

Texas Municipal Courts Education Center (TMCEC)



Summary of Texas *CourTools* Measure 7c: Fairness in Legal Financial Obligations

Conducted Online July-August 2017



Project Overview

The Texas Municipal Courts Education Center (TMCEC) was awarded a State Justice Institute (SJI) grant to focus its 2018 Training Plan on improving the perception of fairness for the public who appear in Municipal Courts in Texas. The Task Plan consists of developing a survey of municipal judges and court personnel on what they perceive to be the key issues that need to be addressed to improve the treatment of the public; surveys of the public on access, fairness and legal financial obligations; focus groups with judges and court administrators; and recommendations to address the results of the surveys, focus groups and other findings to inform the training plan.

Report Overview

The National Center for State Courts (NCSC) at the request of TMCEC administered *CourTools* Measure 7c: Fair Practices for Legal Financial Obligations (LFOs). The Texas Municipal Courts were the first in the nation to administer the new Measure 7C on a statewide basis.

As stated in NCSC's *CourTools* publication, the purpose of Measure 7c is [to] "provide a method of self-assessment for court personnel to evaluate the utility of their current processes and gauge the importance of incorporating additional recognized good practices to enhance defendant compliance with LFOs."

An invitation to complete the survey was sent to 768 judges and 834 court administrators, managers and clerks. 106 judges and 121 court administrators, managers, or clerks completed the online survey which had been customized to align with Texas statutes and Court rules (see Appendix B). This report displays the responses to the set of questions adapted from NCSC's *CourTools* Measure 7c: Fair Practices for Legal Financial Obligations, as seen in Appendix A using multiple approaches:

- Overall average response score for practice and importance
- Importance by position
- Practice by position
- Importance by court size
- Practice by court size
- Overall response score, judges
- Overall response score, court administrators/managers/clerks

These different approaches to displaying data allow for comparisons between roles (judges and court administrators/managers/clerks) and court size in each area of the NCSC *CourTools* Measure 7c survey.























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Overall Average Response Score for Practice and Importance

Overall, judges and court administrators both stated that the “importance” and “percent practiced” were of similar rankings in most areas with the exception of areas 5 (identifying information relevant to satisfying judgments on court website and notices) and area 6 (training for judges and court staff). In areas 5 and 6, the rankings under “percent practiced” were both lower than the rankings of importance. It is of importance to note that among position or size of court, area 5 rankings were consistently the lowest rankings reported.

Table 1: Overall Average Response Score for Practiced and Importance
Texas CourTools, Measure 7c: Enforcement of Judgments

Item No. Survey Questions	Percent Practiced	Not Important	Very Important
Area 1: Assessing Ability to Pay			
1 Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	87%		
2 Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	88%		
3 Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	81%		
4 Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	78%		
Area 2: Establishing Payment Plans			
5 Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	97%		
6 Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	95%		
7 Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, etc for mailing money order payments.	93%		
Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments			
8 Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	80%		
9 Court contacts defendants to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	78%		
10 Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued.	91%		
11 Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	80%		
12 Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	91%		
Area 4: Examining Enforcement Policies			
13 Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved.	94%		
14 Court enforces judgments by commitment to jail only after a hearing and written determination as required by law.	87%		
15 Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	93%		
Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices			
16 Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	67%		
17 Court website and formal notices indicate that payment plans may be an option and clearly state that if a person is unable to pay the full amount, the person can arrange for a payment plan.	70%		
18 Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	66%		
19 Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	67%		
Area 6: Training for Judges and Court Staff			
20 Court provides training to all sitting judges on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	85%		
21 Court provides training to appropriate court staff on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	86%		
22 Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	89%		

Importance by Position

The importance of variables within areas 1-6 were ranked similarly for both judges and court administrators, with no variable rankings differing more than ten percentage points.

