

TRI-COUNTY COLLECTIONS SEMINAR



FEBRUARY 11, 2011
BROWARD COUNTY COURTHOUSE
FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

WHY ARE COURT COLLECTIONS IMPORTANT?

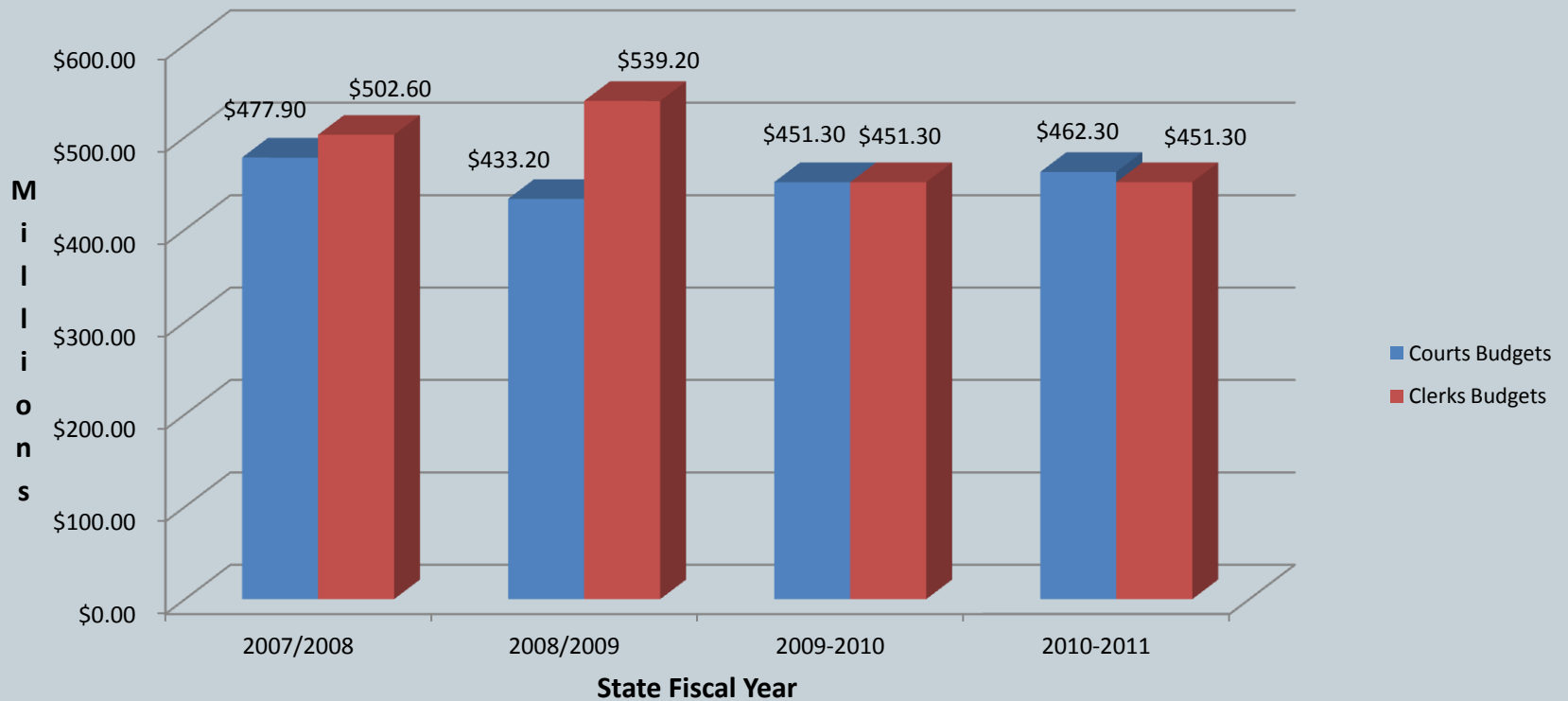
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- COURT-IMPOSED FINES, FILING FEES, SERVICE CHARGES, AND COSTS FUND THE COURTS AND THE CLERK BUDGETS
- INTEGRITY OF THE COURTS
- THE “BIG THREE” TRI-COUNTIES; BROWARD, MIAMI-DADE AND PALM BEACH ACCOUNT FOR A SIGNIFICANT REVENUE STREAM TO BOTH TRUST FUNDS

COURT AND CLERK BUDGETS

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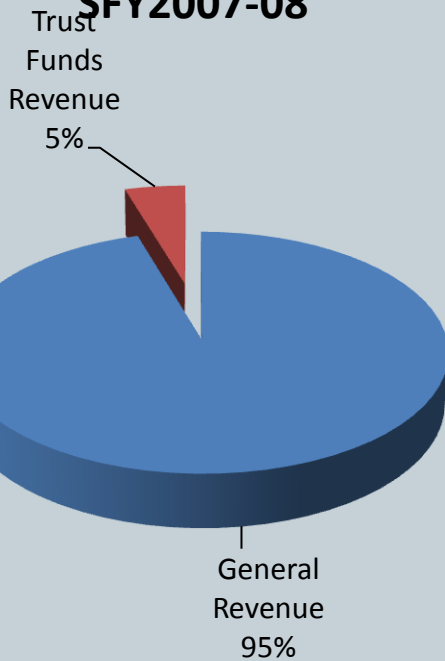
**Clerk of Court Budgets
And State Courts System Budget
Fiscal Years 2007/08--2010/11**



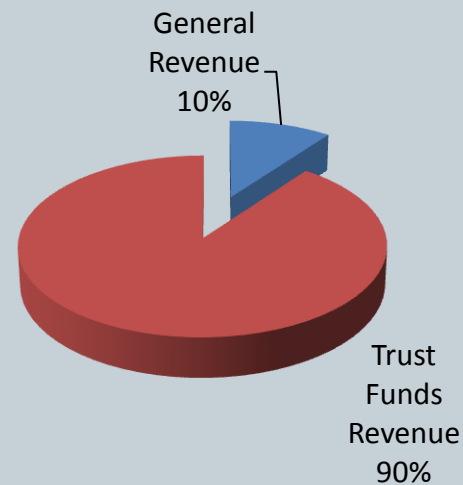
COURT TRANSITIONS FROM STATE GENERAL REVENUE TO TRUST FUND

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State Courts System Funding SFY2007-08



