem in the courts in Nevada by gathering information from the courts on percentage of fines and fees collected of the fines and fees imposed in the court that are not converted to community service or jail time. The actual dollar amounts in the courts cannot be compared because the amount of money imposed is based on the number of cases with convictions in the court, and all courts do not have the same number of cases filed. As the information was gathered regarding the amounts collected, court personnel were interviewed regarding the documentation of collection programs in place in the sample courts. The sample limited jurisdiction courts in Nevada include Sparks Municipal Court, Reno Municipal Court, Carson City Justice/Municipal Court, Argenta Justice Court, and Meadow Valley Justice Court. General jurisdiction courts in Nevada include Storey County District Court and Carson City District Court. This sample of urban and rural courts in Nevada will allow the research to show a cross section of the percentages of revenue collected and the methods used to collect the revenue. The questions posed to the courts were as follows:

1. What was the total amount of fines and fees imposed in the court for the last fiscal year?

2. What was the total amount of fines and fees collected in the court for the last fiscal year?
3. How much in fines and fees was converted to community service or jail time?
4. How much of the fines and fees imposed is essentially uncollectible because the methods of collection are inadequate in the courts?
5. What methods are used collect fines and fees that are imposed?

The research included extensive review of secondary data regarding collections in courts throughout the United States. This secondary data helped in determining the list of best practices used in courts to effectively collect monetary sanctions intended to hold offenders accountable.

Data analysis was conducted from the documentation on the collection programs and the percentage of revenue collected. A problem arose during data collection that was unanticipated in the original design of the study. None of the courts interviewed were able to give a total of the fines and fees imposed in the courts. Some of the courts did have the total amounts collected, so using the annual report published by the Supreme Court of Nevada an estimated amount of monetary penalties was determined. The annual report has data on cases filed and cases disposed in each court in Nevada. This data is collected each month by the Research and Statistics Unit under the Judicial Programs and Services Division of the Administrative Office of the Courts (AOC) and compiled by fiscal year to be published each December. Since the courts did not have totals of fines imposed, the researcher used an average fine of \$100.00, plus applicable fees, on 50 percent

of the traffic cases disposed in each limited jurisdiction court and an average fine of \$200.00, plus applicable fees, on 50 percent of the criminal cases disposed in each limited jurisdiction court, as well as an average fine of \$1000.00, plus applicable fees, on 50 percent of the criminal cases disposed in each general jurisdiction court. The estimated monetary penalties is probably on the low end of the spectrum as far as the monetary penalties actually imposed, but the intention is not to overstate the fines and fees imposed. If a correlation between a higher percentage of revenue collected and the ways in which the revenue is collected is found, this will assist in compiling a list of best practices in collections in the courts. The research included reviewing the secondary literature which allowed for additional best practices to be discovered. When all the best practices were compiled, a collection program model was created incorporating the best practices gleaned from the research.

## Research Findings

### Specific Court Findings

Three of the limited jurisdiction courts in the sample have recently completed collection projects in order to eliminate the backlog of cases where money is owed to the courts. Two of the courts have ongoing collection programs but do not keep track of the monies collected in specific cases, but only calculate a total for each period. The courts do not keep track of the monetary penalties imposed in individual cases because those monetary penalties can be converted to community service or jail time at any time during the life of the case. The consensus among the courts was that, if they keep track of the imposed fines and

fees, the executive and legislative branches of government will use this information to project the court's budgets which will undermine the discretion of the judges to dispense individual justice in individual cases. The findings in these courts revealed information regarding the collection practices which contributed to a list of best practices. The research results will list the courts studied as Nevada courts A through G for reporting purposes in this paper.

Court A is a limited jurisdiction court that targeted warrant cases from 1997 through 2008 in order to collect the money owed to the court and close the cases. They began the project in January 2008 and were able to identify \$12,211,849.62 in past due receivables on 15,131 cases. They contracted with a private collections company to collect the past due receivables, and they negotiated with the company to pay \$100.00 per case placed with them. The collection company does not receive their fee until all of the fines and fees are collected on an individual case. The court is deferring this cost to the offender by adding a \$100.00 collection fee to each case before placing it with the collection agency. They have collected \$174,821.75 in the past due receivables from January 2008 through October 2009. This amount was collected on 329 cases. In this project they have removed \$82,670.00 on 113 cases from collections because the cases were closed by other methods, either community service or jail time served.

