

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

OFFICE OF COURT COMPLIANCE

Paying Court Costs, Fees, Fines and Restitution



Defendants are ordered to pay court costs, fees, fines, and restitution upon sentencing or acceptance into a diversionary program. These court-imposed financial obligations must ordinarily be paid in full or as provided by the sentencing judge who may permit the defendant to pay the amount owed on an installment basis. Payment terms may be modified from time to time due to a change in a defendant's financial circumstances. The collection of court-imposed financial obligations can be referred to private collection agencies and collection attorneys pursuant to 42 Pa.C.S. § 9730.1. Upon referral, a collection fee of 25% will be charged to, and paid by, the defendant. The private collection agencies and collection attorneys will receive 25% of the amount collected as a collection fee.

This hand-out provides important information concerning the First Judicial District's Collection Process.

I Cannot Afford to Pay My Current Monthly Payment Plan.

Can I Ask the Court to Reduce My Monthly Payment Plan Amount? How?

Yes. You can ask that the Payment Plan be adjusted based on your current income by completing a *Request for Miscellaneous Relief* form and sending it by email, fax or regular mail to the *Office of Court Compliance*. See address on *Back Page*. A Conference or an appointment will be scheduled before a *Compliance Officer* and you will be asked to bring a completed *Financial Information Form* and other financial documents which prove what you earn.

If your governmental benefits have been terminated or are at risk of termination, you can come to Courtroom 1104 at the Criminal Justice Center, 1301 Filbert Street, Philadelphia, PA any day after 3:00 PM. We may be able to adjust your Payment Plan if you complete a *Request for Miscellaneous Relief* form and bring with you proof of income (including the DPW "Award Letter" or "Notice of Adverse Action") and other financial information. If you do not bring sufficient information to prove how much you earn, a Payment Plan Conference may need to be scheduled.

I Believe I Am Entitled to Credit for Payments I have Made - or the Court Has Made a Mistake in Calculating What I Owe.

Can I Bring these Issues to the Court's Attention ?

Yes, you can do so by completing a *Request for Miscellaneous Relief* form. Be very specific about what you want the Court to review, and attach any documentation you have.

Upon review of the *Request for Miscellaneous Relief*, the *Office of Court Compliance* will let you know whether changes can be made, or whether you need to appear for a conference or send additional information.

If a conference or an appointment is scheduled before a *Compliance Officer* you will be provided with the opportunity to present information in support of the issue you raise. Please remember, however, that all assessments result from the judge's sentence, and you must establish that an implementation error was made.

Finally, you may be referred to the Accounting Unit, to the Clerk of Courts, or to another court department for additional information or help.

What Should I Do BEFORE the Conference?

Find Out What You Owe. You can find out what you currently owe, online, by accessing the *Debt Collection Search* database at <http://www.courts.phila.gov/collections>. You will be able to access your Payment Plan information and Criminal Dockets which contain detailed financial information about what you owe as well as payments and payment adjustments made to your cases.

The amount you owe for *Bail Judgments* is no longer included with your assessment for court costs, fees, fines, and restitution and is also not included in the Payment Plans entered for the payment of court costs, fees, fines and restitution. Separate payment arrangements must be made for the payment of Bail Judgments. The collection of Bail Judgments can be referred to Collection Attorneys, and collection costs can be assessed.

For more information, and to access the *Legacy Bail Judgment Index*, go to: <http://www.courts.phila.gov/mtvr>.

Review the Clerk of Courts' File. To view the "official" court file, go to the Clerk of Courts' office, in Room 310, Criminal Justice Center, 1301 Filbert Street, Philadelphia, PA. You may obtain a copy of any document you may need to support any claim or "dispute" you may have regarding the amount you owe.

Meet With the Court's Accounting Unit Staff. If you have questions about what you have paid or what you owe, you can meet with the *Pretrial Services Division's Accounting Unit* at 1401 Arch Street, First Floor, Philadelphia, PA 19107. The *Accounting Unit* staff can review with you the *Participant Accounting Report* (Report # 1248) which provides detailed information concerning what you owe, what you have paid and how the payments have been applied.

What Should I Bring to the Conference?

