

**FLORIDA COURT CLERKS & COMPTROLLERS
CONSOLIDATED SUMMARY**

2020 Annual Assessments and Collections Report

**ANNUAL REPORT
PAYMENT OF COURT-RELATED FINES
OR OTHER MONETARY PENALTIES, FEES,
CHARGES, AND COSTS**



County Fiscal Year: October 1, 2019 to September 30, 2020

Compiled by
The Florida Court Clerks & Comptrollers

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Payment of Court-Related Fines or Other Monetary Penalties, Fees, Charges, and Costs

Pursuant to ss. 28.2457 and 28.246, Florida Statutes

EXPLANATION OF REPORT FORMAT

The format of the "Consolidated Summary" for the Annual Assessments and Collections Report (A&C Report) is comprised of seven court divisions: Circuit Criminal, County Criminal, Circuit Juvenile, Civil Traffic, Circuit Civil, Probate and County Civil. The report format is aligned to the A&C Report Guidelines and the mandatory Submission Form in compliance with s. 28.246, F.S. Each of the seven court divisions is subdivided by the 20 Judicial Circuits and their respective Counties. Each County also has a Clerks of Court Operations Corporation Peer Group designation from 1 -12.

The terminology for each column heading is defined below:

1. Amount to be Assessed:

Various Florida Statutes authorize a specific mandatory assessment, or an assessment range (e.g. no less than \$250 and no more than \$500). The specific amount, or the minimum amount within the range, is recorded as the amount to be assessed.

2. Amount Under-Assessed:

This is NOT a subtraction of report line "Amount Actually Assessed" from "Amount to be Assessed." Rather, "Amount Under-Assessed" is the reported difference in the Amount Assessed and the Minimum Mandatory required to be assessed by statute unless waived, suspended or reduced by the court as allowed by law.

3. Amount Actually Assessed:

Amount Actually Assessed, includes fines, court costs and other monetary penalties and fees, service charges and costs actually imposed by the court at the time of sentencing or re-sentencing, or other type of disposition of the case.

4. Community Service:

Total assessment amounts allowed by the Court to be converted to community service during the reporting period. Not applicable for Juvenile.

5. Satisfied by Time Served:

Total assessment amounts reduced because of time served during the reporting period. Not applicable for Juvenile.

6. Reduced, Suspended, Waived as authorized by statute or by Administrative or local order:

Report the amount of fines, court costs and other monetary penalties and fees, service charges and costs for Reduced, Suspended, Waived as authorized by statute or by Administrative or local order occurring in the reporting period regardless of when the original assessment occurred.

7. Total Collectible Amount:

Include the Amount Actually Assessed less Community Service, Satisfied by Time Served, and Reduced, Suspended, Waived as authorized by statute or by Administrative or local order. Circuit Juvenile does not include Community Service.

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EXPLANATION OF REPORT FORMAT

8. Reduced to Judgment/Lien:

Include Fines, Court Costs and Other Monetary Penalties reduced to a Judgment/Lien. Individuals sentenced to prison and whose fines and court costs and other monetary penalties are reduced to judgment/lien should be reported in this field. Although not deducted from Amount Actually Assessed to tabulate the Total Collectible Amount, this figure should be included in Amount Actually Assessed.

9. Collection Rate:

A calculation that combines all total collectible amounts for Fines, Court Costs, Monetary Penalties and Fees, Service Charges and Costs. Total Collections during the reporting period could represent assessments made in prior fiscal years and collected in the current report year. This may result in a collection rate percentage in excess of 100%.

10. Drug Trafficking Statistics: For additional information and not required by s. 28.246, F.S.

The number of cases, charges (counts) and Fines, Court Costs, Monetary Penalties and Fees, Service Charges and Costs assessments for Drug Trafficking charges. Only applicable in Circuit Criminal Felony. Due to the nature of these cases, the Total Amount Actually Assessed for Drug Trafficking Convictions is presumed an uncollectible amount that is represented in Total Collectible Amount. (See: "Explanation of Risk Factors.")

11. Risk Factor Types: For additional information and not required by s. 28.246, F.S.

Assessments that have associated case conditions that are considered to have a "minimal collections expectation." Determination of Risk Factors was dependent on whether the defendant was incarcerated, indigent, or had a judgment/lien case status. Risk factor amounts include all mandatory and discretionary fines, court costs, monetary penalties, and fees, service charges and costs. The "risk factor data" methodology was developed in 2015 by the A & C Report Advisory Group and is included in the A & C Report Guidelines.

12. N/A (Not Applicable):

This represents blackout fields (no data required) in the A & C Report Submission Form in accordance with the A & C Report Guidelines based upon s. 28.246, F. S. and the A & C Report Advisory Group considerations.