This court has set up a collection program for current delinquent cases which begins with the court taking steps to try to collect the imposed fines and fees before placing the cases with the collection agency. The following is a list of steps taken by the court to collect on current delinquent cases:

1. Letter sent to offender 10 after payment is due.
2. If no response received in 45 to 60 days, the court adds the \$100.00 collection fee to the case and places it with the collection agency.
3. Warrants are issued for Failure to Pays and Failure to Obeys.
4. Notices are sent to the Department of Motor Vehicles for Drivers License suspension.

This court currently has a total of 18,152 current and warrant cases with a total possible revenue amount of \$13,886,067.51, placed with the collection agency, and the agency has collected a total of \$288,104.47 between January and October of 2009. The court does send traffic cases to the collection agency if the defendant has not appeared or paid which means that he or she has not been convicted of the crime. So, if the defendant is contacted by the collection agency regarding a citation on which he or she failed to appear the collection agency takes the money and sends it to the court as bail on the case, and directs the defendant to call the court for a court date. Or the defendant signs a waiver pleading guilty or no contest to the charges on the case, and the collection agency sends the waiver and the money collected to the court.

Court B also is a limited jurisdiction court that has an ongoing collection program that also includes sending some cases to a collection agency. This court has separate collection programs for traffic and criminal cases. The following steps are taken in the criminal cases to collect fines and fees:

1. The defendant is asked to pay the fine and fees at sentencing.

2. If the defendant is unable to pay at that time, the court gives him or her a future court date by which to have the fines and fees paid in full.
3. If the defendant does not pay the fines and fees by the court date given, he or she must come to court and explain to the judge why the money has not been paid.
4. If the fines and fees are not paid or the defendant does not appear, a warrant for Failure to Comply is issued.

Most fines and fees are paid within 60 days unless they are large fines in which case the judge gives the offender more time to pay. Most fines imposed by the judge in court are due to be paid by the end of the calendar year. The court does not place the criminal cases with the collection agency because in an earlier collection program when criminal cases were placed with the collection agency, it was unable to collect the fines and fees.

As stated earlier traffic cases are handled differently than criminal cases in this court, and this court sends traffic cases to the collection agency when a defendant fails to appear, as Court A does. The following steps are taken by this court to collect on traffic cases:

1. A notice of intent to issue a warrant for Failure to Appear is sent when the defendant does not appear for court or pay the citation.
2. If the citation is not paid or the defendant does not appear 10 days after the letter is sent, the court issues a warrant for Failure to Appear.

3. A notice is sent to Department of Motor Vehicles for Driver's License suspension.
4. A collection fee is added to the case.
5. The case is placed with a collection agency.

The court collected total fines, fees, bail forfeitures, and civil fees of \$438,358.24 in fiscal year 2008/2009. The court placed \$162,325.00 with a collection agency, and the collection agency collected \$62,666.94, but the court only received \$40,002.31 of the amount collected. This particular collection agency charges the court a 40% collection fee and this court is in a rural county and may not have the same options to negotiate the fees charged as a court in an urban county.

Court C is a limited jurisdiction court that just implemented a collection program in July 2009. This court does not use a collection agency to collect fines and fees. The Marshal's office makes daily calls to defendants who have failed to appear before warrants or notices to suspend licenses are issued. The following steps are taken by the court to collect fines and fees imposed in cases:

1. Defendants are given the option to pay the fines and fees in full the day they are imposed or to pay in full in 30 days without a payment plan fee being imposed.
2. If the defendant chooses to pay in full in 30 days the clerk adds a tickler to the case for follow-up.
3. If the case is not paid in full in 30 days, the court will add a payment plan fee and issue a warrant for Failure to Pay.

4. If the defendant chooses to make payments, a fee of \$25.00 for cases that have a balance of less than \$500.00 and a fee of \$50.00 for cases that have a balance of \$500.00 or more will be added to the case and the defendant will be given a payment plan.
5. If the defendant fails to make a payment, a warrant for Failure to Pay is issued and/or a notice is sent to the Department of Motor Vehicles for Driver's License suspension.
6. If a defendant appears after a warrant has been issued for Failure to Pay, Failure to Comply, or Failure to Appear at arraignment, the clerk will add a \$100.00 warrant fee to the case that must be paid to clear the warrant.
7. If a defendant appears after a warrant has been issued for Failure to Appear at trial, the courtroom clerk will add a \$200.00 warrant fee to the case that must be paid to clear the warrant.
8. If a defendant is arrested on a warrant, the clerk will add a \$250.00 warrant fee to the case.
9. If a defendant appears to request a notice of clearance for the Department of Motor Vehicles to clear his or her Driver's License suspension, he or she must pay a \$100.00 administrative fee before the clearance notice will be issued.

