



# DISCHARGE FROM ACCOUNTABILITY PROGRAM SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE



## WHY DISCHARGE DEBT

- **EACH SUPERIOR COURT AND COUNTY IS JOINTLY REQUIRED TO REPORT TO THE JUDICIAL COUNCIL THE PERFORMANCE AND BEST PRACTICES OF THE COOPERATIVE SUPERIOR COURT AND COUNTY COLLECTION PROGRAM PURSUANT TO PENAL CODE SECTION 1463.010.**
- **A “COMPREHENSIVE COLLECTION PROGRAM” IS REQUIRED TO ENGAGE IN VARIOUS ACTIVITIES AND FUNCTIONS DESIGNED TO ENHANCE COLLECTION EFFORTS PURSUANT TO PENAL CODE SECTION 1463.007 .**



## **WHY DISCHARGE DEBT** (CONTINUED)

- **RIVERSIDE SUPERIOR COURT IMPLEMENTED THE DISCHARGE PROGRAM IN 2013.**
- **THERE WAS A RECOGNIZED NEED TO ESTABLISH A MORE ACCURATE DEPICTION OF THE UNCOLLECTIBLE COURT DEBT IN ORDER TO REPORT ACCURATE DELINQUENT COURT DEBT**
- **AND FOR PURPOSES OF FOLLOWING THE APPLICABLE JUDICIAL COUNCIL APPROVED COLLECTIONS BEST PRACTICES PURSUANT TO PENAL CODE SECTION 1463.010 .**

BEST  
PRACTICE



# BENEFITS OF THE DISCHARGE PROGRAM

- **DELINQUENT COURT DEBT IS NOT OVERSTATED**
- **ACCURATELY REFLECTS DELINQUENT DEBT STATED IN THE COLLECTIONS REPORTING TEMPLATE**
- **PROVIDES FOR INCREASED PERCENTAGE OF COST RECOVERY**
- **ACCURATE COURT COST RECOVERY (PC 1463.007)**
- **INCREASE IN REPORTED RECOVERY AND SUCCESS RATES**
- **EFFICIENT AND FOCUSED COLLECTIONS TOWARD COLLECTABLE ACCOUNTS**

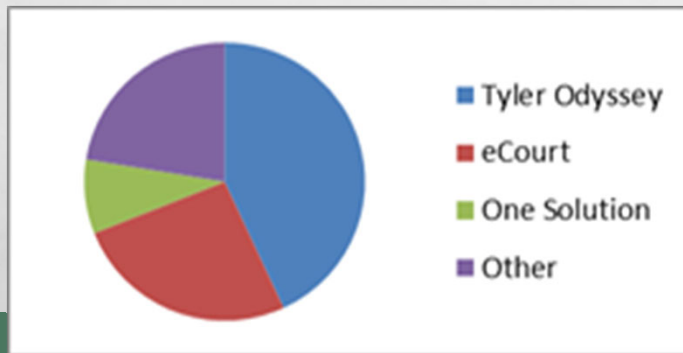


# DISCHARGING DEBT FROM PROGRAM ACCOUNTABILITY

## GOVERNMENT CODE SECTIONS 25257-25259.95

### STATE-WIDE STATS (PER 04/2019 STATS).

- **74.1% OF PROGRAMS (43 OF 58) ARE PERFORMED BY COURT VS. 25.9% BY COUNTY.**
- **CASE MANAGEMENT SYSTEMS BY PERCENTAGE USED:**



## **DISCHARGING DEBT FROM PROGRAM ACCOUNTABILITY GOVERNMENT CODE SECTIONS 25257-25259.95 (CONTINUED)**

- **OF 58 PROGRAMS, 18 HAVE NOT ESTABLISHED A DISCHARGE FROM ACCOUNTABILITY PROGRAM.**
- **COLLECTIVELY, THE 18 PROGRAMS HOLD 22 PERCENT OF \$2.3 BILLION OF THE OUTSTANDING BALANCE.**
- **COLLECTIVELY, THE 40 PARTICIPATING PROGRAMS HAVE DISCHARGED \$1.3 BILLION IN UNCOLLECTABLE DEBT.**

