

Proactive Enforcement: Using Scofflaw and Omnibase



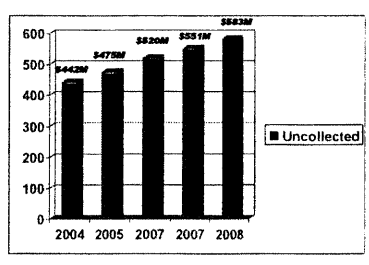
Texas Office of Court Administration
Jim Lehman

Texas Office of Court Administration



- State Agency
- Created in 1977
- Chief Justice - Texas Supreme Court
- Provides Administrative & Technical Support
- Serves Approximately 2,600 Courts in the State
- (512) 463-1625

TEXAS Estimated Uncollected Court Costs, Fees, and Fines \$2.6 Billion



Based on 65% Collections Rate

THE ISSUE

“Lack of compliance in paying court fines and fees denies a jurisdiction revenue and, more important, calls into question the authority and effectiveness of the court and the justice system.”



The Impact of Unpaid Fines

- Loss of Public Revenues
- Decrease In Services
- Increase in Taxes
- Weaker Government




**Six Common Reasons
for Non-Payment**

- Negligent
- Confused
- Temporary financial difficulty
- Seasonal
- Unexpected disaster
- Deliberate




Reactive

- Responsive - action occurs after default
- Recovery - damage control
- Timely follow-up & enforcement
- Reduced effectiveness
- Passive perception
- Pros & cons



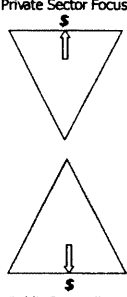
Proactive

- Preventive - definitive action taken to deter default
- Qualification - standards established for acceptance (Personal & Financial Info.)
- Clarification - clear and precise dissemination of responsibility & consequence
- Swift follow-up & enforcement (Re-Active)
- Aggressive Perception
- Pros & Cons



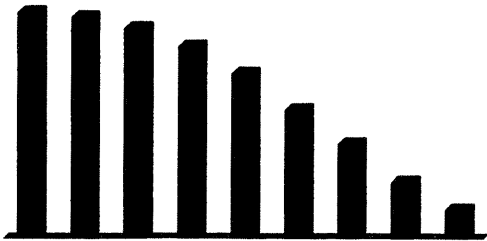
Collections Matrix

Private Sector Focus



Public Sector Focus

“Every Day A Debt Remains
Uncollected the Likelihood It Will
Remain Uncollected Increases.”



79th Legislature

2005 Senate Bill 1863

Collection Improvement Programs (78)

- **Counties 50,000 54**
- **Cities 100,000 24**
- **Half by 04/06**
- **Half by 04/07**

Major Components

- **Requires specific “in-house” management of current cases as outlined by OCA**
- **Requires strict management of delinquent cases which may include outsourcing**
- **Annual program reports**
- **Punitive measures for non-compliance**

By the Numbers

Additional Revenue Collected 2002 -2009
Voluntary & Mandatory Programs

Local - \$312,388,553
State - \$104,215,123
Total - \$416,603,676



“A Pro-Active Private Sector Approach.”

- Proper Prioritization of Fines/Costs.
- Uniform Collection Policy.
- Clear Line of Responsibility.
- Firm Realistic Goals & Targets.
- Immediate Response to Default.
- Severe & Timely Sanctions for Default.
- Realistic Enforcement Options.



The Art of Collections

Collector

One who successfully encourages a debtor that it is in their best interest to pay what they owe.
(Not to be confused with a cashier)

Key Elements

1. Ability
2. Motivation

R U A Collector.pdf



How People Pay

- A Pay On Time. They Act At Once!
- B A little late. They act after a little time passes.
- C Whenever we choose. We never hear from these folks



"By Contact Not Contract"



Principals of Understanding

- A fine is punishment and not a "BILL".
- The payment is the defendant's responsibility.
- It is expected that the defendant must sacrifice to pay.
- The defendant must give payment the highest priority.
- The defendant must expect consequences if payment is not made.
- The defendant needs to understand the consequences.
- The payment is a Court Order, a sentence which may not be convenient.
- A court is not where people prefer to spend money. But, many people come to court with money.



Collections Tool Box

- Statutory Enforcement
- Location
- Validation
- Communication
- Compliance



Scofflaw Law



City Scofflaw

Texas Transportation Code

§ 702.003. REFUSAL TO REGISTER VEHICLE.
(a) A county assessor-collector or the department may refuse to register a motor vehicle if the assessor-collector or the department receives under a contract information from a municipality that the owner of the vehicle has an outstanding warrant from that municipality for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law. A contract under Subsection (b) must be entered into in accordance with Chapter 791, Government Code, and is subject to the ability of the parties to provide or pay for the services required under the contract.