This court has seen an increase in collections since the implementation of this program and has collected \$53,000.00 in collection fees since implementation; however, they do not have an actual dollar amount of the fines and fees collected.

Court D is limited jurisdiction court that implemented a collection program in January 2009 that includes steps to collect the fines and fees prior to sending a case to a collection agency. This court has had a Fine and Fees Office for years, which collects payments on cases in the court. However, the court has just implemented new procedures to increase the efficiency of collections. The following steps are taken by the Fines and Fees Office of the court to collect the fines and fees imposed by the court:

1. Defendant advised that a 10% collection up to a maximum \$100.00 fee will be assessed on cases that are set up on payments.
2. Defendant is given the option of paying the fine in full with a check or credit card and that there is a \$2.50 convenience fee charged for a credit card payment.
3. Defendant is advised of online or drop-box payment options.
4. If the defendant chooses to make payments, he or she fills out a Financial Credit Application.
5. The clerk verifies identification.
6. The clerk adds the Financial Credit Application docket entry the case.
7. The clerk scans the application into the document management system.
8. The clerk shreds the application.
9. The payment agreement is set up.
10. If the defendant does not make a payment, a delinquent notice is sent one day after the due date passes.

11. The Fines and Fees Office places a reminder call to the defendant during the 10 day grace period.
12. Warrant process is completed.
13. The Fines and Fees Offices confirms paid or not paid status, if not paid a second reminder call is placed to the defendant.
14. A copy of the Financial Credit Application and the warrant is sent to the collection agency.
15. A tickler is added to the case and a report is generated every Friday to find cases that are 60 days or more past due.
16. If the defendant goes in to pay after the case is sent to the collection agency within two business days, a collection fee is not assessed.
17. If the defendant goes in to pay after the case is sent to the collection agency after two business days, a collection fee is assessed on the case.
18. The tickler on the case is completed.
19. The Fines and Fees Office notifies the court to recall the warrant.
20. The court notifies the collection agency that the defendant has paid and is no longer in collections.
21. If the defendant is arrested on the warrant after the case is sent to the collection agency, a collection fee is not assessed.
22. The clerk in the court completes the tickler on the case.
23. The clerk notifies the collection agency that the person has been arrested and is no longer in collections.

This court collected court imposed fines and fees of \$1,155,282.21 for fiscal year 2008/2009 and collection fees of \$30,166.55.

Court E is a limited jurisdiction court that has had an ongoing collection program, but does not keep track of amounts collected. The following steps are taken to collect fines and fees imposed by the court:

1. When a defendant fails to appear for arraignment, the court sends a postcard to the last known address.
2. If the postcard is returned, the court places a call to the defendant as a reminder.
3. Search is made for a new address.
4. The postcard is resent if possible.
5. If the defendant does not respond to the postcard, a warrant for Failure to Appear is issued.
6. A notice is sent to the Department of Motor Vehicles for Driver's License suspension.

Court F is a general jurisdiction court that has recently implemented a collection program for defendants who are not sentenced to prison. The following steps are taken to collect the fines and fees imposed by the court:

1. The courtroom clerk gives the defendant a notice in the courtroom to report to the Clerk's office to set up a payment plan.
2. If the defendant does not report to the Clerk's office to set up a payment plan, a billing is sent to the offender.

This court is a rural court with one clerk and this process was implemented approximately three months ago. According to the clerk there has been approximately a 75% increase in fines and fees collection. This is a very small court with very few filings and there was essentially no effort to collect the fines and fees in the past.

Court G is a general jurisdiction court that does not currently have a collection program, but is starting a project in January 2010 to create one. This court has collected \$16,568.19 in fines and fees in fiscal year 2008/2009. This court is a general jurisdiction court which means they handle only felony and gross misdemeanor cases so the fines imposed are higher than those imposed in limited jurisdiction courts.