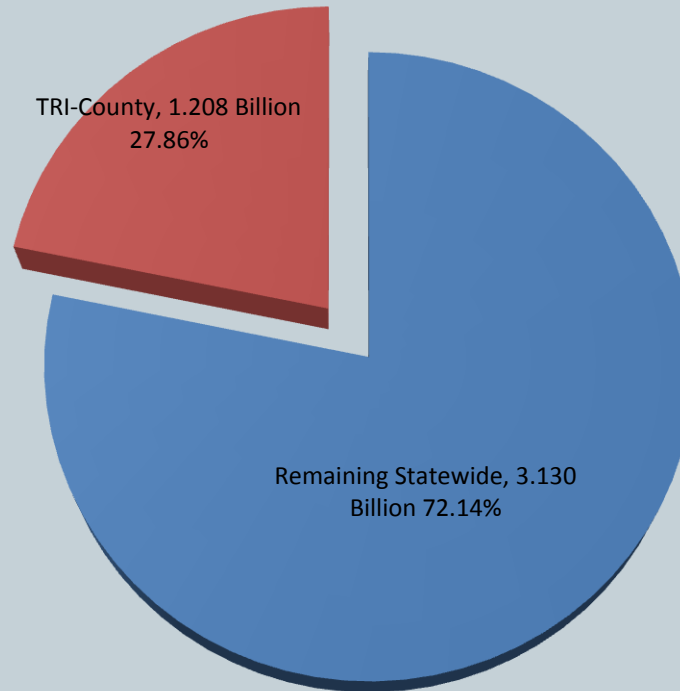
State Courts System Funding SFY 2010-11



TRI-COUNTIES ACCOUNT FOR OVER “One Quarter” of ALL STATEWIDE “ASSESSMENTS”

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3 Year Assessed - Statewide vs TRI CO FY 0708, 0809, 0910



3-Year Assessment Trend 2008-2010

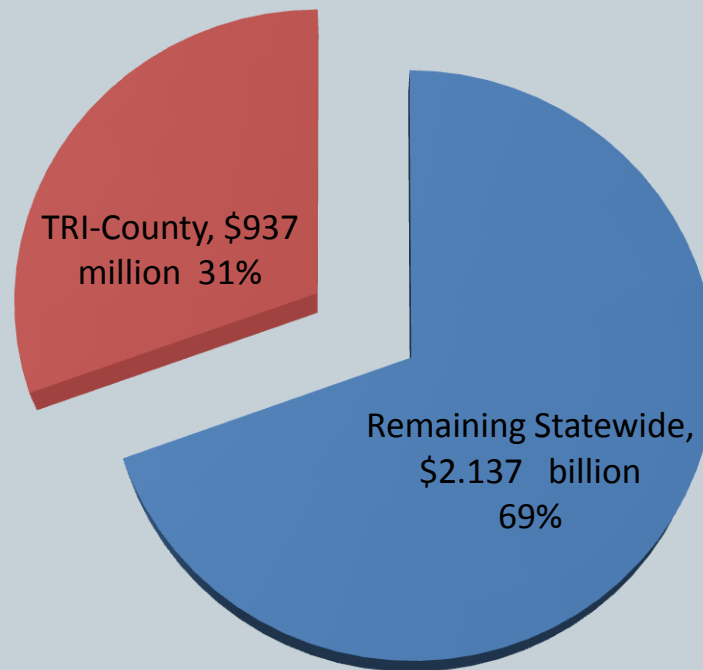
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County	CFY 2007-2008	CFY 2008-2009	CFY 2009-2010
Broward	\$108.6 m.	\$123.8 m.	\$137.2 m.
Miami-Dade	\$138.3 m.	\$154.5 m.	\$149.3 m.
Palm Beach	\$97.8 m.	\$111.8 m.	\$134.1 m.

TRI-COUNTIES ACCOUNT FOR NEARLY “1/3” of ALL STATEWIDE “COLLECTIONS”

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3 Year Collected - Statewide vs TRI CO. - FY0708,0809,0910



