

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 requesting the *Office of Court Compliance* to schedule a Payment Plan Conference. See address on Back Page.

A Conference or an appointment will be scheduled before *Office of Court Compliance* staff 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 Room 378 City Hall. Bring with you the correspondence you have received and proof of income (including the DPW "Award Letter" or "Notice of Adverse Action") and other financial information. We will ask you to complete a **Financial Information Form** and we may be able to adjust or defer your Payment Plan. If you do not bring sufficient financial information, the Payment Plan Conference may need to be rescheduled.

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

Yes, you can do so by requesting the *Office of Court Compliance* to schedule a Payment Plan Conference.

You will be provided with the opportunity to give information which supports your position that a mistake has been made in calculating the amount you owe.

Please remember, however, that all assessments result from the judge's sentence, and you must establish that an error was made.

Finally, you may be referred to the Office of Judicial Records 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.

Review the official File in the Office of Judicial Records. To view the "official" court file, go to the *Office of Judicial Records*, in Room 310, Justice Juanita Kidd Stout Center for Criminal Justice, 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.

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

The Court may refer the collection of fees, fines, court costs and restitution to private collection agencies.

Referrals are generally made when a Defendant is not current with the established Payment Plan, has not requested a modification, does not attend scheduled Payment Plan Conferences designed to determine financial ability to pay, does not respond to court notices, does not provide financial information, or does not provide the court with a current address.

Upon referral, all payments must be made to the collection agency, and, as authorized by law, the collection agency will retain 25% of every payment received from the Defendant, and forwards the balance to the Court for the payment of the Defendant’s outstanding fees, fines, costs and restitution.

What Should I Do At the Conference?

- Give the *Financial Information Form* you have completed to the *Office of Court Compliance staff*. If you are unemployed, explain when and where you last worked, and any income you earn from side jobs.
- Tell the *Office of Court Compliance staff* 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 *Office of Court Compliance staff* will, if possible, combine them into one payment plan. 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

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