#### Annual Report of the Supreme Court of Nevada 2009

During the research process it was determined that the courts did not keep track of the amounts of fines and fees imposed in the courts, so using the Annual Report of the Supreme Court of Nevada for fiscal year 2008/2009, the amounts of fines and fees imposed in the courts in fiscal year 2008/2009 was estimated. Exhibit A shows each court used in the study as Court A through G and the total number of cases disposed in each court. The decision was made to use 50 percent of the cases disposed in each court, so the exhibit shows for the limited jurisdiction courts 50 percent of traffic cases for each court multiplied by \$100.00, plus applicable fees, and 50 percent of criminal cases for each court multiplied by \$200.00, plus applicable fees, and 50 percent of the criminal cases for each

general jurisdiction court multiplied by \$1000.00, plus applicable fees. This estimate is probably low but it was decided to be conservative with the estimates.

### Exhibit A

Estimate of Fines and Fees Imposed in Courts

Court	Total Number of Traffic Cases disposed	Total Number of Criminal Cases disposed	50 percent of traffic cases disposed	50 percent of criminal cases disposed	Fine of \$100.00	Fine of \$200.00	Fine of \$1000.00	\$100 Applicable Fees	\$200 Applicable Fees	Felony applicable fees	Total Estimated fines and fees imposed
Court A	41503	8738	20751.5	4369	\$2,075,150.00	\$873,800.00		\$1,805,380.50	\$847,586.00		\$5,601,916.50
Court B	2844	256	1422	128	\$142,200.00	\$25,600.00		\$123,714.00	\$12,416.00		\$303,930.00
Court C	11288	3205	5644	1602.5	\$564,400.00	\$320,500.00		\$491,028.00	\$155,442.50		\$1,531,370.50
Court D	19787	2325	9893.5	1162.5	\$989,350.00	\$232,500.00		\$860,734.50	\$112,762.50		\$2,195,347.00
Court E	1491	124	745.5	62	\$74,550.00	\$12,400.00		\$64,858.50	\$6,014.00		\$157,822.50
Court F		10		5			\$5,000.00			\$125.00	\$5,125.00
Court G		261		130.5			\$130,500.00			\$3,262.50	\$133,762.50
Fees on Limited Jurisdiction Fines											
Administrative Assessment fee on fines of \$100.00	\$70.00										
Administrative Assessment fee on fines of \$200.00	\$80.00										
Specialty Court fee	\$7.00										
Facility Fee	\$10.00										
Fees on General Jurisdiction Fines											
Administrative Assessment fee on all fines	\$25.00										

(Supreme Court of Nevada, 2009)

Based on the calculations in exhibit A, Court A imposed an estimated \$5,601,916.50 for fiscal year 2008/2009. They actually placed \$13,866,067.51 with the collection agency, because of the backlog of cases that were from

previous years. The agency has collected \$288,104.47 of the total dollar amount placed with them in the past year, and these receivables are on cases that are at least 60 days past due. Using the actual totals the court is receiving a 2% return on the cases placed with the collection agency, and that is 2% that they would have not received had they not taken the steps to send the cases to the agency. The court has also held 329 offenders accountable for their crimes. Court B imposed an estimated \$303,930.00 and collected \$249,292.12 in fines and fees in fiscal year 2008/2009. Using the estimated total and the actual collection they collected 82% of the fines and fees imposed. Court C imposed an estimated \$1,531,370.50 for fiscal year 2008/2009 and there is no actual collection data to compare. However, they did not have an active collection program until July 2009, which is the beginning of the current fiscal year. Court D imposed an estimated \$2,195,347.00 and collected an actual amount of \$1,155,282.21. Using the estimated and actual totals this court collected 52% of the fines and fees imposed before they began using any of the collection methods currently in place. Court E imposed an estimated \$157,822.50 but there is no data on the amount collected. Court F imposed an estimated \$5,125.00 and there is no collection data for fiscal year 2008/2009. However, the court has had an estimated 75% increase in collections in the past three months by sending a notice to the offenders to report to the Clerk's office to sign up for payments. Court G imposed an estimated \$133,762.50 and collected an actual amount of \$16,568.19. This court does not have any collection methods in place but is implementing a collection project in

January of 2010. With no collection methods in place this court has collected an estimated 12% of fines and fees imposed.

#### Collection Best Practices

The research was intended to find collection best practices to create a model using these best practices that can be used by the courts as a tool to implement a collection program in individual courts. The following is the compiled list of best practices gleaned from the primary and secondary research in the study. They will be integrated into a “best practices” model presented in the last section.