Table 2: Importance by Position
Texas CourTools, Measure 7c: Enforcement of Judgments

Item No. Survey Questions	Importance by Position		
	Overall n=227	Judge n=106	Administrator/ Manager/Clerk n=121
Area 1: Assessing Ability to Pay			
1 Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	94%	93%	95%
2 Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	94	94	93
3 Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	90	87	92
4 Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	87	83	90
Area 2: Establishing Payment Plans			
5 Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	98	97	98
6 Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	98	98	97
7 Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, etc for mailing money order payments.	95	95	95
Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments			
8 Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	87	85	88
9 Court contacts defendants to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	87	87	86
10 Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued.	94	94	94
11 Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	87	86	88
12 Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	93	94	93
Area 4: Examining Enforcement Policies			
13 Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved.	96	97	95
14 Court enforces judgments by commitment to jail only after a hearing and written determination as required by law.	89	90	88
15 Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	94	95	94
Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices			
16 Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	80	79	80
17 Court website and formal notices indicate that payment plans may be an option and clearly state that if a person is unable to pay the full amount, the person can arrange for a payment plan.	83	81	84
18 Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	82	80	84
19 Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	83	80	85
Area 6: Training for Judges and Court Staff			
20 Court provides training to all sitting judges on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	93	91	94
21 Court provides training to appropriate court staff on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	94	94	94
22 Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	96	96	97

Practice by Position

When compared to importance rankings by position, actual practice by position rankings were lower overall among both judges and court administrators. Variables among areas 1-6 differed by no more than 8 percentage points in any category.

Table 3: Practiced by Position
Texas CourTools, Measure 7c: Enforcement of Judgments

Item No. Survey Questions	Practiced by Position		
	Overall n=227	Judge n=106	Administrator/ Manager/Clerk n=121
Area 1: Assessing Ability to Pay			
1 Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	87%	90%	84%
2 Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	88	92	84
3 Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	81	84	79
4 Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	78	79	78
Area 2: Establishing Payment Plans			
5 Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	97	97	97
6 Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	95	96	94
7 Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, etc for mailing money order payments.	93	91	94
Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments			
8 Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	80	82	77
9 Court contacts defendants to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	78	82	75
10 Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued.	91	93	88
11 Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	80	83	78
12 Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	91	92	90
Area 4: Examining Enforcement Policies			
13 Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved.	94	96	92
14 Court enforces judgments by commitment to jail only after a hearing and written determination as required by law.	87	90	83
15 Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	93	94	92
Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices			
16 Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	67	65	68
17 Court website and formal notices indicate that payment plans may be an option and clearly state that if a person is unable to pay the full amounn, the person can arrange for a payment plan.	70	69	71
18 Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	66	67	65
19 Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	67	65	69
Area 6: Training for Judges and Court Staff			
20 Court provides training to all sitting judges on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	85	86	83
21 Court provides training to appropriate court staff on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	86	87	85
22 Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	89	90	88

Importance by Court Size

When comparing importance by court size, the majority of variables within the different areas showed little difference between small, medium, and large volume courts. Notable differences of greater than 10% were found among variables in areas 3, 4, and 5, in the categories of “court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans,” “court enforces judgments by commitment to jail only after a hearing and written determination as required by law,” and “court website and formal notices indicate that alternative means are available for those unable to pay their judgment,” respectively.

Table 4: Importance by Court Size
Texas CourTools, Measure 7c: Enforcement of Judgments

		Importance by Court Size			
Item No.	Survey Questions	Overall n=227	Small n=143	Medium n=66	Large n=18
Area 1: Assessing Ability to Pay					
1	Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	94%	94%	94%	97%
2	Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	94	93	95	98
3	Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	90	87	94	97
4	Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	87	87	87	84
Area 2: Establishing Payment Plans					
5	Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	98	97	98	98
6	Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	98	98	97	98
7	Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, etc for mailing money order payments.	95	94	98	89
Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments					
8	Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	87	85	89	96
9	Court contacts defendants to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	87	84	89	96
10	Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued.	94	95	92	95
11	Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	87	88	87	86
12	Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	93	93	95	94
Area 4: Examining Enforcement Policies					
13	Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved.	96	96	96	100
14	Court enforces judgments by commitment to jail only after a hearing and written determination as required by law.	89	87	91	99
15	Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	94	95	95	86
Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices					
16	Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	80	77	84	86
17	Court website and formal notices indicate that payment plans may be an option and clearly state that if a person is unable to pay the full amounn, the person can arrange for a payment plan	83	80	86	89
18	Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	82	79	86	91
19	Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	83	80	86	89
Area 6: Training for Judges and Court Staff					
20	Court provides training to all sitting judges on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	93	91	95	97
21	Court provides training to appropriate court staff on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	94	93	95	97
22	Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	96	95	98	100

Practice by Court Size

When comparing practice by court size to importance by court size, the rankings in area 5 were rated far lower for practice than importance across court sizes. Within those court size rankings, practice percentages for variables within area 5 differed by as much as 24% between different court sizes. Additionally, notable differences of greater than 10% were found among variables in areas 3 and 6, in the categories of “court has established a local compliance program with at least one staff person to monitor defendant compliance with judgment and payment plans,” “court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them,” and “court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of the case,” respectively. The latter may be a sign of more ample training opportunities being offered at medium and high-volume courts when compared to smaller courts.