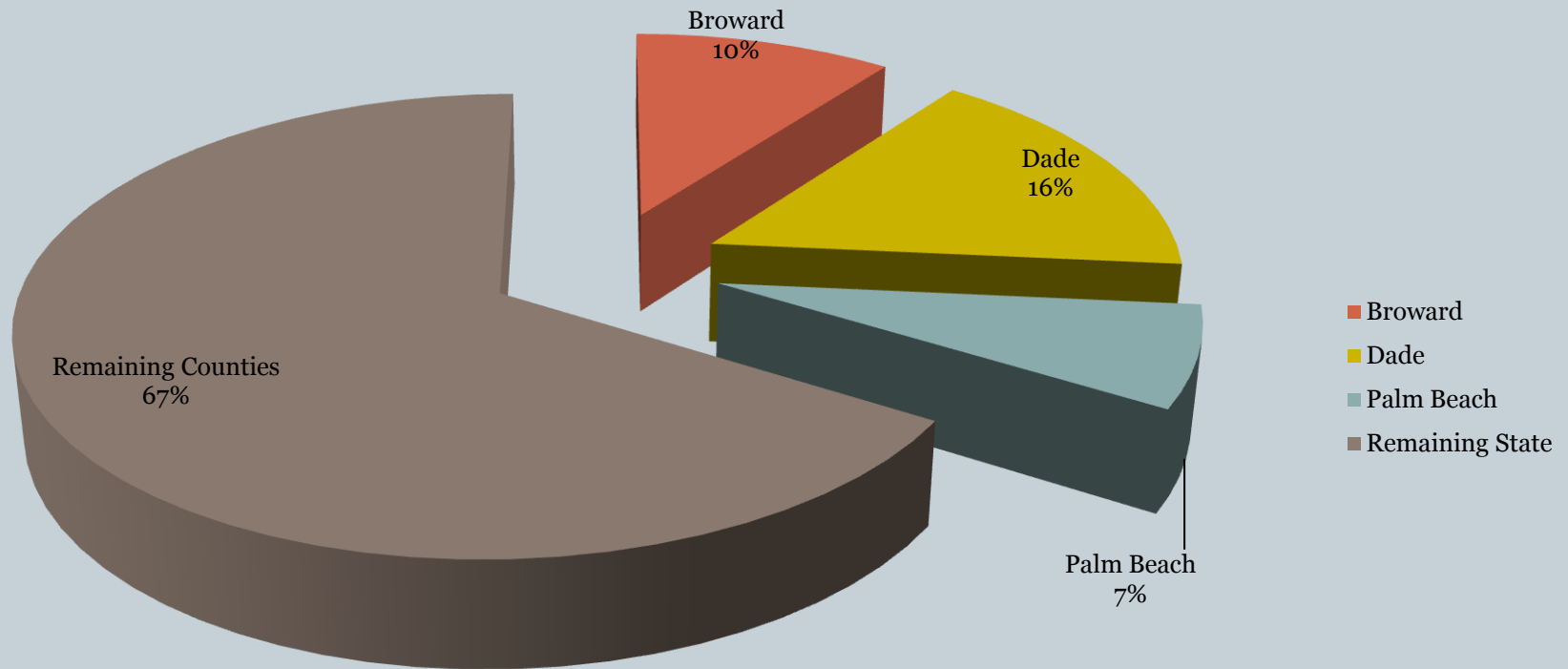
3-Year Collection Trend 2008-2010

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County	CFY 2007-2008	CFY 2008-2009	CFY 2009-2010
Broward	\$77.5 m.	\$101.1 m.	\$121.9 m.
Miami-Dade	\$119.3 m.	\$133.5 m.	\$132.5 m.
Palm Beach	\$79.4 m.	\$96.7 m.	\$121.4 m.

TRI-COUNTIES ACCOUNT FOR “1/3” OF CLERK’S TRUST FUND REVENUES

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3-Year Uncollected Trend 2008-2010

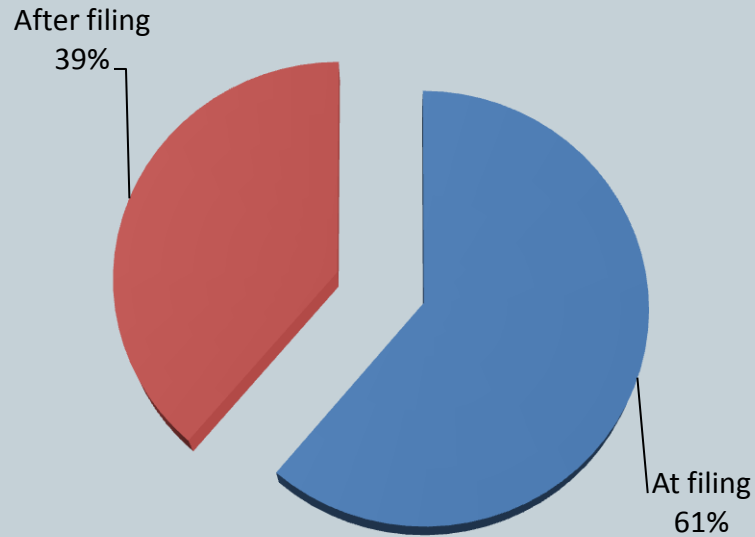
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County	CFY 2007-2008	CFY 2008-2009	CFY 2009-2010	3-Year Total
State	\$294.1 m.	\$492.5 m.	\$446.7 m.	\$1.23 bil.
Broward	\$31.1 m.	\$22.6 m.	\$15.2 m.	\$68.9 m.
Miami-Dade	\$19.0 m.	\$20.9 m.	\$16.8 m.	\$56.7 m.
Palm Beach	\$18.4 m.	\$15.1 m.	\$12.7 m.	\$46.2 m.
Tri-County “%”	23%	19%	10%	14%

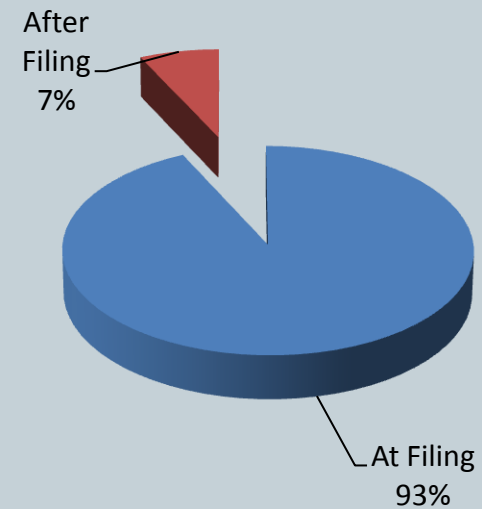
Revenues at Filing Compared to Revenues After Filing

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Clerk of Court Trust Fund



State Court Trust Fund



Court Trust Fund Declining Revenues

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	July	Aug.	Sept.	Oct.	Nov.	Dec.	6-mo
2009	\$33.7 m.	\$40.5 m.	\$35.5 m.	\$35.8 m.	\$36.4 m.	\$28.7 m.	\$210.9 m
2010	\$26.1 m.	\$23.5 m.	\$25.6 m.	\$26.1 m.	\$18.6 m.	\$12.4 m.	\$132.4 m

2009 to 2010	-37%
July through December 2010	-52%

Clerk Trust Fund Declining Revenues

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	July	Aug.	Sept.	Oct.	Nov.	Dec.	6-month
2009	\$41.2 m	\$37.8 m	\$41.1 m	\$40.0 m	\$33.5 m	\$38.5 m	\$232.4 m
2010	\$36.9 m	\$39.5 m	\$39.0 m	\$35.1 m	\$32.2 m	\$31.9 m	\$214.6 m

2009- to 2010	-7.6%
July through December 2010	-14%

6-Month Comparison July –Dec 09 to July-Dec 10

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Revenue Types	Broward	Miami-Dade	Palm Beach
Fines	(1.6%)	(10.3%)	(4.3%)
Forfeitures	(16.5%)	(42%)	(41%)
Filing Fees	(11.4%)	(13.1%)	(8.1)%
Service Charges	9.2%	37.8%	12.2%
Court Costs	(5.5%)	(1.1%)	8.2%