1. Explain the payment options to the defendant at time of sentencing (credit card, check, cash).
2. Obtain written information from the defendant regarding current address and phone received from the defendant at the time the payment plan is set up.
3. Discuss specific payment terms with defendant.
4. Set court review dates if the defendant agrees to pay the fine in full within 30 to 60 days.
5. Give full explanation of the consequences if the defendant does not pay.
6. Periodically request updated information regarding address and phone number throughout the terms of the contract.
7. Monitor compliance with payment plan.
8. Make reminder phone calls when a payment is past due.
9. Send reminder letters when a payment is past due.

10. Issue a warrant when defendant does not respond to letters and phone calls.
11. Send notices to Department of Motor Vehicles for Driver's License suspension when warrant is issued.
12. Contract with a collection agency (public or private) that includes a specific collection fee to be paid to the agency when the full amount is collected, so that this cost can be deferred to the defendant.

These best practices will allow the courts to hold the defendants accountable for the monetary penalties imposed by the judiciary and in turn cover the costs incurred by the courts to provide individual justice in individual cases.

### Summary, Recommendations, and Conclusion

#### Summary

The assumption of the writer is that if the courts are to dispense individual justice in individual cases the monetary penalties must be collected to hold the offender accountable. However, from the articles and studies found in the research the executive and legislative branches of government often seem to expect that every citation issued should create revenue. This is not the case, many of the citations issued are dismissed or the fines and fees are converted to community service which does not bring in revenue. Also, there is an obligation to the public that the courts take all circumstances in each case into consideration before a sentence is imposed. If a monetary penalty is imposed, the defendant usually has the option to convert the penalty to hours of community service instead of paying the fines and fees. When the defendant chooses to pay the fines

and fees it is the court's responsibility to collect those fines and fees in order to hold the defendant accountable.

In interviewing the courts in Nevada, some of them are currently implementing collection programs to collect a backlog of monetary penalties that have not been paid. Many are implementing programs to efficiently collect current cases with monetary penalties, possibly because of the economic times currently plaguing this country. This paper shows the many different ways that courts use to collect fines and fees imposed and the research has compiled a list of best practices. The recommendations in this paper will include a collection model that can be used to implement new collection programs in the courts or possibly enhance current collection programs in the courts.

#### Recommendations

The Judicial Branch of Government was not created to generate revenue, but many times dispensing individual justice in individual cases includes monetary penalties. Collection of fines and fees assessed in the courts is an important aspect to the justice process because when monetary penalties imposed by the judiciary are not collected the offenders are not held accountable for their crimes. With this in mind a viable collection program should be implemented in the courts to collect the fines and fees imposed by the judges. A collection program should be customized for each court and should take into account the way they do business, so the model created in this paper can be used as a basis to set up a workable program within individual courts.

First and foremost the court must be willing to have dedicated staff to operate the collection program. This may mean reorganizing the operations of court to accommodate the collection program, or hiring new employees dedicated to the collection function in the court. Either way this is a very important aspect to implementing a program because without dedicated staff the program will not accomplish its purpose. The next step is to establish processes, policies, and procedures that will be documented and communicated to the entire court. The collection best practices compiled in this study can be a starting point for creating these processes, policies, and procedures. Using all the collection best practices found during this research the following procedure could be used in all or in part to implement a collection program in a court.

#### Court Collections Model

When the defendant is convicted of a crime and sentenced by the judge to monetary penalties, the court staff adopts the following procedures the day of sentencing:

1. The court staff explains that the defendant can pay his or her fines and fees in full using whatever form of currency the court decides is appropriate (a credit card, check, or cash).
2. If the defendant chooses to make the payment in full, the court staff receipts the payment and closes the case or sets the person up for any other non-monetary penalties included in the sentence.

If the defendant cannot pay his or her fines and fees in full, the following procedure is followed:

1. The court staff explains that in order to establish a payment plan the defendant must pay a fee (this fee will be determined by the court when the collection program is implemented).
2. The court staff gives the defendant an application to fill out with his or her basic information such as current address and phone number(s) (the court should decide what type of information will be required).
3. The court staff will establish payment terms with the defendant within the guidelines set by the judges and court administration (for example, \$25.00 per week, \$50.00 every two weeks, or \$100.00 per month).
4. If the defendant wants a payment plan outside of the guidelines established by the court, he or she must see the judge for the exception.
5. If the defendant wants to pay the fines and fees in full within 30 or 60 days (this criteria depends on the individual courts established guidelines), the court staff sets a review court date for which the defendant must appear if the fines and fees are not paid in full.
6. The court staff explains and provides in writing the consequences of not following the terms of the established payment plan, and has the defendant sign the payment agreement.