13. Mathematical Rounding:

Mathematical Rounding of reported data has been utilized and is reflected in calculations. The value for ZERO is represented by "\$ -" in report data columns. This occurs when there is a ZERO amount, or when the value represented is less than \$1.00.

14. Division by 0 (ZERO):

If this data condition occurs it is represented by "#DIV/0!" in report data columns.

15. Compilation of the A & C Consolidated Summary Report:

The Florida Court Clerks & Comptrollers complied The Annual A & C Consolidated Summary Report of assessments and collections using data reported on the mandatory A & C Report Form as submitted by each Court Clerk & Comptroller's office.

2020 Annual Assessments and Collections Report

Payment of Court-Related Fines or Other Monetary Penalties, Fees, Charges, and Costs

Pursuant to ss. 28.2457 and 28.246, Florida Statutes

EXPLANATION OF RISK FACTORS (For additional information and not required by s. 28.246, F.S.) FOR CIRCUIT CRIMINAL, COUNTY CRIMINAL, AND CIRCUIT JUVENILE COURT DIVISIONS

Background - Risk Factors Affecting Collections (Assessments with Minimal Collection Expectations)

Earlier Annual Assessments and Collections Reports (A & C Report) provided supplemental report data for the Circuit Criminal Division by breaking out drug trafficking assessments from the total assessments for this court division. The purpose of this breakout data was to inform report reviewers that judicially ordered drug trafficking assessments had a minimal likelihood to be timely collected, if ever, by Clerks because the defendants were most likely incarcerated. Since drug trafficking assessments are among the highest statutorily mandated circuit criminal fines, they may give an inflated perspective on the total assessments and collectability for the Circuit Criminal Division. The importance of breaking out and reporting the drug trafficking assessments in the A & C Report was to illustrate the impact they have on circuit criminal collections and revenue.

In the same way, the Florida Court Clerks & Comptrollers determined there were other types of assessments that could provide further insights into the impact they have on Circuit Criminal, County Criminal and Circuit Juvenile collections, collectability and thus revenue. For this additional data the term “risk factors” was applied to provide a category for assessments that were considered to have a reduced or “minimal collection expectation.” Determination of Risk Factors was dependent on whether the defendant was incarcerated, indigent or had a judgment/lien case status. Risk factor amounts include all mandatory and discretionary fines, court costs, monetary penalties, and fees, service charges and costs. A “risk factor data” methodology was developed and approved by the A & C Report Advisory Group and incorporated into the A & C Report Guidelines. Most counties have been able to report risk factor data for Circuit Criminal, County Criminal and Circuit Juvenile Court Divisions.

**METHODOLOGY FOR RISK FACTORS
FOR CIRCUIT CRIMINAL, COUNTY CRIMINAL AND CIRCUIT JUVENILE COURT DIVISIONS**

Risk Factor Methodology

The following methodology was developed:

- Risk factor case types were determined to be: “incarcerated, indigent and judgment/lien cases.”
- All risk factor amounts for fines, court costs and other monetary penalties and fees, service charges and costs for mandatory and discretionary assessments were included for each type of risk factor.
- Amounts assessed on cases recorded in the reporting year should be counted in the following priority order so no case and related assessment is counted twice in calculating the amount for the risk factor section. By doing so, an assumption can be made as to the payment expectation of the collection.

1. Incarcerated – First Priority

2. Indigent – Second Priority

3. Judgment/Lien – Third Priority

Examples with a single Risk Factor - How Calculated:

- a. If a case is converted only to Judgment/Lien = Amount Assessed would be reported in the Risk Factor Judgment/Lien. Note: This is only the amount assessed that was reduced to Judgment/Lien and may not be equal to the total amount actually assessed on the case.
- b. If a case indicates Incarcerated = Amount Assessed would be reported in the Risk Factor Incarcerated. (Circuit Criminal - More than 1 year incarcerated and County Criminal - More than 3 months incarcerated).
- c. If a case indicates Indigent = Amount Assessed would be reported in the Risk Factor Indigent.

Additional Examples with Multiple Risk Factors – How Calculated:

If a case has the following:

- a. Judgment/Lien & Defendant Determined Indigent = Amount Assessed would be reported in Risk Factor Indigent.
- b. Judgment/Lien & Defendant Sentenced to Incarceration & Determined Indigent = Amount Assessed would be reported in the Risk Factor Incarcerated.
- c. Judgment/Lien & Incarcerated = Amount Assessed would be reported in the Risk Factor Incarcerated.
- d. Defendant Sentenced to Incarceration & Determined Indigent = Amount Assessed would be reported in the Risk Factor Incarcerated. **Note** : If the Defendant violated their probation, and then was sentenced to jail time, the amount assessed would be reported in the Risk Factor Incarcerated.