Many Factors Contribute to Declining Revenues

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- **Factors Outside the control of the Courts and Clerks**
 - Case Filings
- **Factors Within the control of the Courts**
 - Assessments
 - Waivers
 - Administrative Orders
 - Judicial Procedures
- **Factors Within the control of the Clerks**
 - Procedures
 - Performance
 - Investment (automation and people)

Statewide New Case Filings are Declining

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04/05	05/06	06/07	07/08	08/09	09/10	10/11 project
6.5 m	6.8 m	7.2 m	7.5 m	6.9 m	6.8 m	6.6 m

	July-Dec 2009	July-Dec 2010	“%” Change
Criminal	691, 000	679,000	-2%
Civil	739,000	628,000	-15%
Traffic	2,000,000	1,800,000	-10%

TRI-COUNTY CASE TRENDS

2009 to 2010

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	July-Dec 2009	July-Dec 2010	“%” Change
Broward			
•Criminal	54,000	68,700	+27%
•Civil	82,500	66,900	-19%
•Traffic	184,300	196,600	+7%
Miami-Dade			
•Criminal	111,600	101,200	-9%
•Civil	112,500	98,500	-12%
•Traffic	490,150	410,200	-16%
Palm Beach			
•Criminal	47,500	52,500	+11%
•Civil	52,500	45,250	-14%
•Traffic	164,000	175,250	+7%

Average Assessments

2009-2010

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Court Division	Broward	Miami-Dade	Palm Beach
Civil Traffic	\$122	\$95	\$136
County Criminal	\$294	\$158	\$164
Criminal Traffic	\$385	\$238	\$277
Circuit Criminal	\$591	\$215	\$234

Statewide	Average Assessment
Civil Traffic	\$125
County Criminal	\$228
Criminal Traffic	\$343
Circuit Criminal	\$934

Average Assessments 2009-2010

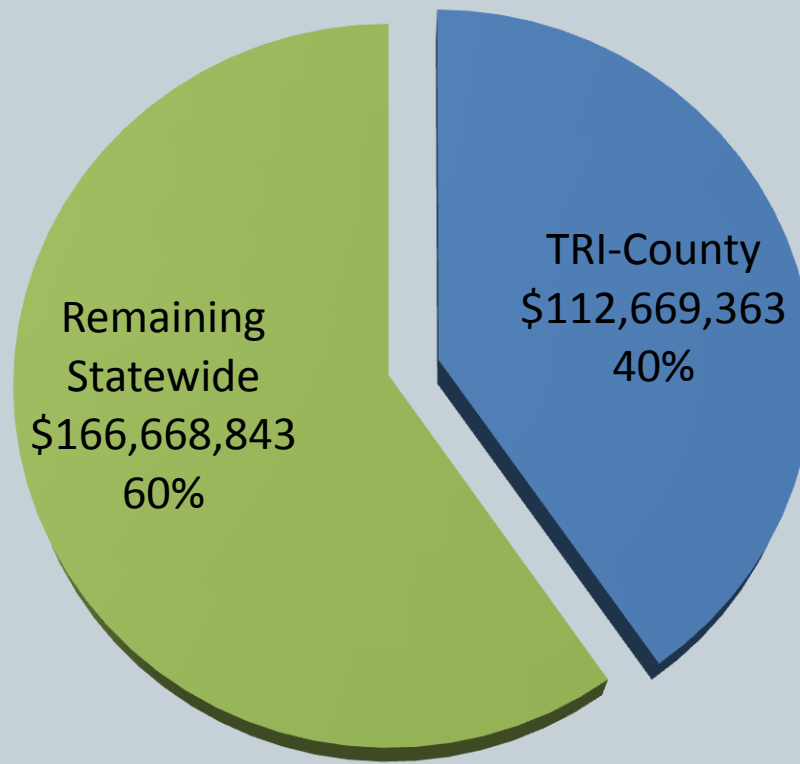
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Court Division	Hillsborough	Orange	Pinellas
Civil Traffic	\$103	\$123	\$132
County Criminal	\$203	\$314	\$270
Criminal Traffic	\$291	\$413	\$353
Circuit Criminal	\$2,456	\$793	\$714

TRI-Counties Account for 40% of Statewide Court Assessments Waived

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3 Year Waived - Statewide vs TRI CO. FY0708, 0809, 0910



Tri-County 3-Year Court Revenues Waived 2008-2010

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County	Circuit Criminal	County Criminal (incl crim traf.)	Juvenile	Civil Traffic
Broward	\$857,504	\$385,919	\$35,666	\$5,016,991
Miami-Dade	\$78,188,460	\$12,485,142	\$617,654	\$2,266
Palm Beach	\$3,753,558	\$2,812,000	\$0	\$8,514,203

Converted and/or Reduced Assessments 2008-2010

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	Community Service	Judgment Lien	Time Served	“Other”
Statewide	\$21.4 m	\$320.6 m	\$5.3 m	\$122.7 m
TRI-County	\$2.8 m	\$19.9 m	\$25,700	\$90.6 m
“%”	13%	6%	.5%	74%