The court staff monitors the established payment plans by generating reports each day to determine which cases if any are past due. During this monitoring process the court staff will use the following procedure:

1. The court staff will generate a report daily to determine any past due payments.

2. The court staff will compile the cases either physically or in the court's case management system.
3. The court staff will generate late notices to the defendants who are past due. (The late notices timeline will be established when the collection program is implemented; for example the notices can be sent five days after the payment due date or ten days after the payment due date).
4. The court staff will call each defendant who is past due using the phone number information collected from the defendant.
5. If the defendant does not respond to the notice or the phone call within a predetermined period of time, the court staff will issue a warrant for Failure to Comply with payments.
6. When the warrant is issued a notice of Failure to Comply will be sent to the Department of Motor Vehicles for Driver's License suspension.
7. Any applicable fees will be added to the case for collections and warrant fees.
8. Predetermined criteria will be established by the court administration as to when a case will be placed with a collection agency, if these criteria are met that case will be placed with the collection agency.

Many times after a warrant is issued on a case or a case is placed with a collection agency the defendant appears at the court to reestablish his or her payment plan.

A procedure must be in place to recall the warrant and remove the case from collections should this happen. The following procedure should be established so that a person is not falsely arrested or the collection agency does not continue to

pursue the defendant on cases where payment plans have been reestablished with the court:

1. The court staff collects the applicable fees as required by the court administration prior to reestablishing the payment plan.
2. The court staff recalls the warrant and notifies all involved agencies that the warrant is no longer valid (this can be done with a written list that is sent daily to the agencies).
3. The court staff sends the clearance notice to the Department of Motor Vehicles to clear the warrant from the defendant's license.
4. The court staff notifies the collection agency that the person has reestablished a payment plan and is no longer in collections (this can be done with a written list that is sent daily to the collection agency).

After these procedures are followed, the court staff reestablishes the payment plan by going back to the steps to be followed to establish the original payment plan.

In implementing any program a court must determine measurements of success and how those measurements will be captured. The first measurement that needs to be captured is the amount of monetary penalties imposed by the judge in the individual cases, less the amount of those penalties converted to community service. When the court captures this information it can then measure the success of the program by the percentage collected, and the court can increase collections by adding additional meaningful collection practices when necessary. The measurements should be transparent so that anyone from the executive and legislative branches of government to the public can see what the judiciary is

doing to hold offenders accountable. These measurements should be established by case type, by individual crime, and broken down by types of fines and fees.

The determination of how the measurements will be captured is up to each court when the collection program is implemented.

### Conclusion

The balance between justice and revenue generation has been a contentious problem between branches of government for years. The judicial branch understands that to hold offenders accountable they must collect the monetary penalties imposed, but not all individual cases involve monetary penalties. The legislative branch establishes the laws, the executive branch enforces the laws, and the judicial branch takes all circumstances in individual cases into consideration to interpret the laws and hold offenders accountable for crimes committed. When a citation is written or an arrest is made by law enforcement that does not mean that the defendant is automatically guilty of the alleged crime, so the assumption that all citations generate revenue is erroneous.

This paper was researched and written to help courts implement viable collection programs in order to collect the monetary penalties imposed by the judiciary. In addition to this purpose, the paper was written to help the executive and legislative branches as well as the public understand that the judiciary exists to dispense individual justice in individual cases. Sometimes that justice includes monetary penalties that need to be collected, so the balance between justice and revenue generation in the courts is the collection of monetary penalties imposed to hold offenders accountable.