# GETTING STARTED

- **IDENTIFY WHO THE STAKEHOLDERS ARE**
  - ✓ **PRESIDING JUDGE**
  - ✓ **JUDICIAL OFFICERS**
  - ✓ **MANAGEMENT TEAM**
  - ✓ **COUNTY LIAISON**
  - ✓ **DEPARTMENT OF INFORMATION AND TECHNOLOGY**
  - ✓ **COURT STAFF (ENHANCED COLLECTIONS & COURT CLERKS)**



# PLANNING STAGE

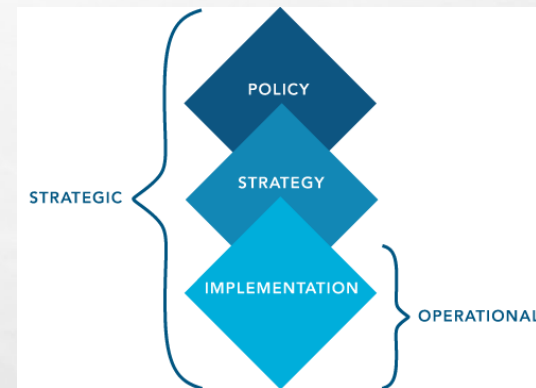
- **DRAFT DISCHARGE POLICY**

- ✓ **PURPOSE OF THE DISCHARGE PROGRAM**
- ✓ **DISCHARGE CRITERIA**
- ✓ **APPLICATION FOR DISCHARGE OF ACCOUNTABILITY**
- ✓ **REPORTING REQUIREMENTS**
- ✓ **RECORD RETENTION**

- **DRAFT DESK PROCEDURE FOR STAFF**

- **DRAFT APPLICATION FOR THE JUDICIAL ORDER**

- **CREATE CASE MANAGEMENT CODES TO ENTER DISCHARGE RECORD ON CASE**





## **PLANNING STAGE** (CONTINUED)

- **PRESENT POLICY AND PROCEDURE TO COURT LEADERSHIP TEAM**
- **PRESENT POLICY AND JUDICIAL ORDER TO THE PRESIDING JUDGE**
- **EXPLAIN BENEFITS OF THE DISCHARGE PROGRAM**





## **IMPLEMENTATION** (CONTINUED)

- **THE CRITERIA FOR INCLUSION INTO THE LIST OF ELIGIBLE CASES INCLUDED THE FOLLOWING ITEMS:**

- ✓ **TIME PARAMETER SET AT GREATER THAN 10 YEARS:**
- ✓ **LAST PAYMENT RECEIVED**
- ✓ **DATE TO PAY**
- ✓ **SENTENCE DATE**
- ✓ **SENTENCE MODIFICATION DATE**
- ✓ **BALANCE LESS THAN \$10-AMOUNT TOO SMALL TO COLLECT/COST OF COLLECTIONS**



## **IMPLEMENTATION** (CONTINUED)

- **ADDITIONALLY, ANY RECENT OR FUTURE HEARINGS WERE TAKEN INTO ACCOUNT.**
- **WHERE THERE WERE FUTURE HEARING DATES, THE CASES WERE NOT DISCHARGED FROM ACCOUNTABILITY.**

# RESULTS

- **DISCHARGE PROJECT WAS COMPLETED JUNE 2015**
  - ✓ **78,180 CASES IN UNCOLLECTABLE STATUS WERE DISCHARGED**
  - ✓ **75+ MILLION DOLLARS DISCHARGED**
  - ✓ **INCREASED ACCURACY REFLECTED ON REPORTS**
  - ✓ **INCREASED RECOVERY AND SUCCESS RATE REPORTED TO THE LEGISLATURE**
  - ✓ **FOCUS ON COLLECTABLE ACCOUNTS**