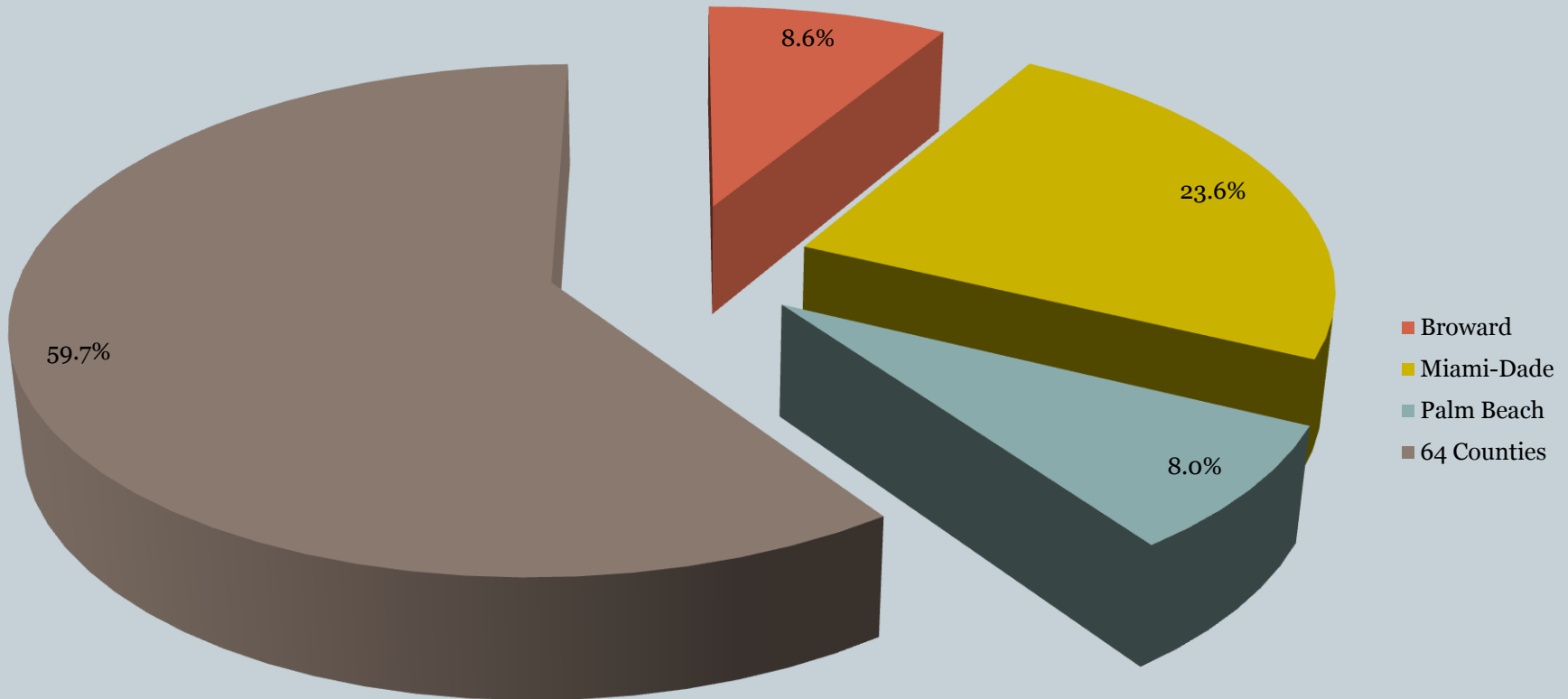
Assessments Converted/Reduced 2008-2010

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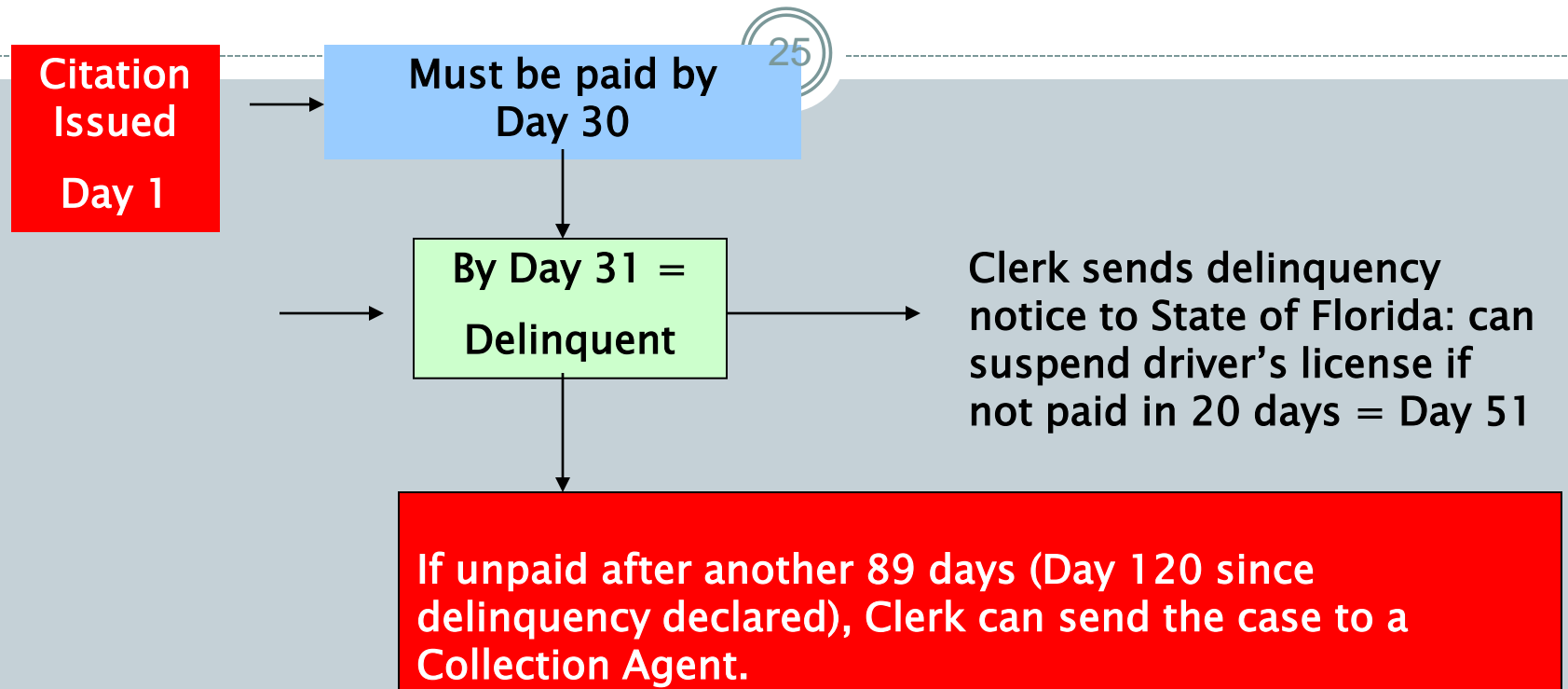
	Community Service	Judgment/ Lien	Time Served	“Other”
Circuit Criminal				
Broward	\$0	Not reported	Not reported	Not reported
Miami-Dade	\$0	\$0	\$0	\$78.2 m.
Palm Beach	\$0	\$17.7 m.	Not reported	Not reported
County Criminal				
Broward	Not reported	Not reported	Not reported	Not reported
Miami-Dade	\$2.3 m.	\$0	\$25,000	\$11,866,568
Palm Beach	\$2.2 m.	\$2.2 m.	\$0	\$0
Civil Traffic				
Broward	Not reported	Not reported	N/A	Not reported
Miami-Dade	\$0	\$0	N/A	\$2,200
Palm Beach	\$120,874	Not reported	N/A	\$0

