



State Reporting

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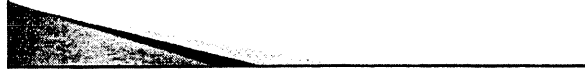
**MANDATORY REPORTING-
AN OVERVIEW**

- OFFICE OF COURT ADMINISTRATION
- STATE COMPTROLLER'S OFFICE
- DEPARTMENT OF PUBLIC SAFETY



Office of Court Administration

- ▶ State agency established in 1977
- ▶ Works under direction of Texas Supreme Court
- ▶ Uses data to study judicial procedures
 - To expedite court business
 - To better administer justice
 - Governed by Chap. 71 & 72 of Govt. Code



Legal Requirements

Texas Govern. Code §71.035

The judicial council may require a clerk, or other court official, as an official duty, to comply with reasonable requirements for supplying statistics pertaining to the amount and character of the civil and criminal business transacted by the court or other information on the conduct or operation of the court that is within the scope of the functions of the council.

Failure to report: Govt. C. 71.035

- If the official does not supply the information within a reasonable time after the request, he is presumed to have willfully refused the request.
- ▶ The duty provided by this section to supply information may be enforced by writ of mandamus in the Supreme Court
- ▶ The attorney general shall file and prosecute an action for mandamus on behalf of the council if requested to do so in writing by the council. To be valid, the written request must be signed by the chair or by at least 11 members of the council. The attorney general may refuse to file an action if he certifies in writing that the action is without merit.

Legal Requirements

- ▶ Texas Administrative Code §171.2
 - Municipal judges shall submit a summary-level court activity report each month to OCA, no later than 20 days following the end of the month reported
- ▶ Texas Administrative Code §171.8
 - Each municipal court shall submit a municipal court activity report of the criminal and civil or administrative cases in the court. Unless OCA grants a waiver for good cause, the court shall submit the reports by electronic means approved by OCA. The maximum duration of a waiver is one year, but OCA may approve successive waivers.
- Texas Local Government Code §22.073
 - The secretary shall notify the Texas Judicial Council of the name of each person who is elected or appointed as mayor, municipal court judge, or clerk of a municipal court of the municipality. The secretary shall notify the judicial council within 30 days after the date of the person's election or appointment.

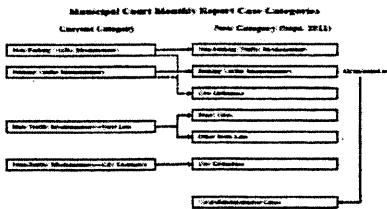
Importance of Reporting

- ▶ Used by Entities and Individuals:
 - State Legislature
 - State Comptroller's Office
 - State Governor's Office
 - Local judges
 - City councils
 - State and local auditors
 - Media, TMCEC, researchers, special interest

Use of Monthly Reports by Cities

- ▶ Compare workloads and court performance among cities
- ▶ Compare court performance to the statewide average (especially when reviewing budgetary and resources needs)
- ▶ Compare trends in performance over time

OCA: New Requirements—Effective September 2011



State Comptroller of Public Accounts

- ▶ Quarterly Court Costs
- ▶ Monthly Child Safety Seat Court Costs
- ▶ Yearly Child Safety Seat Fines
- ▶ Excess Highway Fines

Quarterly Court Costs

- ▶ When to Report - quarterly by the last day of the month following the quarter
- ▶ Late? - forfeit handling fee

Interest and Handling Fees

- ▶ Cities may maintain court costs and fees in an interest bearing account and keep interest if reported in a timely fashion
- ▶ If timely, Cities keep:
 - 10% Consolidated Fee, Jury Reimbursement Fee, Indigent Fee, & Moving Violation Fee
 - 5% State Traffic Fine

State Comptroller

- ▶ Don't collect all – prorated
 - Amount collected goes first to costs, then fees
 - (State gets its \$\$ first)
- ▶ Don't pay if not collected

The form is titled "State Comptroller Court Fees" and includes a header with "Form No. 100-0000" and "State Comptroller Court Fees". It contains several sections for different types of fees and charges, with columns for "FEE TYPE", "AMOUNT", and "REMARKS".

FEE TYPE	AMOUNT	REMARKS
1. STATE COURT FEE		
2. COUNTY COURT FEE		
3. JUDICIAL BRANCH FEE		
4. JUDICIAL BRANCH FEE		
5. JUDICIAL BRANCH FEE		
6. JUDICIAL BRANCH FEE		
7. JUDICIAL BRANCH FEE		
8. JUDICIAL BRANCH FEE		
9. JUDICIAL BRANCH FEE		
10. JUDICIAL BRANCH FEE		
11. JUDICIAL BRANCH FEE		
12. JUDICIAL BRANCH FEE		
13. JUDICIAL BRANCH FEE		
14. JUDICIAL BRANCH FEE		
15. JUDICIAL BRANCH FEE		
16. JUDICIAL BRANCH FEE		
17. JUDICIAL BRANCH FEE		
18. JUDICIAL BRANCH FEE		
19. JUDICIAL BRANCH FEE		
20. JUDICIAL BRANCH FEE		

At the bottom of the form, there are fields for "TOTAL COURT FEES", "TOTAL COUNTY COURT FEES", and "TOTAL JUDICIAL BRANCH FEES".