- Bring a completed *Financial Information Form* and proof of your income (tax return, pay stubs, W-2 etc.), and expenses
- Bring the "Award Letter" or "Notice of Adverse Action" from the Department of Public Welfare or other governmental benefits letter
- Please bring money with you to make an initial payment on the new Payment Plan to establish compliance with the new or re-set Payment Plan

If you do not bring the required documents, the Payment Plan Conference may need to be rescheduled.



ACH PAYMENT
The Court encourages the voluntary payment of outstanding fees, fines, costs and restitution through automatic bank payments. See "ACH Payment Authorization" at <http://www.courts.phila.gov/forms>

Referral to Private Collection Agencies and Collection Attorneys

The Court may refer the collection of fees, fines, court costs and restitution to private collection agencies and collection attorneys. Upon referral, all payments must be made to the collection agency or collection attorney, and, as authorized by law, the collection agency or collection attorney will retain 25% of every payment you make and forward the balance to the Court for the payment of your fees, fines, costs and restitution.

What Should I Do At the Conference?

- Give the *Financial Information Form* you have completed to the *Compliance Officer*. If you are unemployed, explain when and where you last worked, and any income you earn from side jobs.
- Tell the *Compliance Officer* how much you believe you can afford to pay each month.
- If more than one payment plan has been established for your cases for outstanding fees, fines, court costs and restitution, the *Compliance Officer* will, if possible, combine them into one payment plan. A separate Payment Plan will be established for your bail judgments.
- If your sole source of income is public assistance (such as TANF, SSI, Food Stamps, Medical Assistance etc.), a minimal order may be entered and you **must** pay that amount on a **monthly** basis to continue to be eligible to receive public assistance.

What Happens After the Conference if I do not Comply with the Payment Plan?

The main purpose of the Payment Plan Conference is to establish an installment payment plan, based on your income, that you can afford to pay and you agree to pay.

Should you state that you will not pay, or should you fail to make the payments pursuant to the Payment Plan, your case can be referred to a Collection Agency or Collection Attorney. Upon referral, you will be responsible for the payment of a 25% collection fee.

Once your account is referred for collection, further collection contact will be from the collection agency or collection attorney. The collection agency or collection attorney will retain 25% of every payment you make and forward the balance to the Court for the payment of your outstanding court costs, fees, fines, and restitution.

Office of Court Compliance

Room 370 City Hall,
Philadelphia, PA 19107

Email: OCC@courts.phila.gov

Phone: 215-683-7999

Fax: 215-683-7778

Can I Dispute My Bail Judgments at the Payment Plan Conference?

You cannot challenge bail judgments at the Payment Plan Conference. However, you may be able to have your bail judgment vacated or reduced by filing a *Motion to Vacate or Reduce Bail Judgment* as follows:

- Access the *Legacy Bail Judgment Index* at <http://courts.phila.gov/mtvr> to find bail judgments entered against you before September 2006. A *Motion to Vacate or Reduce Bail Judgment* can be automatically generated from the above link. The *Motion* form is also available from the office of the *Clerk of Courts*, in Room 310, Criminal Justice Center, 1301 Filbert Street.
- File with the *Clerk of Courts*, in Room 310, Criminal Justice Center, 1301 Filbert Street, Philadelphia, PA 19107 a separate *Motion to Vacate or Reduce Bail Judgment* for each bail judgment that was entered against you. **No filing fee will be charged.**
- If you need help in completing the *Motion* form, please see the *Clerk of Courts'* staff in Room 310, Criminal Justice Center.
- Your bail judgment can be **vacated** if you had a good reason for missing court, such as being in custody (you need proof from the prison) or being an in-patient at a hospital (you need proof from the hospital) on the date you failed to appear.
- You can also have your bail judgment **reduced** if you returned to the jurisdiction of the court **within 6 months** of your missed court date or if you have a good reason for failing to appear for your court date.
- Bail Judgments are payable in full, but you may be permitted to make monthly payments by filing a *Request for Miscellaneous Relief* form (see above).
- Bail judgment payments cannot be made through *ePay* but can be made by mail (First Judicial District Accounting Department, P.O. Box 37711, Philadelphia, Pa 19101-5011) or in person at the CJC (Basement), or at 1401 Arch Street (Accounting Unit).