TRI-COUNTIES ACCOUNT FOR 40% OF ALL TRAFFIC CITATIONS FILED IN STATE

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Traffic Payment Time Line



TYPICAL PAYMENT TIMELINE FROM DAY 1

Citation	Payment Due:	Delinquency:	To State:	To Coll. Agent:
Day 1	Day 30	Day 31	Day 31	Day 151

Paying Early Makes Improves Collections Civil Traffic Study

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	Avg. # Days from Citation Issued to Paid	30-Day Collection Rate	60-Day Collection Rate	Annual Collection Rate (90%)
Counties (Meeting Collection Std.)	54 days	20%	60%	93%
Counties (<u>NOT</u> Meeting Collection Standard)	92 days	15%	45%	87%

Civil Traffic Cumulative Collections

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	QT 1	QT 2	QT 3	QT 4	QT 5	Cum.	STD
Broward	29%	31%	17%	4%	2%	83%	90%
Dade	19%	36%	8%	2%	2%	67%	90%
Palm B.	46%	33%	6%	2%	2%	89%	90%

EXAMPLE	QT 1	QT 2	QT 3	QT 4	QT 5	Cum.	STD
Pinellas	53%	32%	8%	3%	n/a	96%	90%

Average First Quarter Collections For Criminal Courts and Traffic

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	CFY 2008-2009	CFY 2009-2010
County Criminal		
• Broward	16.9%	15.4%
• Miami-Dade	6.6%	8.4%
• Palm Beach	7.5%	10.7%
Juvenile Delinquency		
• Broward	7.4%	9.7%
• Miami-Dade	8.9%	9.2%
• Palm Beach	7.4%	9.7%
Criminal Traffic		
• Broward	12.1%	12.0%
• Miami-Dade	17.7%	14.2%
• Palm Beach	18.2%	17.1%
Civil Traffic		
• Broward	26.6%	28.2%
• Miami-Dade	17.1%	19.6%
• Palm Beach	43.4%	47.4%

Traffic Citations Slow to be filed with Courts

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	<u>Statewide</u> Avg. # of Days from Citation Issued to Filed With Clerks	Avg. # of Days from Citation Issued to Filed With Clerks (FHP)	Avg. # of Days from Citation Issued to Filed With Clerks (Sheriffs)	Avg. # of Days from Citation Issued to Filed With Clerks (Police)
Counties (Meeting Collection Std.)	6 days	7 days	6 days	4 days
Counties (<u>NOT</u> Meeting Collection Standard)	9 days	10 days	9 days	6 days

Traffic Court Backlog of cases impacts collections

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Example	5-year avg. (2003–2007) Disposed Violations	5-year avg. (2003–2007) Pending Violations
State	82%	18%
Pinellas (meeting collection Stds.)	90%	10%
Dade (not meeting collection Stds.)	79%	21%

Payment Extensions reduces collections

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	Citations That <u>Paid</u> Avg. Number of Weeks Extended	Citations that Have <u>Not</u> <u>Paid</u> Avg. Number of Weeks Extended
Counties (Meeting Collection Std.)	2 weeks	4 weeks
Counties (<u>NOT</u> Meeting Collection Std.)	6 weeks	16 weeks

Lack Uniformity in Extension Policies

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Administrative Orders:

- ✦ 2 weeks to 90 days
- ✦ Frequency varies: one time to more than 6 times
- ✦ Extensions based on amount tickets owed
- ✦ By judge vs. traffic division

How quickly enforcement action taken impacts collections

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	% of Cases Issued D-6 Notice To DHSMV	Avg. # of Days from Due Date to D-6 Notice	Avg. # of Days from Due Date to Collection Agent
Counties (Meeting Collection Std.)	60%	5 days (range 3- 9)	112 days (range 105-120)
Counties (<u>NOT</u> Meeting Collection Std.)	70%	9 days (range 4-15)	220 days (range 114-289)

Driving without and/or revoked license collections are low

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Traffic Court	5-Year Increase in the # of DL suspensions and/or revoked DL's
Counties (Meeting 90% Collection Std.)	22%
Counties (<u>NOT</u> Meeting 90% Collection Std.)	49%

2009	# DL/SUS/RV Issued	"%" Of Total Issued
Statewide	214,078	
Broward	18,620	8.7%
Miami-Dade	44,953	21%
Palm Beach	18,687	8.7%

Companion Criminal Cases Impacts Collections

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- **Traffic Court Rules 6.130 “case consolidation”**
 - When a defendant is cited for the commission of both a criminal and a civil traffic violation, or both a civil traffic infraction requiring a mandatory hearing and a civil traffic infraction not requiring a hearing the cases may be heard simultaneously if they arose out of the same set of facts.
 - Prior to the date of the scheduled hearing or trial, a defendant may dispose of any non mandatory civil traffic infraction in the manner provided rules and s. 318.14, F.S.
- **In some counties the one case is dismissed by the courts and the second case is heard.**
 - For example, 47% of the unpaid cases in one county had a companion case dismissed by the courts. The result is loss revenues on the case dismissed.
- **In other counties companion cases are not dismissed resulting in potential additional revenues.**