Table 5: Practice by Court Size
Texas CourTools, Measure 7c: Enforcement of Judgments

		Practice by Court Size			
Item No.	Survey Questions	Overall n=227	Small n=143	Medium n=66	Large n=18
Area 1: Assessing Ability to Pay					
1	Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	87%	88%	83%	91%
2	Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	88	88	86	90
3	Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	81	80	83	87
4	Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	78	80	74	76
Area 2: Establishing Payment Plans					
5	Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	97	98	96	96
6	Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	95	97	92	93
7	Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, etc for mailing money order payments.	93	92	95	92
Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments					
8	Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	80	80	75	95
9	Court contacts defendants to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	78	78	74	93
10	Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued.	91	93	86	91
11	Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	80	82	75	87
12	Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	91	91	91	90
Area 4: Examining Enforcement Policies					
13	Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved.	94	94	90	99
14	Court enforces judgments by commitment to jail only after a hearing and written determination as required by law.	87	86	86	95
15	Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	93	94	92	88
Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices					
16	Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	67	65	66	81
17	Court website and formal notices indicate that payment plans may be an option and clearly state that if a person is unable to pay the full amount, the person can arrange for a payment plan.	70	67	71	81
18	Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	66	62	67	86
19	Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	67	64	71	76
Area 6: Training for Judges and Court Staff					
20	Court provides training to all sitting judges on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	85	84	83	89
21	Court provides training to appropriate court staff on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	86	86	85	91
22	Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	89	86	92	97

Overall Response Score, Judges

Overall, judges' percent practiced rankings matched up closely with their rankings of importance, with the exception of variables in area 5, identifying information relevant to satisfying judgments on court website and notices, where percentage practiced rankings consistently ranked lower than that of importance.

Table 6: Overall Average Response Score, Judges
Texas CourTools, Measure 7c: Enforcement of Judgments

No. Survey Questions	Percent Practiced	Not Important	Very Important
Area 1: Assessing Ability to Pay			
1 Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	90%		
2 Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	92%		
3 Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	84%		
4 Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	79%		
Area 2: Establishing Payment Plans			
5 Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	97%		
6 Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	96%		
7 Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, etc for mailing money order payments.	91%		
Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments			
8 Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	82%		
9 Court contacts defendants to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	82%		
10 Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued.	93%		
11 Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	83%		
12 Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	92%		
Area 4: Examining Enforcement Policies			
13 Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved.	96%		
14 Court enforces judgments by commitment to jail only after a hearing and written determination as required by law.	90%		
15 Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	94%		
Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices			
16 Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	65%		
17 Court website and formal notices indicate that payment plans may be an option and clearly state that if a person is unable to pay the full amount, the person can arrange for a payment plan.	69%		
18 Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	67%		
19 Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	65%		
Area 6: Training for Judges and Court Staff			
20 Court provides training to all sitting judges on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	86%		
21 Court provides training to appropriate court staff on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	87%		
22 Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	90%		

Overall Response Score, Court Administrators/Managers/Clerks

Similar to judges' overall response scores, court administrators, managers, and clerk's percent practiced rankings matched up closely with their rankings of importance, with the exception of variables in area 5, identifying information relevant to satisfying judgments on court website and notices, where percentage practiced rankings consistently ranked lower than that of importance. Notably, overall response scores for court administrators, managers, and clerks in areas of importance consistently ranked lower than those of judges.

