

Appendix F

Quick Reference for Court Collections Programs

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- Centralize its collections practices and resources.
- Clearly identify and define in written policy the roles and responsibilities of the various personnel involved in the collections process. In addition, the court should hold meetings at least semiannually with these personnel to update roles, responsibilities, and collections processes.
- Develop written procedures to assist staff in properly monitoring and enforcing court receivables.
- Improve the enforcement of MCR 1.110. In addition, an estimated amount that the litigant will be expected to pay should be included in all correspondence.
- Notify the local legal community and general public that the court intends to enforce MCR 1.110.
- Judges and magistrates should send a consistent message to litigants and the local community regarding the assessment, payment, and enforcement of court-ordered financial obligations.
- Enter court-ordered financial obligations in “real time” so that the litigant can make a payment on the day of assessment.
- Require every litigant to make a payment on the day of assessment, even if additional time to pay is granted by the court.
- Develop policies and procedures to determine a litigant’s actual ability to pay.
- Grant additional time to pay, as well as installment payment plans, only to litigants with a documented need.
- Verify a litigant’s personal contact information (home phone number, cell phone number, address, etc.) every time a contact is made with the court. The court should also verify the litigant’s financial and employment information every time a collections and/or probation contact is made with the court.
- Promptly notify litigants of delinquency by sending a late notice.
- Consistently apply progressive responses for noncompliance.
- Utilize wage assignments.
- The court should assess the 20 percent late fee as required by MCL 600.4803.
- Consider using state income tax garnishments.
- Issue orders to remit prisoner funds.
- Payment alternatives such as community service should be available for those who do not have an ability to pay.
- Consider implementing a show cause docket.
- Develop written procedures for inactivating and discharging court receivables. SCAO Model Debt Inactivation Policy available at <http://courts.mi.gov/Administration/SCAO/Resources/Documents/Collections/Policies/ModelDebtInactivationPolicy.pdf>
- Determine who should have access to the JDW, and ensure that those individuals receive training in order to fully understand and utilize the capabilities of the JDW.
- Review the use of a collection agency.
- Review its procedures for contempt proceedings and appoint counsel when incarceration is considered.

- Follow MCR 2.107(B)(1)(b) when serving an order for show cause.
- Receipt of Payments - Request an internal audit from the SCAO Region # office.
- The judge(s), court administrator, and collection staff should visit a collections counterpart of a nearby county.