3-Year Collection Agency Results Accounts Remitted and Collections

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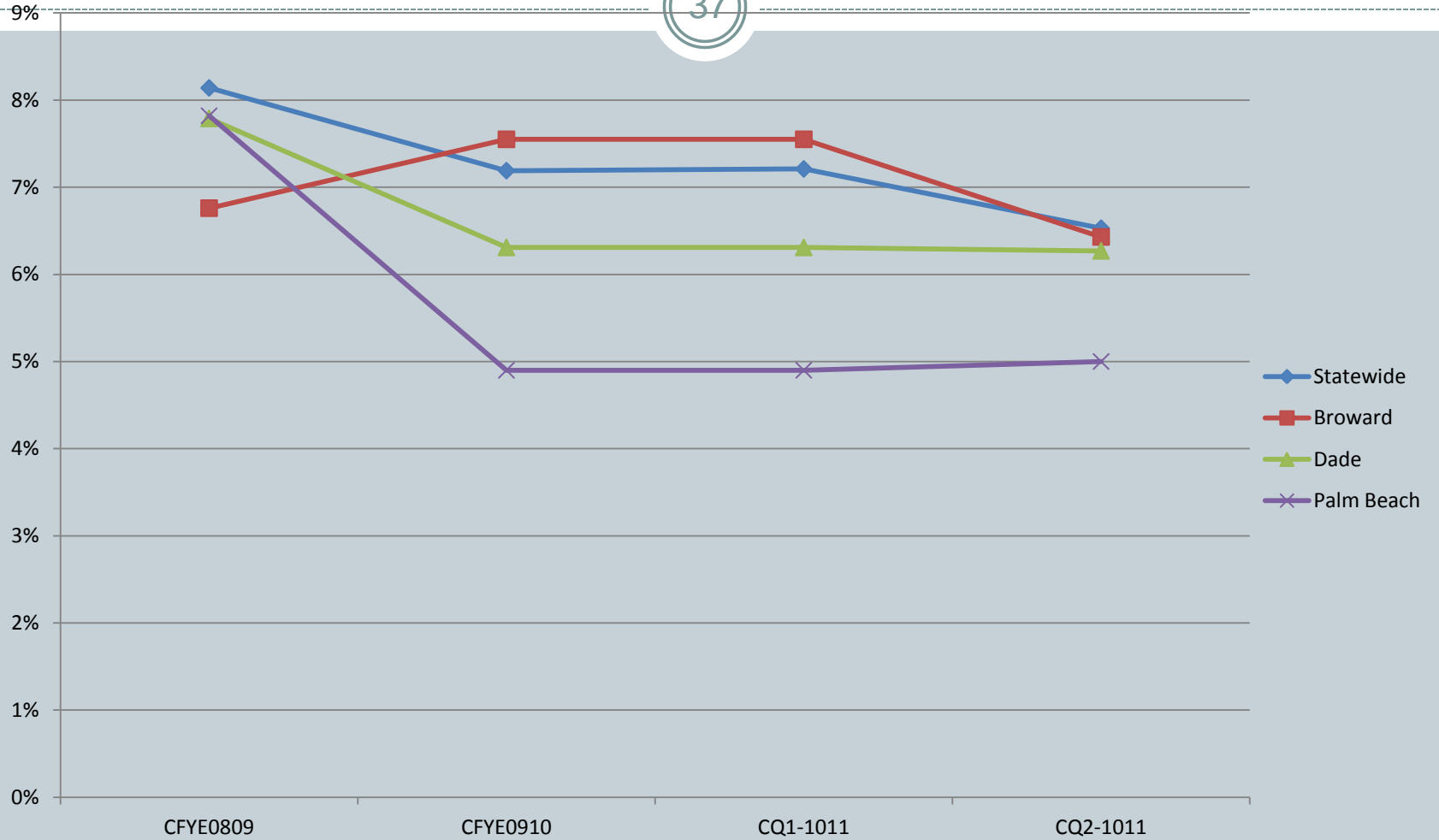
	2007	2008	2009	Total
Broward	\$7.3 m	\$4.3 m	\$5.7 m	\$17.3 m
Miami-Dade	\$17.8 m	\$35.7 m	\$63.7 m	\$161.3 m
Palm Beach	\$7.8 m	\$8.5 m	\$22.6 m	\$38.9 m

	2007	2008	2009	Total
Broward	\$.5 m	\$1.2 m	\$1.3 m	\$3.0 m
Miami-Dade	\$9.8 m	\$6.5 m	\$11.3 m	\$27.6 m
Palm Beach	\$2.1 m	\$3.1 m	\$2.7 m	\$7.9 m