Table 7: Overall Average Response Score, Administrators/Managers/Clerks
Texas CourTools, Measure 7c: Enforcement of Judgments

Item No. Survey Questions	Percent Practiced	Not Important	Very Important
Area 1: Assessing Ability to Pay			
1 Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	84%		
2 Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	84%		
3 Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	79%		
4 Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	78%		
Area 2: Establishing Payment Plans			
5 Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	97%		
6 Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	94%		
7 Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, etc for mailing money order payments.	94%		
Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments			
8 Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	77%		
9 Court contacts defendants to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	75%		
10 Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued.	88%		
11 Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	78%		
12 Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	90%		
Area 4: Examining Enforcement Policies			
13 Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved.	92%		
14 Court enforces judgments by commitment to jail only after a hearing and written determination as required by law.	83%		
15 Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	92%		
Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices			
16 Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	68%		
17 Court website and formal notices indicate that payment plans may be an option and clearly state that if a person is unable to pay the full amount, the person can arrange for a payment plan.	71%		
18 Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	65%		
19 Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	69%		
Area 6: Training for Judges and Court Staff			
20 Court provides training to all sitting judges on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	83%		
21 Court provides training to appropriate court staff on procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	85%		
22 Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	88%		

Appendix A: NCSC's *CourTools* Measure 7c: Fair Practices for Legal Financial Obligations

CourTools

Trial Court Performance Measures

National Center for State Courts

Fair Practices for Legal Financial Obligations

Measure

7c

Definition: Ratings by judicial officers, court administrators, and court staff on the importance of practices used by the court to determine, monitor, and enforce compliance by defendants with legal financial obligations (LFOs).

Purpose: Using a short survey, this measure provides a method of self-assessment for court personnel to evaluate the utility of their current processes and gauge the importance of incorporating additional recognized good practices to enhance defendant compliance with LFOs.

While everyone should be held accountable for violating the law, the imposition of fees and fines should come with appropriate payment options and an explicit recognition of an individual's ability to pay. When imposing and enforcing LFOs, it is incumbent on court leaders to develop and implement practices that are, to the greatest extent possible, fair to all individuals and are perceived to be so. Approaches to handling LFOs, including assessing ability to pay, differ dramatically from state to state. At a minimum, the U.S. Supreme Court case *Bearden v. Georgia* requires courts, when faced with a defendant who has not paid their LFO, to conduct an inquiry into the defendant's ability to pay and determine whether non-payment was willful prior to incarcerating the defendant. However, some states require or permit consideration of ability to pay at the time of sentencing.

This self-assessment takes ability to pay as a starting point and enquires into the presence and use of practices such as:

- reasonable payment plans
- appropriate community service options
- practical efforts to reduce failure to appear rates
- equitable policies to minimize suspension of a driver's license
- easy-to-find information on court fees and fines
- periodic training for judicial officers and court staff on issues related to ability to pay

Method: The self-assessment is designed to assist court personnel clarify why attention to fair practices involving LFOs is important and to provide a means to examine their own practices related to the handling of LFOs.

Step 1: Discuss Why it Matters

Assessing ability to pay is of interest because methods for how to make that assessment are not well established in many jurisdictions; thus, they are often a matter of wide judicial discretion. In the absence of clear guidance on how to determine ability to pay, the potential exists for the imposition of LFOs to result in racial and gender disparities and undue hardship on those unable to pay. To address this concern, some states have developed materials such as automated calculators, as well as checklists, forms, and bench cards for judges to guide them in determining ability to pay. These materials include guidance for calculating income, identifying the full range of an individual's financial obligations, developing and enforcing reasonable payment plans, and using collection and compliance improvement strategies.



CourTools

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www.courttools.org

In addition to the direct financial impact that high fees and fines can have on those unable to pay, failure to pay LFOs can also carry significant collateral consequences. Penalties include driver's license suspension that can seriously impede a defendant's ability to work, issuance of arrest warrants, and extended time on supervision/probation merely to collect the debt. Relatedly, the use of for-profit collection agencies with associated monthly fees may further aggravate the financial burden on individuals struggling to pay. The court should be cognizant that penalties and collection strategies used as incentives for defendants to satisfy LFOs can, in some instances, introduce the possibility of unnecessarily harsh treatment of those unable to pay.

Recognized effective practices emerging in some states include giving the judge a list of sentencing alternatives in addition to fines. In some instances, a judge can incorporate alternative methods of satisfying the LFO into the order, for example, by having an offender work off the fine by performing community service. Bench guides or checklists can make judges aware of sentencing alternatives by, in effect, giving them a menu of options. Likewise, some courts seek to ensure that suspension of a driver's license is used only as a last resort when all other options have failed to secure compliance. Another recommended practice is for courts to carefully monitor the way the fees and fines are collected, particularly by for-profit collection or probation businesses, to minimize the risk of abuse.