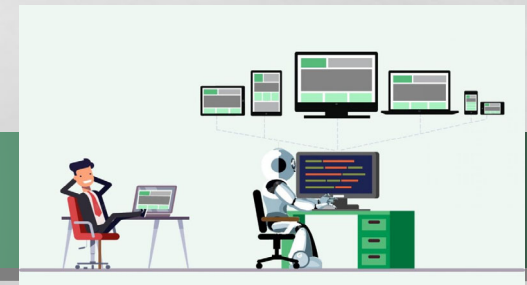
# CHALLENGES WITH MANUAL PROCESS

- **LIMITED RESOURCES-STAFF, BUDGET**
- **TIME CONSUMING**
- **OUTDATED REPORTS**
- **MISS-KEY**
- **INCORRECT CASES**



# **AUTOMATED DISCHARGE PROCESS**

- **IN 2016, THE TECHNOLOGY DEPARTMENT AND CASE MANAGEMENT VENDOR DRAFTED A SCRIPT TO AUTOMATE THE PROCESS. THE SCRIPT INCLUDES THE FOLLOWING PARAMETERS-**
  - ✓ **TIME PARAMETER SET AT GREATER THAN 10 YEARS**
  - ✓ **LAST PAYMENT RECEIVED**
  - ✓ **DATE TO PAY**
  - ✓ **SENTENCE DATE**
  - ✓ **SENTENCE MODIFICATION DATE**
  - ✓ **BALANCE LESS THAN \$10-AMOUNT TOO SMALL TO COLLECT/COST OF COLLECTIONS**
  - ✓ **NO FUTURE HEARINGS**
  - ✓ **NO VICTIM RESTITUTION**



# ANNUAL DISCHARGE PROCESS

- **EACH YEAR, THE COURT COMPLETES THE DISCHARGE PROCESS IN OCTOBER**
  - ✓ **START THE PROCESS IN AUGUST AND COMPLETE IN OCTOBER**
  - ✓ **CASE MANAGEMENT VENDOR RUNS A PRE-REPORT.**
  - ✓ **COLLECTIONS CASE MANAGEMENT TECHNICIAN REVIEWS THE REPORT FOR QUALITY ASSURANCE**



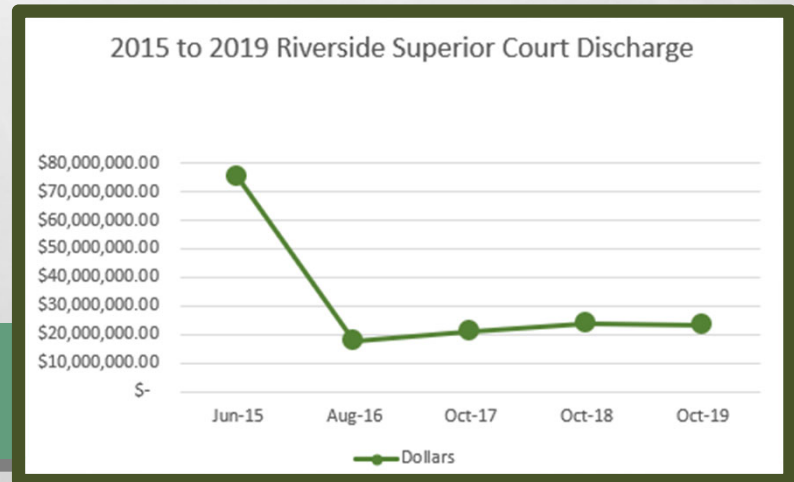
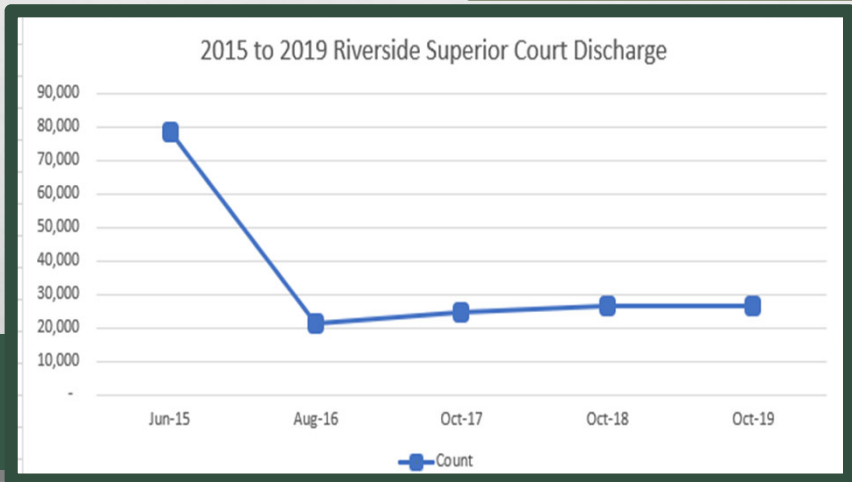