Authority of municipalities to collect fees—Art. 102 CCP

- ▶ 3 instances authorized:
 - Building Security Fee (102.017)—by ordinance
 - Court Technology Fee (102.0172)—by ordinance
 - Juvenile Case Manager Fee (102.0174)—by ordinance

Child Safety Seat Fines

- ▶ TC 545.412 (h) & 545.413 (b) & (j)
- ▶ A municipality shall send to the Comptroller an amount equal to 50% of the fines collected by the municipality
- ▶ Report is due 30 days after the end of the city's fiscal year
- ▶ Must be filed even if no payment is due
- ▶ Comptroller deposits into the Tertiary Care Fund for use by trauma centers

Excess Highway Fines

- ▶ Found in TC 542.402(b)
- ▶ Cities with a population of less than 5,000
- ▶ Must be filed when your city's fines and special expense fees exceed 30% of your city's revenue less federal funds and bond proceeds
- ▶ Report should be filed in the quarter following the month that the money becomes due

Traffic Convictions

Report all traffic convictions and forfeitures of bail

- *DR-18 Form
- *Report Form
- *Email
- *Actual Citation
- *Diskette

NOTICE OF FINAL CONVICTION FOR TRAFFIC LAW VIOLATION (Misdemeanor)

Cause No. _____
Tribunal No. _____

STATE OF TEXAS

First Name Last Address City State ZIP

LICENSE# STATE & NO. DM - CDL PLACARDED VEHICLE

VEHICLE REGISTRATION NUMBER STATE YEAR

OFFENSE COMMITTED (check and fill in):

<input type="checkbox"/> SPEED LIMIT	<input type="checkbox"/> PROHIBITION ON ONE-WAY STREET	<input type="checkbox"/> VIOLATED LICENSE RESTRICTION	<input type="checkbox"/> VIOLATED TRAFFIC VIOLATION BY COMMERCIAL TRUCKS ONLY
<input type="checkbox"/> RED LIGHT	<input type="checkbox"/> IMPROPER OR UNLAWFUL USE OF ROAD	<input type="checkbox"/> EXCEEDED FE OR COST	<input type="checkbox"/> SPEED LIMIT OR COST
<input type="checkbox"/> SIGN STOP SIGN	<input type="checkbox"/> NO CLASS C LICENSE	<input type="checkbox"/> VIOLATED LICENSE ENDORSEMENT	<input type="checkbox"/> POINTS
<input type="checkbox"/> FAIL YIELD RIGHT OF WAY	<input type="checkbox"/> NO CLASS B LICENSE	<input type="checkbox"/> NO LIABILITY INSURANCE	<input type="checkbox"/> RECKLESS DRIVING
<input type="checkbox"/> KLEIN TWIN	<input type="checkbox"/> NO CLASS A LICENSE	<input type="checkbox"/> OTHER VIOLATION	<input type="checkbox"/> IMPROPER LANE CHANGE
			<input type="checkbox"/> FOLLOWING TOO CLOSELY

DATE COMPLETED DRAWING SAFETY COURSE CLASS B AND C

Class Violation: _____ Day Completed: _____

Fee: Daily Flat Rate Auto Conviction Appeal Civil Payment Based Amount \$ _____

Court: Municipal Justice of the Peace Precinct District County State

Source of Payment: No. 118a Consent for Court? No. 118a Other

CHOPPER AS TIME AND CONDUCT

US-8 (Rev. 1/82)

MAGISTRATE CLERK

Reporting to DPS

- ▶ Email traffic convictions to:
data.submission@txdps.state.tx.us
- ▶ Mail automated reports to:
Texas Department of Public Safety
Driver Records/Data Submission
P.O. Box 4087
Austin, Texas 78773-0364

When to report traffic convictions?

- ▶ Texas Transportation Code §543.203
 - Not later than the seventh day after the date of conviction or forfeiture of bail of a person on a charge of violating a law regulating the operation of a vehicle on a highway, the magistrate, judge, or clerk of the court in which the conviction was had or bail was forfeited shall immediately submit to the department a written record of the case containing the information required by TC Section 543.202
 - No longer have 30 days to report convictions

Reporting to DPS

- ▶ Traffic Reporting
 - Telephone: 512/424-2028
- ▶ To Correct Errors
 - Call one of the following telephone numbers: 512/424-2031; 512/424-3545; or 512/424-5988
 - OR fax/email DPS Correction Form

ABC violations by Minors (under 21)

- ▶ REPORT USING DIC 15 FORM:
 - Convictions *
 - Failure to complete alcohol awareness program *
 - Orders of deferred disposition
 - Acquittals of DUI
- * Suspensions effective on the 11th day after judgment

The End

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