 <p>Marion County Clerk of the Circuit Court and Comptroller</p>	Work Instructions		Choose an item.
	<p>Title: Civil Traffic & Criminal Collections Division Payment Plans/Collections Contracts</p>	<p>Origination Date: 4/21/2014</p>	<p>Version Date: 9/1/2015</p>

Approvals				
Title	Dept.	Name	Signature	Date
Originator	Admin	Staci Winston		4/21/14

Reference Documents	
Document Number	Document Title
Admin 09/1/15	Civil Traffic & Criminal Collections Division Payment Plan/Collections Contracts

Revision History			
Version	Description of Change	Author	Effective Date
1.0	Procedures for Civil Traffic & Criminal Collections Division Payment Plans & Collections Contracts	Staci Winston	5/1/14
2.0	Revised Procedures for Civil Traffic & Criminal Collections Division Payment Plans & Collections Contracts	Greg Harrell	9/1/15

Purpose


This document sets forth the procedures for Payment Plans & Collections Contacts for the Civil Traffic & Criminal Collections Divisions, effective September 1, 2015.

Scope

These procedures are to be followed by all Clerk staff in relation to Clerk Payment Plans & Collections Contacts

1.0 Civil Traffic Division Payment Plan Agreements: The Payment Plan Agreement form can be located on the Clerk's Website under Form > Traffic.

- 1.1 A Defendant may request a payment plan for a citation which has not reached the original 30 day due date.
 - 1.1.1 A \$25.00 payment plan fee, **per case**, is due upon acceptance of the signed payment agreement form.
 - 1.1.2 Upon acceptance of the signed payment agreement, the case must be paid in full within 60 days from the original due date of the citation.
 - 1.1.3 Staff will manually calculate this due date and enter the date in the due date table.
- 1.2 A Defendant may request a payment plan on a citation which is past due and the license has been suspended. **Cases that have gone to court are not eligible for a payment plan.**
 - 1.2.1 A \$25.00 payment plan fee, **per case**, outstanding D6 suspension fee, and the first month's payment is due upon acceptance of the signed payment agreement form.
 - 1.2.2 The first month's payment will be calculated by the total divided by 2.
 - 1.2.3 Upon acceptance of the signed payment agreement, the case must be paid in full within 60 days of signing the payment plan agreement.
 - 1.2.4 Staff will manually calculate this due date and enter in the due date table.

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- 1.3 Failure to comply with the conditions of the payment plan agreement will result in the suspension of the Defendant's driver's license and the case being turned over or reinstated with MSB. No overdue notices will be issued for Traffic Payment Plans.

2.0 Criminal Collections Division Payment Plan Agreements:

- 2.1 These procedures exclude cases where a Defendant is ordered to enter into a payment plan with the Clerk's Office as a condition of probation **OR** cases where non-monetary obligations are outstanding (i.e.: community service hours, show proof of valid Driver's License, etc.)

- 2.1.1 An individual seeking to defer payment of fees, service charges, costs, or fines must apply to the Clerk's Office for enrollment in a payment plan. A payment plan application should be provided to any individuals requesting a plan. Unless and until the individual completes, sign, and submits an application, a monthly payment amount of \$50.00 per month will apply for MM (misdemeanor) and CT (criminal traffic) cases and a monthly payment amount of \$75.00 per month will apply for CF (felony) cases. If an individual believes he or she cannot pay that amount and completes, signs, and submits an application, a monthly payment amount should be set to correspond to the person's ability to pay. A monthly payment amount, calculated based upon all fees and all anticipated costs, is presumed to correspond to the person's ability to pay if the amount does not exceed 2% of the person's annual net income divided by 12.

- 2.1.2 A \$25.00 payment plan fee, applicable D6 fees, and the first month's payment are due upon the acceptance of the signed payment plan form. A payment plan will not be initiated without full payment of the \$25.00 fee, D6 fee, and first month's payment.

- 2.1.3 If an individual has multiple unpaid cases, his or her total monthly payment amount still should correspond to his or her ability to pay (i.e., the total monthly payment amount(s) should not exceed 2% of the person's annual net income divided by 12); provided, however, that the monthly payment amount shall not amount to less than \$5.00 per unpaid case.

- 2.1.4 If an individual's ability to make payments changes, they may request a modification to their payment plan(s) so long as they are then current in their payment obligations and can provide written proof showing how and to what degree their circumstances have changed.

- 2.1.5 Failure to comply with the conditions of the payment plan will result in the suspension of the individual's driver's license. Once a payment plan has been terminated, the individual is no longer eligible for a payment plan in that case (i.e.: only one payment plan per case).

- 2.1.6 No overdue notices will be issued for criminal payment plans, as the payment agreement outlines the requirement to make a payment every thirty days. Once the agreement due date is reached, if the case is not paid in full, the plan will be terminated, the individual's license will be suspended, and the case turned over or reinstated with MSB.