Step 2: Assess Current Practice

The self-assessment is organized around six core areas:

Core Areas	Example of Action, Policy, or Behavior
1. Assessing Ability to Pay	Compliance with the <i>Bearden</i> decision
2. Establishing Payment Plans	Explicit recognition of defendant ability to pay
3. Providing Compliance Assistance and Payment Alternatives to Satisfy LFOs	Appropriate use of community service options, completion of a GED program, or other orders
4. Examining Enforcement Policies and Identifying Uncollectible Debt	Reasonable policies to minimize the use of incarceration to enforce LFOs
5. Identifying Information Relevant to LFOs on Court Website	Clear statement on the availability of payment plans to satisfy LFOs
6. Training for Judicial Officers and Staff	Periodic training on the issues and procedures regarding assessing defendant ability to pay

The six core areas are further broken down into 26 specific actions and behaviors that are either currently in use or being launched in jurisdictions around the country. Gathering information from these different perspectives helps ensure a court considers a range of issues in formulating how best to handle the imposition and enforcement of LFOs.

Additional perspective can be gained by asking prosecuting attorneys, indigent defense attorneys, probation offices, clerk staff, and collections office staff to complete the survey. Judicial officers and court staff may benefit from learning how other key actors in the criminal justice system view court practices related to LFOs.



Step 3: Administer the Survey

Each of the 26 items is presented as a statement that can be assessed on a 5-point scale from “Not Important” to “Extremely Important.” Judicial officers, court administrators, and court staff are asked to read each item and rate its importance as part of a court’s overall strategy to support fair and effective compliance with LFOs. Next, each respondent is asked to evaluate the extent to which each statement reflects current practice in their court using a 5-point scale from “Never True” to “Always True.” The survey can be made available in both paper and electronic versions.

Step 4: Analysis

The survey provides two scores for each of the 26 items: the first score provides a general appraisal of the perceived importance of recommended good practices related to the handling of LFOs, while the second score provides a specific assessment of the degree to which each statement is reflected in current court practice.

Overall views about the handling of LFOs are determined by compiling the responses and calculating average scores for both scales by item and area. Enter the responses into a spreadsheet or database to analyze the results. The figure shows a sample summary spreadsheet for the five survey items in *Area 4: Examining Enforcement Policies and Identifying Uncollectible Debt*. Note that 100 people completed the survey, but that the valid number of responses for each question is not necessarily 100. If people did not answer the question or answered Don’t Know, their response is not included in calculating the average score.

Computing Average Importance and Current Practice Scores

Importance Current Practice

Respondent Number	4a) Low risk of abuse		4b) Minimize incarceration		4c) Suspend driver's license as last resort		4d) Prioritize restitution		4e) Debt write-off	
1	4	2	5	3	4	1	4	2	4	2
2	3	1	3	3	4	2	5	2	3	DK
3	3	1	4	2	5	2	5	1	3	2
4	5	2	3	3	3	1	3	2	4	2
5	4	2	4	2	3	2	4	DK	5	DK
⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮
⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮
⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮	⋮
100	3	1	4	2	5	DK	4	1	4	DK
Total Respondents	100	100	100	100	100	100	100	100	100	100
Valid Responses	100	90	100	100	100	97	100	99	100	78
Average	4.2	1.6	4.4	2.3	3.8	1.2	4.5	1.9	2.7	2.4

Note: See CourtTools Measure 7a for a detailed discussion of computing and analyzing survey results.

