



FARE COURT PROCEDURES

CHAPTER:	3.00 - Interim Backlog Procedures
SECTION:	3.04 - Operations

SUBJECT: Adjustments to Amounts Due		
PROCEDURE #:	3.04-C	EFFECTIVE DATE: 12/15/03
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Once the balance due for a case/party has been submitted to FARE for collection activities, the balance may change when certain types of activities other than a payment occur in the case that will cause a change in the balance due. A list of the types of activities is given below with the impact on the FARE fees that have been assessed on the case. The list may not be all-inclusive as unique situations do occur; however, the list will give the most common reasons for balance changes.

Adjustments to amounts due:

❖ Balance increases may result from:

- A payment has been dishonored (NSF check, credit card chargeback)

The payment must be reversed and any assessments paid by the payment (fines, surcharges, court or FARE fees etc.) must be reinstated. If an NSF fee is assessed for either an NSF check or credit card chargeback, the 19% Special Collections fee on the outstanding balance should be recalculated after addition of the NSF fee.

❖ Balance decreases, other than for payments made, may result from one of the following:

- Waiver of sentence or fees

If all monetary penalties resulting from a sentence are waived (fines, surcharges etc.) and there is no monetary amount left to be paid, then fees such as the JCEF Time Payment Fee, the FARE Delinquency Fee and the FARE Special Collections Fee should also be waived.

- Suspension of sentence or fees

If all monetary penalties resulting from a sentence are suspended (fines, surcharges etc.) and there is no monetary amount left to be paid, then fees such as the JCEF Time Payment Fee, the FARE Delinquency Fee and the FARE Special Collections Fee should also be waived.



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If only a portion of the monetary penalties resulting from a sentence are suspended (fines, surcharges etc.) and there is still a monetary amount left to be paid, then fees such as the JCEF Time Payment Fee, the FARE Delinquency Fee must be paid and the FARE Special Collections Fee of 19% of the outstanding balance due should be recalculated following the suspension.

➤ Community Service or Time Served in lieu of payment

If community service is worked, or time served is accepted, in lieu of all monetary penalties resulting from a sentence (fines, surcharges etc.) the defendant must still pay the JCEF Time Payment Fee, the FARE Delinquency Fee and the FARE Special Collections Fee on those amounts.

If community service is worked, or time served is accepted, in lieu of payment for a part of the monetary penalties resulting from a sentence (fines, surcharges etc.) and there is still a monetary amount left to be paid, then the defendant must still pay the JCEF Time Payment Fee, the FARE Delinquency and the FARE Special Collections Fee of 19% should be recalculated on the outstanding balance due following the application of community service or time served to the balance due.

❖ Changes in FARE status. These changes may include:

➤ Recalling a case from collections

A case/party may recall a case from collections one time during Interim Backlog. When a case is recalled, the court should remove the payment obligation for the 19% Special Collections fee and the \$35 FARE Delinquency Fee.

If FARE is doing TIP for the court and the court had a TIP claim for the case/party, the person's total claim amount for the court will be reduced by the total case amount on the recalled case. This may reduce the entire claim to zero if the case obligation was the only case obligation for the party.



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RELATED PROCEDURES:

- Additional sections of 3.00 Interim Backlog Procedures

ADDITIONAL REFERENCES:

- Administrative Order 2003-79
<http://www.supreme.state.az.us/orders/admorder/Orders03/2003-79.pdf>