## **ANNUAL DISCHARGE PROCESS** (CONTINUED)

- **POST THE PJ ORDER AND THE LIST OF CASES ON OUR COURT WEBSITE FOR 30 DAYS FOR PUBLIC VIEW.**
- **AFTER 30 DAYS, REMOVE THE ORDER AND REPORT FROM THE WEBSITE.**
- **THE COURT CASE MANAGEMENT VENDOR RUNS THE FINAL DISCHARGE PROCESS.**
- **NOTIFY THE COURT EXECUTIVE TEAM OF THE FINAL DISCHARGE RESULTS-NUMBER OF CASES AND \$ AMOUNT DISCHARGED.**
- **NOTIFY THE COUNTY EXECUTIVE OFFICE VIA EMAIL AND INCLUDE THE DISCHARGE REPORT. THE REPORT LISTS THE CASE TYPE, CASE NUMBER, LAST DATE TO PAY, AND AMOUNT DISCHARGED.**

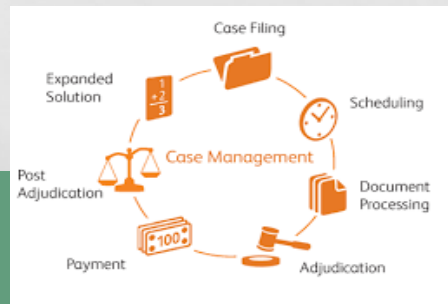
# RIVERSIDE SUPERIOR COURT HISTORICAL DISCHARGE TOTALS

Month- Year	Count	Dollars
Jun-15	78,180	\$ 75,147,019.36
Aug-16	21,074	\$ 17,374,554.74
Oct-17	24,624	\$ 21,219,766.45
Oct-18	26,527	\$ 23,607,680.23
Oct-19	26,560	\$ 23,355,067.71



# MIGRATING TO A NEW CASE MANAGEMENT SYSTEM

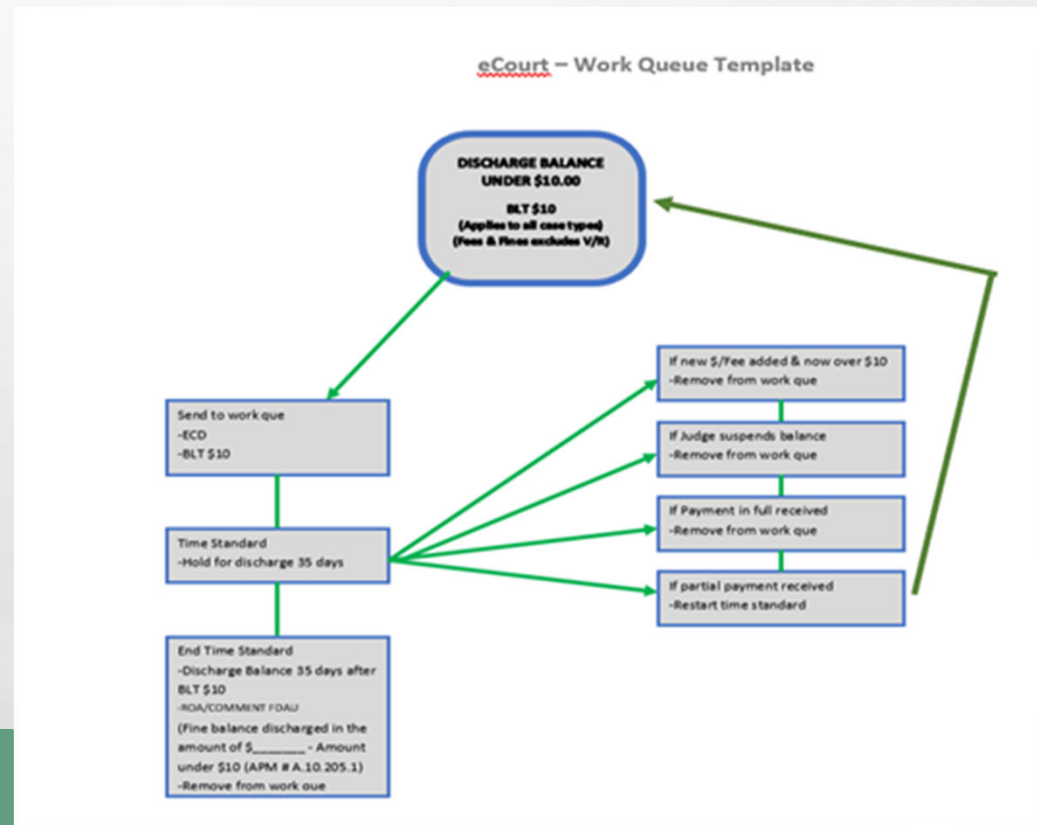
- **RIVERSIDE SUPERIOR COURT IS MIGRATING TO A NEW CASE MANAGEMENT SYSTEM, ECOURT. OUR COLLECTIONS BUSINESS PROCESSING REENGINEERING TEAM HAS DRAFTED THE DISCHARGE PROCESS TEMPLATE FOR ECOURT. WE ARE ASKING THE VENDOR TO DO THE FOLLOWING:**
  - ✓ **AUTO DISCHARGE BALANCE DUE GREATER THAN 10 YEARS (WITHIN SET PARAMETERS)**
  - ✓ **AUTO DISCHARGE FEES AND FINES (EXCLUDES VICTIM RESTITUTION)**
  - ✓ **WRITE COMMENT ON CASE-RECORD OF ACTION**
  - ✓ **AUTO GENERATE A REPORT ON A WEEKLY, MONTHLY, AND ANNUAL BASIS THAT INCLUDE COURT CODE, THE DATE OF DISCHARGE, CASE NUMBER, AMOUNT OF DISCHARGE, PARTY/DEFENDANTS NAME, REASON**



