

JUDGE'S STANDING ORDER NO. 11
PAYMENT PLANS

On this date, the Court entered the following **ORDER** with respect to payment plans:

A. PAYMENT PLANS AT CASHIER'S WINDOW

The following requirements apply to a payment plan at the Cashier's window:

1. *30-day extension.* The Clerk may process a request for a 30-day payment plan from a Defendant who appears at the Cashier's window and asserts an inability to immediately pay his/her fines and costs in full, provided that:
 - a. the Defendant represents that full payment can be made within 30 days;
 - b. the Defendant completes a 30-day extension form at the time of the request; and
 - c. no warrant for the arrest of the Defendant is pending at the time of the request.
2. *Defendant to be advised.* The Clerk shall advise the Defendant that if the Defendant fails to comply with the payment plan:
 - a. an additional \$25.00 time-payment fee will be added to each case which remains unpaid on the 31st day after judgment, pursuant to Texas Local Government Code Section 133.103 ;
 - b. any request for further extensions to pay the balance must be made to the Judge in open court; and
 - c. a *capias pro fine* warrant may be issued on any balance that is not timely paid.

B. PAYMENT PLANS ADMINISTERED BY COLLECTIONS CLERK

Any Defendant appearing at the Cashier's window and requesting more than 30 days to pay his/her fines and costs in full must present that request to the Judge in open court. Upon the Judge's approval of a payment plan, the Collections Clerk will set up and administer the Defendant's plan, and may allow extensions or partial payments within the guidelines set by the Court Administrator.

C. REQUESTS FOR PAYMENT PLANS MADE BY MAIL OR FAX

If a Defendant mails or faxes the Court a request for a payment plan with no initial payment having been received, the Clerk shall place the request in the Judge's correspondence queue for

an order. Upon approval by the Judge, the Collections Clerk will correspond with the Defendant to set up the payment plan.

D. STANDARD PAYMENT PLANS

Upon the Judge's order to set a Standard payment plan, the Collections Clerk will use the guidelines attached to this Standing Order to determine the length of the plan. The Clerk may set payments at such intervals and on such dates as best suit the Defendant's ability to pay.

E. COURT REVIEW OF DEFENDANT'S ABILITY TO PAY

The following requirements apply to Court review of a Defendant's payment ability:

1. *Payment ability information required.* If the Judge has not already set a payment plan, and if the Defendant indicates he or she is unable to comply with the terms of a Standard Payment Plan, then the Judge or the Collections Clerk will have the Defendant fill out the two-page payment ability form. The Defendant will then review the application with the Collections Clerk.
2. *Defendant maintains inability, review by Judge.* If after review, the Defendant maintains that he or she is unable to comply with the terms of a Standard plan, the Clerk will review the Defendant's payment ability information with the Judge to obtain orders as to how to proceed.
3. *Defendant agrees to Standard plan; exceptions.* If after reviewing the application with the Clerk, the Defendant indicates he or she is able to comply with the terms of the Standard payment plan, the Clerk may set up a Standard plan, unless the Clerk observes one of the following circumstances from reviewing the application:
 - a. the Defendant is enrolled in high school;
 - b. the Defendant's household income does not exceed 125% of the applicable income level established by the federal poverty guidelines;
 - c. the Defendant receives assistance through food stamps/SNAP, WIC, Medicaid or CHIP; or
 - d. payment would cause undue hardship to the Defendant or his or her dependents.If the Clerk observes one or more of the above circumstances, the Clerk will review the Defendant's payment ability information with the Judge to obtain orders as to how to proceed.

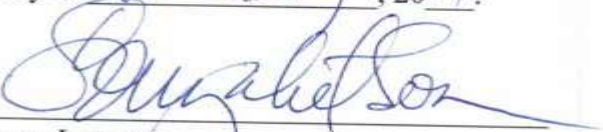
F. ORDERS FOR JOB SEARCH

If a Defendant is not employed, the Court may allow the Defendant time to complete a Job Search before requiring payments to begin. The initial period for a Job Search is two weeks. If the Defendant returns timely with a completed Job Search log, and has not obtained employment but is still looking for work, the Collections Clerk has the discretion to allow an additional two weeks for the Defendant to continue searching for work.

G. REVIEW OF DEFENDANT'S FINANCIAL RECORDS

If a Defendant contacts the Collections Department after a payment plan has been set and states that he or she is unable to comply with the terms of the plan, the Collections Clerk has the discretion to require the Defendant to bring proof of financial records showing current income and expenses. After review of such records, the Clerk will then advise the Court of any need for an adjustment of the payment plan.

IT IS SO ORDERED. Signed and Entered this 6 day of February, 2017.



Sonya Letson
Presiding Judge