Fair Practices for Legal Financial Obligations

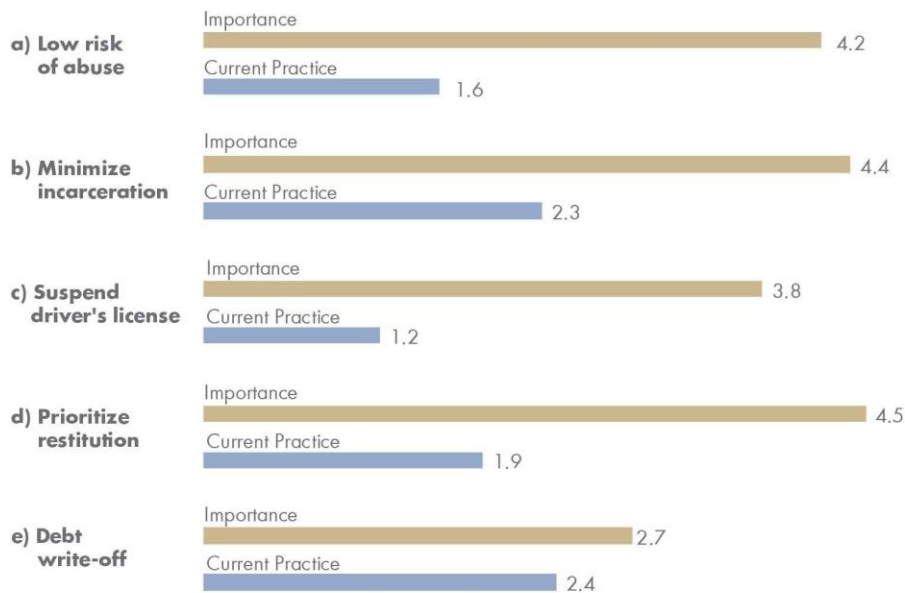
Measure

7C

Step 5: Interpret and Present the Results

After completing the assessment, the court will have a clearer view of how judicial officers and staff think the court is performing across the six areas. For example, the figure below shows that court personnel believe the court's practice of suspending driver's licenses is still too common even though they believe this should be a sanction of last resort. Discussion is needed among judges to review this practice. In addition, it seems judges and court staff do not know what the court's write-off practices are given the relatively low number of valid responses to this item shown in the previous table, which is due to a large number of Don't Know responses. The court should ensure that its policies are known to judges and staff.

Average Scores in Area 4



The insights from the assessment provide a foundation for conversations and decision-making about actions to help enhance compliance with LFOs in a fair and effective manner. Results will help judicial officers and court managers:

- Describe what specific practices they see as important in the handling of LFOs
- Initiate conversations on the extent to which practices deemed important align with actual current practices
- Identify current practices and processes deemed effective so they can be sustained
- Identify practices and processes that should be implemented and/or strengthened
- Prioritize and plan the way forward

Legal Financial Obligations: Court Practices Survey

The purpose of the survey is to assess the importance of each practice to your court. Read each statement and, from your perspective, please:

Importance

Rate its importance as part of a strategy to support fair and effective compliance with LFOs for courts in general:

- 1 = Not Important
- 2 = Slightly Important
- 3 = Moderately Important
- 4 = Important
- 5 = Very Important
- DK = Don't Know

Current Practice In My Court

Rate the extent to which each statement reflects current practice in your court:

- 1 = Never True
- 2 = Slightly True
- 3 = True about Half the Time
- 4 = Mostly True
- 5 = Always True
- DK = Don't Know

Enter ratings from 1 to 5, DK

Area 1: Assessing Ability to Pay

- a) Court provides clear guidelines to judicial officers on how to assess ability to pay for each individual defendant when initially setting Legal Financial Obligations (LFOs).
- b) Court provides clear guidelines to judicial officers on how to assess ability to pay before imposing incarceration for a defendant's failure to pay.
- c) Court uses tools (e.g., payment calculators that reference federal poverty guidelines or state standards) to accurately and consistently assess ability to pay.
- d) Court uses formal notice procedures to inform defendants of their right to contest the LFO because they are unable to pay.

Importance

Current Practice
In My Court

Area 2: Establishing Payment Plans

- a) Court provides options for people with a proven inability to immediately pay the full amount of a LFO to set up a reasonable installment payment plan.
- b) Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.
- c) Court provides defendants with alternative methods to pay their LFOs, such as credit card, debit card, personal check, PayPal, and/or prepaid business reply envelopes for mailing money order payments.

Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy LFOs

- a) Court has established a local compliance program with at least one staff person to monitor defendant compliance with court LFOs and payment plans.
- b) Court contacts defendants (e.g., phone call, text message) to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.
- c) Court encourages compliance and voluntary appearance in court by notifying defendants who fail to appear that a warrant will be issued unless the defendant comes to court within a given time frame (e.g., five days).
- d) Court uses formal notice procedures to inform defendants of non-monetary compliance options that may be available to them.
- e) Court provides community service and other options, such as completing a GED program, obtaining a driver's license, participating in counseling, and other alternative orders to satisfy all or part of the LFO for defendants with a demonstrated inability to pay.
- f) Court agrees to community service and other options, such as completing a GED program, obtaining a driver's license, or participating in counseling to satisfy LFOs only with the agreement of the defendant.



Enter ratings from 1 to 5, DK

Area 4: Examining Enforcement Policies and Identifying Uncollectible Debt

- a) Court accepts responsibility to ensure the enforcement of LFOs is lawful with low risk of abuse regardless of what entity manages collections (e.g., court, private contractor, collection office).
- b) Court strives to minimize enforcement of LFOs by incarceration to instances when the defendant has proven ability to pay and has not made a good-faith effort to do so.
- c) Court strives to make suspension of a driver's license a sanction of last resort imposed only after other enforcement options have been considered.
- d) Court prioritizes payment of restitution and is able to monitor whether at least the minimum ordered restitution payment has been made even if payment in full is not made.
- e) Court periodically determines which LFOs are uncollectible debts and whether those debts should be written-off if reasonable collection efforts have not been effective.

Area 5: Identifying Information Relevant to LFOs on Court Website and Notices

- a) Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.
- b) Court website and formal notices indicate that payment plans are an option and clearly state that if a person intends to plead guilty but is unable to pay the full amount of the LFO at the time of the hearing, the person can arrange for a payment plan.
- c) Court website and formal notices indicate that non-monetary options are available for those unable to pay their LFO.
- d) Court website and formal notices explain how to reschedule a hearing for those defendants who cannot appear on the scheduled dates.

Area 6: Training for Judicial Officers and Staff

- a) Court provides training to newly elected and appointed judicial officers on the issues and procedures regarding ability to pay, including a discussion of the variety of alternatives and tools that are available to satisfy LFOs.
- b) Court provides periodic instruction to all sitting judicial officers on the issues and procedures regarding ability to pay, including a discussion of the variety of alternatives and tools that are available to satisfy LFOs.
- c) Court provides periodic training to appropriate court staff on the issues and procedures regarding ability to pay, including a discussion of the variety of alternatives and tools that are available to satisfy LFOs.
- d) Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a LFO.

(Check the appropriate box. Your answers are confidential.)

Position

- ☐ Judge or judicial officer
- ☐ Administrator/Manager
- ☐ Lead/Supervisor
- ☐ Staff
- ☐ Prosecuting attorney
- ☐ Indigent defense attorney
- ☐ Law clerk/staff attorney
- ☐ Probation officer
- ☐ Clerk of court
- ☐ Collections staff
- ☐ Other: _____

How long have you worked in the position in which you are currently employed?

- ☐ Less than 5 years
- ☐ 5 to 10 years
- ☐ 10 to 20 years
- ☐ More than 20 years

What is your main location? (Check only one)

- ☐ Main Courthouse
- ☐ West County Courthouse
- ☐ East County Courthouse

Division

- ☐ Civil
- ☐ Criminal
- ☐ Traffic

The survey is available in both paper and electronic versions. The web-based version of the survey can be found at [URL of Web site used for survey].



Appendix B: NCSC's *CourTools* Measure 7c: Fair Practices for Legal Financial Obligations Modified for Texas Municipal Courts

CourTools Measure 7c

Enforcement of Judgments: Court Practices Survey

The purpose of the survey is to assess the importance of each practice to your court. Read each statement and, from your perspective, please:

- Rate its importance as part of a strategy to support fair and effective enforcement of judgments for courts in general:

(1) Not Important, (2) Slightly Important, (3) Moderately Important, (4) Important, (5) Very Important, or (0) Don't Know

- Rate the extent to which each statement reflects current practice in your court:

(1) Never True, (2) Slightly True, (3) True about Half the Time, (4) Mostly True, (5) Always True, or (0) Don't Know