Risk Factors for Statewide, Summary Court Divisions and individual counties – How Data Fields Calculated:

- a. Amount: The assessment amount for the risk factor.
- b. Percentage of Total Assessments: Calculates the percentage for each risk factor by dividing the “amounts actually assessed” for that court division into the risk factor amount for that court division. The same method is used to represent the risk factor percentage for total assessments.
- c. Total Risk Factor Impacts: Calculates total risk factor amounts and total percentage for all risk factors for that court division.

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STATEWIDE SUMMARY - ALL COURTS

County Fiscal Year: October 1, 2019 to September 30, 2020

STATEWIDE - ALL COURTS - COMBINED TOTAL

OF FINES, COURT COSTS, MONETARY PENALTIES AND FEES, SERVICE CHARGES AND COSTS

(Circuit Criminal, County Criminal, Circuit Juvenile, Civil Traffic, Circuit Civil, Probate, County Civil)

		<u>MANDATORY</u>	<u>DISCRETIONARY</u>	<u>TOTAL</u>
1	Amount to be Assessed (Mandatory Minimum by Statute/Ordinance)	\$ 801,780,643	N/A	\$ 801,780,643
2	Amount Under-Assessed, if any	\$ 14,434,077	N/A	\$ 14,434,077
3	Amount Actually Assessed	\$ 868,186,456	\$ 54,119,888	\$ 922,306,344
4	Community Service	\$ 2,372,348	\$ 695,573	\$ 3,067,921
5	Satisfied by Time Served	\$ 180,804	\$ 24,339	\$ 205,144
6	Reduced , Suspended, Waived....	\$ 17,970,066	\$ 844,620	\$ 18,814,685
7	Total Collectible Amount	\$ 847,663,279	\$ 52,594,713	\$ 900,257,991
8	Reduced to Judgment/Lien	\$ 70,099,062	\$ 10,159,191	\$ 80,258,253
9	Total Amount actually assessed for Drug Trafficking Convictions	\$ 61,432,345		

STATEWIDE - ALL COURTS

(Circuit Criminal, County Criminal, Circuit Juvenile, Civil Traffic, Circuit Civil, Probate, County Civil)

		<u>MANDATORY</u>	<u>DISCRETIONARY</u>	<u>TOTAL</u>
Statewide Fines, Court Costs & Other Monetary Penalties				
1	Amount to be Assessed (Mandatory Minimum by Statute/Ordinance)	\$ 451,705,542	N/A	\$ 451,705,542
2	Amount Under-Assessed, if any	\$ 13,262,862	N/A	\$ 13,262,862
3	Amount Actually Assessed	\$ 458,434,781	\$ 54,119,888	\$ 512,554,669
4	Community Service	\$ 2,372,348	\$ 695,573	\$ 3,067,921
5	Satisfied by Time Served	\$ 180,804	\$ 24,339	\$ 205,144
6	Reduced, Suspended, Waived....	\$ 11,218,637	\$ 844,620	\$ 12,063,257
7	Total Collectible Amount	\$ 444,662,992	\$ 52,594,713	\$ 497,257,704
8	Reduced to Judgment/Lien	\$ 70,099,062	\$ 10,159,191	\$ 80,258,253
Statewide Fees, Service Charges & Costs				
9	Amount to be Assessed (Mandatory Minimum by Statute/Ordinance)	\$ 350,075,101	N/A	\$ 350,075,101
10	Amount Under-Assessed, if any	\$ 1,171,214	N/A	\$ 1,171,214
11	Amount Actually Assessed	\$ 409,751,675	N/A	\$ 409,751,675
12	Community Service	N/A	N/A	N/A
13	Satisfied by Time Served	N/A	N/A	N/A
14	Reduced, Suspended, Waived....	\$ 6,751,429	N/A	\$ 6,751,429
15	Total Collectible Amount	\$ 403,000,287	N/A	\$ 403,000,287
16	Reduced to Judgment/Lien	N/A	N/A	N/A
Statewide Collection Rate				
(Combines All Fines, Court Costs, Monetary Penalties AND Fees, Service Charges and Costs)				
17	Fines: Total Collectible Amount (Includes Judgment/liens)	\$ 497,218,347	N/A	
18	Fees: Total Collectible Amount	\$ 403,000,287	N/A	
19	Total Collections	\$ 757,597,834	N/A	
20	Collection Rate	84.16%	N/A	