# MIGRATING TO A NEW CASE MANAGEMENT SYSTEM

## (CONTINUED)

- **AN AUTOMATED PROCESS FOR BALANCE LESS THAN \$10**



# KEYS TO SUCCESS

- **WRITTEN DISCHARGE POLICY**
- **WRITTEN DESK PROCEDURE**
- **STANDARD AUTOMATED SCRIPT**
- **STANDARD REPORT**



## **KEYS TO SUCCESS**(CONTINUED)

- **CONSISTENT SCHEDULE/TIMELINE EVERY YEAR**
- **CONSISTENT NOTIFICATION TO COURT LEADERSHIP AND COUNTY**
- **HISTORICAL REPORT SAVED IN A COMMON NETWORK DRIVE FOR ACCESSIBILITY**
- **MAINTAINING A CONSISTENT TIMELINE WITH THE VENDOR-FAMILIARITY MAKES IT EASIER WHEN IT IS TIME**
- **JUDICIAL ORIENTATION TO NEW JUDGES AND COMMISSIONERS**

# HELPFUL INFORMATION

- **WHAT TO CONSIDER WHEN DECIDING TO DO THE DISCHARGE PROGRAM**
  - ✓ **WHEN TO DO THE PROGRAM-BEFORE ANNUAL TAX SUBMISSION, END OF FISCAL YEAR, BEGINNING OF FISCAL YEAR?**
  - ✓ **RESOURCES**
  - ✓ **VICTIM RESTITUTION, ARE YOU GOING TO DISCHARGE? IF SO DO YOU NOTIFY THE VICTIMS? HAVE YOU CONSIDERED THE OPTICS OF DISCHARGING VICTIM RESTITUTION?**
  - ✓ **WARRANTS**
  - ✓ **ACTIVE HEARINGS**
  - ✓ **RECENT PAYMENTS-HOW FAR BACK**
  - ✓ **BAIL TRUST-EXCLUDE?**



# RESOURCES

- **KNOW YOUR RESOURCES:**
  - ✓ **STATUTES**
  - ✓ **JC COLLECTIONS UNIT**
  - ✓ **OTHER COURTS**
- **COLLECTIONS UNIT WEBSITE: [HTTP://WWW.COURTS.CA.GOV/PARTNERS/455.HTM](http://www.courts.ca.gov/partners/455.htm)**
  - **DISCHARGE FROM ACCOUNTABILITY INFORMATION SHEET**
  - **APPLICATION SAMPLE**
  - **SAMPLE REPORT**



## FINAL WORD

- **FIRST TIME DISCHARGING CAN BE DAUNTING DUE TO THE LARGE NUMBER OF CASES AND \$ AMOUNT.**
- **FOCUS ON THE BENEFITS OF DISCHARGING UNCOLLECTABLE DEBT.**



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"Quality Collections on behalf of the Court and the Cou

A large graphic with the text "THANK YOU" in bold, dark green capital letters. The text is centered within a white oval shape. The oval is surrounded by thick, curved, 3D-style green bands that spiral outwards from the top right and bottom right, creating a dynamic, modern design.

**THANK YOU**