Area 1: Assessing Ability to Pay

	Importance:						Current Practice in my Court:					
	Not (1)	2	3	4	Very (5)	Don't Know	Never True (1)	2	3	4	Always True (5)	Don't Know
Court has clear guidelines on how and when to assess ability to pay for each individual defendant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court provides clear guidelines to judges on how to assess ability to pay before committing a defendant to jail for failure to satisfy the judgment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court uses tools (e.g., living wage calculator, federal poverty guidelines, or application forms) to accurately and consistently assess ability to pay.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court uses formal notice procedures to inform defendants of their ability to request that the judge consider the full range of punishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Area 2: Establishing Payment Plans

	Importance:						Current Practice in my Court:					
	Not (1)	2	3	4	Very (5)	Don't Know	Never True (1)	2	3	4	Always True (5)	Don't Know
Court provides options for people with a proven inability to immediately pay the full amount of the judgment to set up a reasonable installment payment plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court sets payment plan amounts that the defendant can reasonably be expected to make, considering the amount owed and the defendant's ability to pay.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court provides defendants with alternative methods to pay the amount of the judgment, such as credit card, debit card, personal check, PayPal, and/or prepaid business reply envelopes for mailing money order payments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Area 3: Providing Compliance Assistance and Payment Alternative to Satisfy Judgments

	Importance:						Current Practice in my Court:					
	Not (1)	2	3	4	Very (5)	Don't Know	Never True (1)	2	3	4	Always True (5)	Don't Know
Court has established a local compliance program with at least one staff person to monitor defendant compliance with judgments and payment plans.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court contacts defendants (e.g., phone call, text message) to remind them in advance of upcoming court dates and/or missed payments in the effort to promote compliance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court encourages compliance and/or appearance in court by notifying defendants who fail to appear that a warrant may be issued unless the defendant comes to court within a given time frame.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court uses formal notice procedures to inform defendants of alternative means to satisfy their judgment that may be available to them.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court orders community service to satisfy all or part of the judgment for defendants with a demonstrated inability to pay.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Area 4: Examining Enforcement Policies

	Importance:						Current Practice in my Court:					
	Not (1)	2	3	4	Very (5)	Don't Know	Never True (1)	2	3	4	Always True (5)	Don't Know
Court safeguards the rights of defendants by ensuring the enforcement of judgments is lawful regardless of what entity is involved (e.g., court, private contractor, law enforcement).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court enforces judgments by commitment to jail only after a hearing and written determination as required by law. (Skip response if inapplicable.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court considers waiver of fines and costs for children and indigent defendants for which alternative means would be an undue hardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Area 5: Identifying Information Relevant to Satisfying Judgments on Court Website and Notices

	Importance:						Current Practice in my Court:					
	Not (1)	2	3	4	Very (5)	Don't Know	Never True (1)	2	3	4	Always True (5)	Don't Know
Court has compiled fine and fee information on its website and in its formal notices to facilitate transparency and ease of comprehension.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court website and formal notices indicate that payment plans may be an option and clearly state that if a person intends to plead guilty or is found guilty but is unable to pay the full amount of the judgment at the time the judgment is entered, the person can arrange for a payment plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court website and formal notices indicate that alternative means are available for those unable to pay their judgment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court website and formal notices explain how to reschedule a court date for those defendants who cannot appear on the scheduled dates.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Area 6: Training for Judges and Court Staff

	Importance:						Current Practice in my Court:					
	Not (1)	2	3	4	Very (5)	Don't Know	Never True (1)	2	3	4	Always True (5)	Don't Know
Court provides periodic training and/or discussion to all sitting judges on issues and procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court provides periodic training and/or discussion to appropriate court staff on issues and procedures regarding ability to pay, including the variety of alternatives and tools that are available to satisfy judgments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court trains staff to verify and update defendant contact information at every opportunity so that accurate contact information is maintained over the life of a case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please select the appropriate responses for the following questions. Your answers are confidential.

Position:

- ☐ Judge
☐ Administrator/Manager/Clerk

How long have you worked in the position in which you are currently employed?

- ☐ Less than 2 years
☐ 2 to 10 years
☐ More than 10 years

Size of municipal court by city population:

- ☐ Small: Under 9,999 population
☐ Medium: Between 10,000-99,999 population
☐ Large: Over 100,000 population