TXDot Contracts

11 Cities – 7 Counties

- City of Austin
- City of Baytown
- City of Diboll
- City of El Paso
- City of Ferris
- City of Houston
- City of Humble
- City of Jersey Village
- City of Lufkin
- City of Socorro
- City of Horizon City
- Dallas County
- El Paso County
- Ector County
- Fort Bend County
- Harris County (Toll)
- Kaufman County
- Llano County

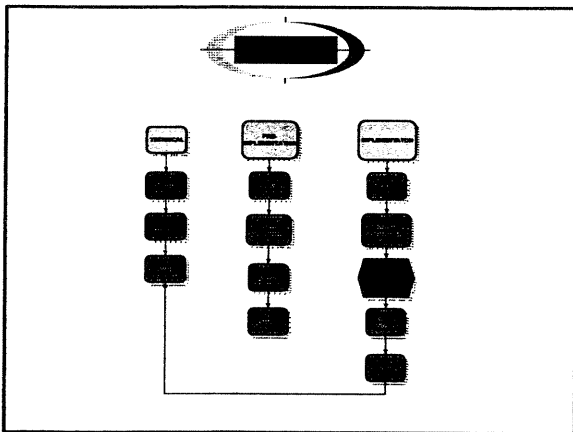


Participation Level

Why is there not more participation in Scofflaw Program?


- ✓ Lack of publication and dissemination
- ✓ Tax office security concerns
- ✓ Loss of local fund concerns
- ✓ Confusion about the process






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OMNIBASE Services of Texas
Failure to Appear Denial of Renewal of Texas Drivers License Failure to Pay

- City/county transmits new offenses to OmniBase
- OmniBase notifies TDPS to flag a violator's driver license record
- OmniBase notifies violator of restriction upon renewal of drivers license
- OmniBase assists violators in resolving open offenses
- Violator contacts city/county and resolves open offenses
- City/county collects fine, court costs, and the statutory administrative fee
- City/county notifies OmniBase Service of disposition of offense
- OmniBase Services notifies TDPS to remove the restriction on drivers license
- City/county keeps any fines collected and portion of the administrative fee



OMNIBASE Services of Texas
Failure to Appear Denial of Renewal of Texas Drivers License Failure to Pay

- Customized software for database entry free of charge to jurisdictions contracting with TDPS for the FTA program
- Automated central database of violators reported by jurisdictions to the program
- Mail letter of notification to violators within 24 hours of TDPS acceptance advising of restriction on drivers license and providing information on contacting the reporting jurisdiction
- 800 number and operator assistance for offenders to contact our Interactive Voice Response System (IVR). System is available on a 24-hour basis to program-affected citizens with a means to call our office at any time to access a personal file on them concerning their violations
- Maintain database on violators for five years after clearance and indefinitely for non-clearances
- Monthly training for jurisdictions using our software



OMNIBASE Services of Texas
Failure to Appear Denial of Renewal of Texas Drivers License Failure to Pay

•CONTACT:

www.omnibase.com

512-346-6511



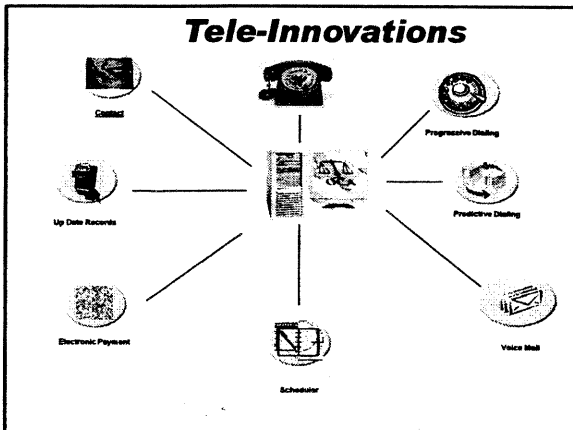
Validation
Internet Services

- **usps.com**
- **whitepages.com**
- **phonevalidator.com**
- **freetranslator.com**

Use the Free Stuff

WWW.PHONEVALIDATOR.COM

- Is it a cell or landline?
- Identifies type of telephone number
- Directory assistance function for landlines
- WhitePages.com results



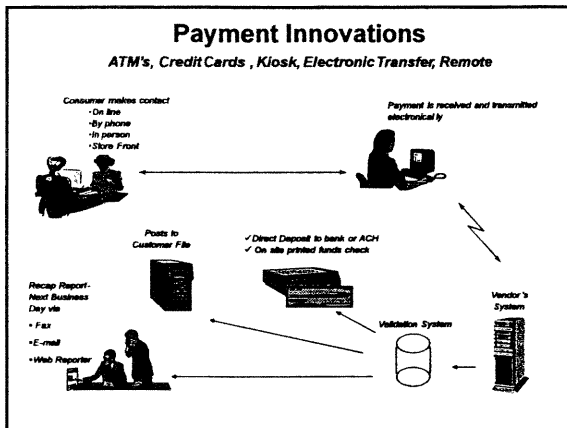
Collection Tools

Post Cards

**TDJC Print Shops
250@ \$15.50**

**Gary Beard-Marlin
254 883-5561**

**Wayne Wilkins-Hondo
830 426-5325**



The Justice Team

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