Circuit Criminal Performance Tracking

9% Standard

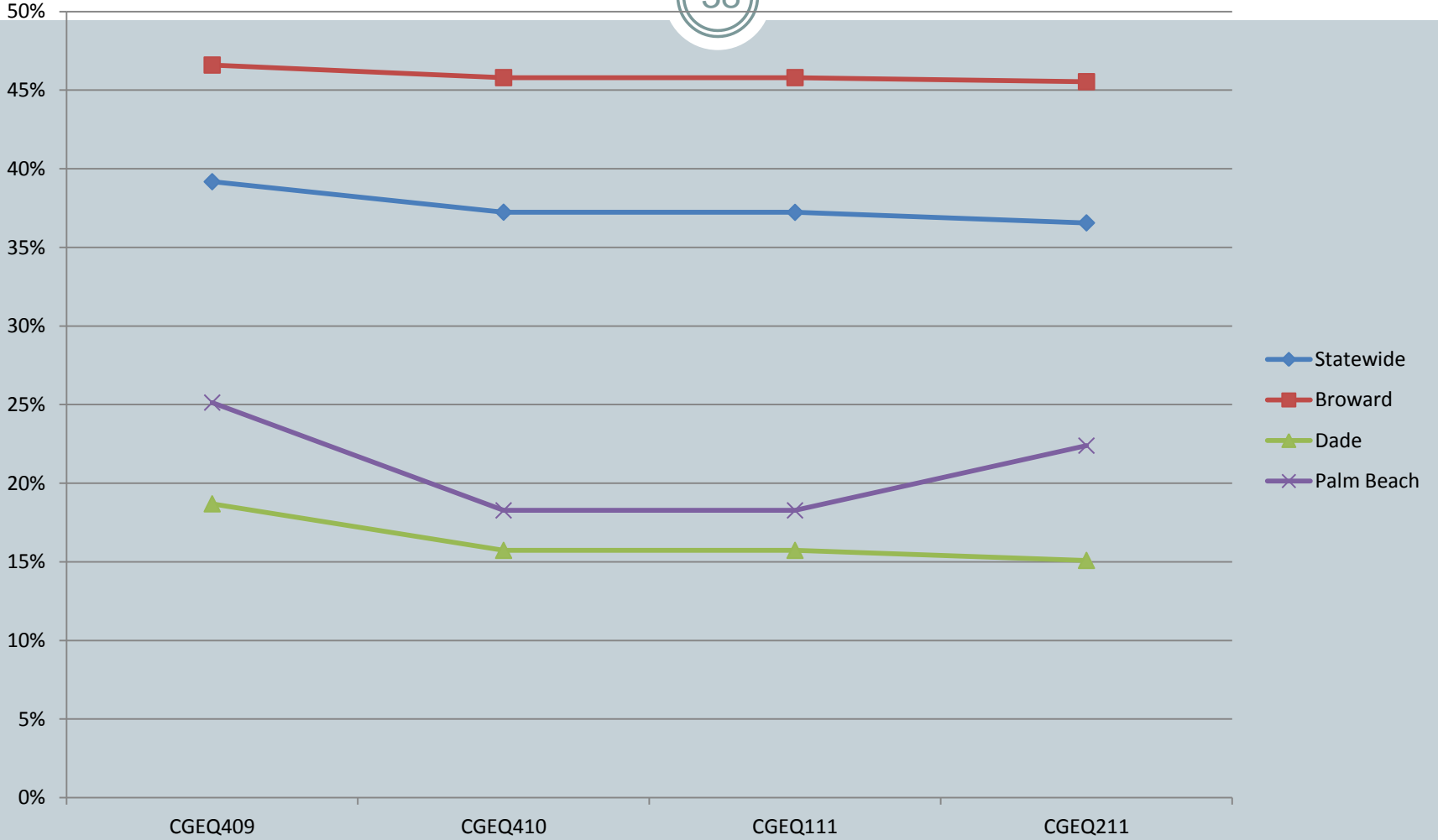
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County Criminal Performance Tracking

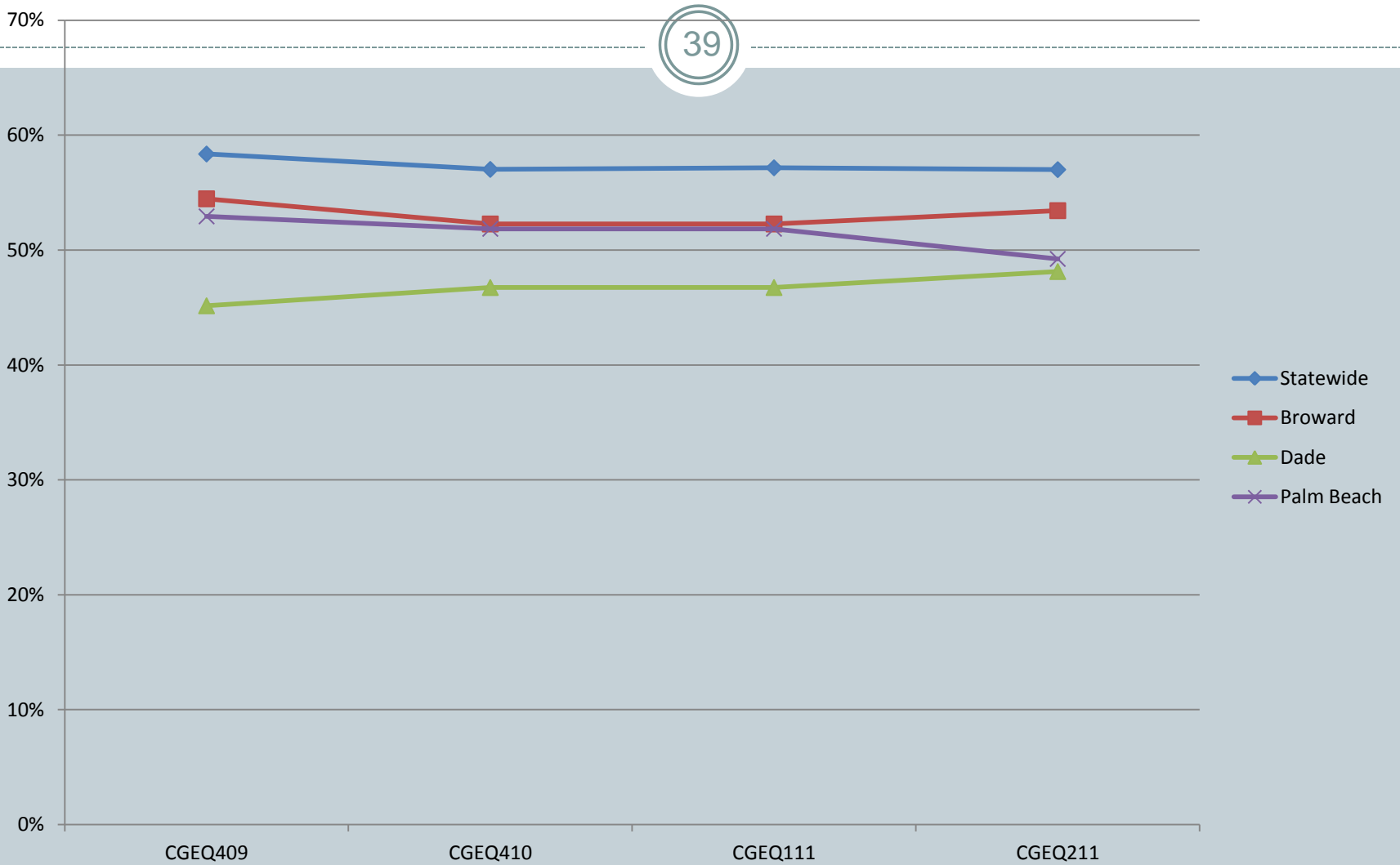
40% Standard

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Criminal Traffic Performance Tracking

40% Standard



Civil Traffic Performance Tracking

90% Standard

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How Can Courts and Clerks Improve Collections?

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- Work Together
- Invest time
- Invest money into automation
- Build Integrity of Court-Orders