## References

- Aikman, A. (2007). The art and practice of court administration. *Hierarchy of court administration: mission-critical functions* (pp. 211-258). Taylor and Francis Group, LLC. Retrieved February 7, 2010 from Ebcost database.
- Daniels, K. (1997). *Revenue or redundancy: an evaluation of the fine collection processes for the City of Austin Municipal Court*. Retrieved September 30, 2009 from NCSC online at <http://www.ncsconline.org/WC/Publications/CEDP%20Summary/ColFinCEDPSum.htm>
- Dybas, J. (2007). *Application of NCSC courtools “measure seven.”* Retrieved September 30, 2009 from NCSN online at <http://www.ncsconline.org/WC/Publications/CEDP%20Summary/ColFinCEDPSum.htm>
- Ferebee, J. (2001). *Best practices for collection of traffic fines in the Edmonds Municipal Court*. Retrieved September 30, 2009 from NCSC online at <http://www.ncsconline.org/WC/Publications/CEDP%20Summary/ColFinCEDPSum.htm>
- Huddleston, H. (2008). How courts collect fines and fees owed them [Electronic version]. *DueProcess*. Retrieved October 1, 2009 from <http://www.newdawn.tech.com/courtstodaypr/courtstoday.pdf>
- Landrum, M. (1999). *Collecting fines and fees: from concept to reality*. Retrieved

September 30, 2009 from NCSN online at

<http://www.ncsconline.org/WC/Publications/CEDP%20Summary/ColFinCEDPSum.htm>

Matthews, G. (2009, August 31). Court officials prepare to enforce fines and court costs be paid. *News9*. Retrieved October 1, 2009 from

<http://www.news9.com/global/story.asp?s=11021734>

Montanaro, L. (2002). *The facts about collection practices in Mesa Municipal Court*. Retrieved September 30, 2009 from NCSC online at

<http://www.ncsconline.org/WC/Publications/CEDP%20Summary/ColFinCEDPSum.htm>

Nevada Department of Corrections, (2010). *Administrative Regulations*. [Data file] Retrieved February 14, 2010 from

[http://www.doc.nv.gov/ar/ar\\_toc.php?series=200](http://www.doc.nv.gov/ar/ar_toc.php?series=200)

Nevada Legislature, (1999). *Fees, fines, forfeitures, and administrative assessment fees imposed and collected by the courts*. Retrieved October 1, 2009 from

<http://www.leg.state.nv.us/lcb/research/1999InterimReports/Bulletin99-06.pdf>

Nevada Legislature, (2009). *Nevada Constitution*. [Data file] Retrieved October

24, 2009 from <http://www.leg.state.nv.us/Const/NVConst.html#Art11Sec3>

Nevada Legislature, (2009). *Nevada Revised Statutes, Chapter 176*. [Data file]

Retrieved October 17, 2009 from <http://www.leg.state.nv.us/NRS/NRS-176.html>

- Nevada Legislature, (2010). *Nevada Revised Statutes, Chapter 213*. [Data file]  
Retrieved February 14, 2010 from <http://www.leg.state.nv.us/NRS/NRS-213.html#NRS213Sec124>
- Office of Program Policy Analysis and Government Accountability, (2004).  
*Court fine and fee collection can increase*. Retrieved September 30, 2009  
from <http://www.oppaga.state.fl.us/reports/pdf/0407rpt.pdf>
- Parke, S. (2004). *Identification of collection techniques and recommended best practices for implementation at the 47<sup>th</sup> District Court*. Retrieved  
September 30, 2009 from NCSC online at  
<http://www.ncsconline.org/WC/Publications/CEDP%20Summary/ColFinCEDPSum.htm>
- Supreme Court of Nevada. (2009). *Annual report*. Retrieved December 1, 2009  
from <http://www.nevadajudiciary.us/index.php/researchandstatistics>
- Texas Courts Online. (2009). *Texas administrative code. title 1. administration*.  
Retrieved December 1, 2009 from  
<http://www.courts.state.tx.us/oca/collections/docs/rule1tac-ch175-011708.pdf>
- United States General Accounting Office, (2001). *Criminal debt: oversight and actions needed to address deficiencies in collection process*. Retrieved  
from University of Nevada online library February 13, 2010 at  
<http://encore.library.unr.edu/iii/encore/search?formids=target&lang=eng&suite=def&reservedids=lang,suite&submitmode=&submitname=&target=criminal%20fines%20collection>

United States General Accounting Office, (2004). *Criminal debt: actions still needed to address deficiencies in Justice's collection processes: report to the Honorable Byron L. Dorgan, U.S. Senate*. Retrieved from University of Nevada online library February 13, 2010 at <http://encore.library.unr.edu/iii/encore/search?formids=target&lang=eng&suite=def&reservedids=lang,suite&submitmode=&submitname=&target=criminal%20fines%20collection>