



FARE COURT PROCEDURES

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

SUBJECT: Payment Application and Allocation		
PROCEDURE #:	3.04-G	EFFECTIVE DATE: 12/15/03
		PAGE #: 1 of 4

Cases that have been sent to FARE for Interim Backlog collection actions include the \$35 FARE Delinquency Fee and the 19% FARE Special Collections Fee. The following paragraphs describe the application and allocation of monies from payments received after a case has been sent to FARE.

FULL PAYMENT

When full payment is made for a defendant's obligations on a FARE case, the total amount of the funds received **must** be applied to the case for which payment has been made and not to any other case on which the defendant owes financial obligations. Failure to do so will cause subsequent financial reconciliation errors and may incorrectly impact a person's TTEAP status.

Example: A defendant owes financial obligations on three cases in a court

Case 1	\$300	- Case at FARE (TTEAP registration hold)
Case 2	\$200	- Case at FARE (not TTEAP case)
Case 3	\$100	- Case has not been sent to FARE

Defendant pays \$300 on Case 1 on the Web and as a result of the payment the TTEAP registration hold is removed. When the court receives the detailed EFT reconciliation report showing the \$300 payment for Case 1, the court **must** apply the \$300 to Case 1 and not use the money to pay the financial obligations on Case 2 and Case 3. FARE will be expecting the \$300 payment to update the balance for Case 1 and balancing errors will result if no balance update for \$300 is received for Case 1. The TTEAP hold could also be reinstated incorrectly if a \$300 balance continues to appear.

The court should be careful to quash warrants appropriately when payment is made.

The courts should ensure that allocation of monies for full payment includes the FARE \$35 Delinquency Fee and the 19% Special Collections Fee.



FARE COURT PROCEDURES

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

SUBJECT: Payment Application and Allocation		
PROCEDURE #:	3.04-G	EFFECTIVE DATE: 12/15/03
		PAGE #: 2 of 4

PARTIAL PAYMENT

When a partial payment is made for a defendant's obligations on a FARE case, the total amount of the funds received **must** be applied to the case for which payment has been made and not to any other case on which the defendant owes financial obligations. As with the application of full payments, failure to do so will cause subsequent financial reconciliation errors and may incorrectly impact a person's TTEAP status.

On each partial payment, 15.97% of the total amount of the partial payment must be allocated to pay FARE Special Collection Fees **before** any other portion of the payment is allocated. The initial assessment of the Special Collections Fee is 19% of the balance due; however, when a partial payment is made, allocating 15.97% of the total amount of the partial payment results in paying 19% of the amount of the partial payment *which is being applied to court obligations*.

Example: A person owes a total of \$300 in court obligations, including the \$35 Delinquency Fee. The 19% Special Collections Fee for \$300 is \$57, so the total amount of the financial obligation is \$357. The person pays in four payments as follows:

Payment	Court Amount	Special Collections Amount	Total
1	\$ 84.03	\$ 15.97	\$ 100.00
2	84.03	15.97	100.00
3	84.03	15.97	100.00
4	47.91	9.09	57.00
Total	\$ 300.00	\$ 57.00	\$ 357.00

In the above example, \$84.03 of the first three payments would be allocated to pay court obligations in accordance with the priority requirements of current statutes and Administrative Orders (i.e., Restitution, JCEF Time Payment Fee, FARE Delinquency Fee, etc.).



FARE COURT PROCEDURES

CHAPTER:	3.00 - Interim Backlog Procedures
----------	-----------------------------------

SECTION:	3.04 - Operations
----------	-------------------

SUBJECT:	Payment Application and Allocation
----------	------------------------------------

PROCEDURE #:	3.04-G
--------------	--------

EFFECTIVE DATE:	12/15/03
-----------------	----------

PAGE #:	3 of 4
---------	--------

TAX OR LOTTERY INTERCEPTION

When the court receives a tax or lottery interception payment for a person, the interception may pay all or part of the balance due on multiple cases. The court must first determine which case(s) will receive the interception monies.

If interception monies will be applied to a case in FARE and the interception pays the entire case balance except for the Special Collections Fee, the court should remove the entire Special Collections Fee and then receipt the interception monies, indicating that the payment was the result of an interception so that the update amount reported to ACS will clearly show that no Special Collection Fees were owed on the payment. The courts should ensure that allocation of monies for full payment includes the FARE \$35 Delinquency Fee.

If interception monies will be applied to a case in FARE but the interception will pay only a portion of the entire case balance except for the Special Collections Fee, the court should remove the entire Special Collections Fee, receipt the interception monies, indicating that the payment was the result of an interception so that the update amount reported to ACS will clearly show that no Special Collection Fees were owed on the payment, and then recalculate the 19% Special Collections Fee on the remaining balance. The interception monies that were receipted as a partial payment should allocate to pay court obligations in accordance with the priority requirements of current statutes and Administrative Orders (i.e., Restitution, JCEF Time Payment Fee, FARE Delinquency Fee, etc.)

BOND PAYMENT AND BOND FORFEITURE

If a bond is posted at a law enforcement agency and the conditions of the warrant do not require a personal appearance of the defendant in court, the court should do the following on receipt of the bond:

- ❖ Receipt the monies received for the defendant as bond money
- ❖ Remove the \$35 FARE Delinquency Fee and the 19% FARE Special Collections Fee from the case or cases to which the bond will be applied
- ❖ Forfeit the bond to pay the remaining financial obligations on the case(s) covered by the bond indicating that the payment was the result of a bond so that the update amount reported to ACS will clearly show that no Special Collection Fees were owed on the payment.



FARE COURT PROCEDURES

CHAPTER: 3.00 - Interim Backlog Procedures
--

SECTION: 3.04 - Operations

SUBJECT: Payment Application and Allocation

PROCEDURE #: 3.04-G

EFFECTIVE DATE: 12/15/03

PAGE #: 4 of 4

When ACS receives new case balance(s) of \$0.00, they will cease all collection actions on this case or cases.

If a bond was posted at a law enforcement agency and a court appearance is required, the bond should be receipted and held as a bond pending appearance. The defendant will continue to owe the \$35 FARE Delinquency Fee and the 19% FARE Special Collections Fee.

If a bond is posted at the court, both the \$35 FARE Delinquency Fee and the 19% FARE Special Collections Fee must also be paid.

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>
- ARS §§ 12-116.03 Collection Agencies
<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/12/00116-03.htm&Title=12&DocType=ARS>