

# CLERKS OF THE CIRCUIT COURT STATE CONFERENCE June 2016

Fred Van Dorp  
Settlement Director  
Office of the Auditor of the State  
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## Electronic Payment Policy

The AOS has been able to receive electronic payment for the last several years.

The policy was not previously been documented and was always presented as voluntary.

Calendar Year	ACH	Check
2014	1%	99%
2015	2%	98%

## Electronic Payment Policy

AOS' complete Electronic Payment Policy is including relevant IC citations, expectations, time tables is posted on the AOS website.

- <http://www.in.gov/auditor/2589.htm>

Note: This policy is only applicable AOS and the specific payments listed on the subsequent slides.

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## Electronic Payment Policy

### COUNTY COURT Remittance Listing

- State share of court costs and State share of deferred prosecution fees IC 33-37-7-2(a)
  - See Note #1 on following slide
- State user fees IC 33-37-7-2(b) and IC 33-32-5-1(a)
  - See Note #2 on following slide
- 100% of the state share of automated record keeping deferral/diversion fee IC 33-37-7-2(a)
- 100% of sexual assault victims assistance fees IC 33-37-7-2(e)
- 100% of judicial insurance adjustment fees IC 33-37-7-2(i)
- 100% of public defense administration fee IC 33-37-7-2(h)(1)
- 100% of DNA sample processing fees IC 33-37-7-2(h)(3)
- 100% of court administration fees IC 33-37-7-2(h)(4)
- 100% of judicial salaries fees IC 33-37-7-2(h)(2)
- 100% of the highway work zone judgments IC 9-21-5-11 and IC 9-21-8-56(i)
  - See Note #3 on following slide
- 75% of the violent crime victims compensation fund punitive damage awards IC 34-51-3-6(c)(2)
- 100% of the youth tobacco education and enforcement fines IC 35-46-1-10.2
- 100% of pro bono legal services fee IC 33-37-7-2(n)
- 100% of tobacco master settlement penalties IC 24-3-5.4
- 100% of the reimbursement to DNR IC 14-22-38-4

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# Electronic Payment Policy

**COUNTY COURT** Remittance Listing (Follow Up)

**Note #1)**

The amounts to remit as the state's share of court cost are 70% of the amounts collected under IC 33-37-4-1(a), IC 33-37-4-2(a), IC 33-37-4-3(a), IC 33-37-4-4(a), IC 33-37-4-6(a)(1)(A), IC 33-37-4-7(a) and IC 33-37-5-17.

**Note #2)**

1. 25% of drug abuse, prosecution, interdiction & corrections fees IC 33-37-4-1(b)(5)
2. 25% of alcohol and drug countermeasure IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5)
3. 100% of child abuse prevention fees IC 33-37-4-1(b)(7)
4. 100% of domestic violence prevention and treatment fees IC 33-37-4-1(b)(8)
5. 100% of highway work zone fees IC 33-37-4-1(b)(9) IC 33-37-4-2(b)(5)
6. 100% of safe school fee IC 33-37-5-18
7. Automated Record Keeping Fee IC 33-37-5-21
8. \$10 per marriage license fees IC 33-32-5-1(a) issued under IC 31-11-4

**Note #3)**

Please note this is not the same as the work zone fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).



**COUNTY COURT COST REMITTANCE**  
**Report to State Auditor of Court Costs**  
**Collected by the Clerk of the Circuit Court**  
Repealed Form 54107 Rev. (04/01/14)  
Approved by State Board of Accounts for Meadsworth County, 2014  
Approved by Auditor of State, 2014

I, \_\_\_\_\_, Clerk of the Circuit Court of \_\_\_\_\_, hereby certify that I have collected the following amounts of court costs and fees payable to the State from December 1, 2015 to May 31, 2016.

Itemization	Amount	State Auditor Use Only
STATE SHARE OF COURT COSTS AND STATE SHARE OF DEFERRED PROSECUTION FEES IC 33-37-7-2(a)	\$129,870.50	0000
STATE USER FEES IC 33-37-7-2(b) & IC 33-32-5-1(a)		
DRUG ABUSE, PROSECUTION, INTERDICTION & CORRECTIONS FEES (25%) IC 33-37-4-1(b)(5)	\$732.00	
ALCOHOL AND DRUG COUNTERMEASURE (25%) IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), AND IC 33-37-4-3(b)(5)	\$2,470.20	
CHILD ABUSE PREVENTION FEES IC 33-37-4-1(b)(7)	\$0.00	
DOMESTIC VIOLENCE PREVENTION AND TREATMENT FEES IC 33-37-4-1(b)(8)	\$100.00	
HIGHWAY WORK ZONE FEES IC 33-37-4-1(b)(9), IC 33-37-4-2(b)(5)	\$888.43	
SAFE SCHOOL FEE IC 33-37-5-18	\$200.00	
AUTOMATED RECORD KEEPING FEE IC 33-37-5-21	\$33,031.00	
MARRIAGE LICENSE FEES IC 33-32-5-1(a) ISSUED UNDER IC 31-11-4	\$1,282.00	
<b>TOTAL STATE USER FEES IC 33-37-7-2(b) &amp; IC 33-32-5-1(a)</b>	<b>\$39,653.63</b>	0104
STATE SHARE OF AUTOMATED RECORD KEEPING DEFERRAL/DIVERSION FEE IC 33-37-7-2(a)	\$2,275.00	0006
SEXUAL ASSAULT VICTIMS ASSIST FEES IC 33-37-7-2(e)	\$50.00	0022
JUDICIAL INSURANCE ADJUSTMENT FEES IC 33-37-7-2(i)	\$2,005.00	0023
PUBLIC DEFENSE ADMINISTRATION FEE IC 33-37-7-2(h)(1)	\$10,185.00	0020
DNA SAMPLE PROCESSING FEES IC 33-37-7-2(h)(3)	\$3,165.44	0125
COURT ADMINISTRATION FEES IC 33-37-7-2(h)(4)	\$10,111.50	0028
JUDICIAL SALARIES FEES IC 33-37-7-2(h)(2)	\$39,166.50	0026
HIGHWAY WORKZONE JUDGMENTS IC 9-21-5-11 & IC 9-21-8-56(i)	\$800.00	0000
VIOLENT CRIME VICTIMS COMPENSATION FUND 75% PUNITIVE DAMAGE AWARDS IC 34-51-3-6(e)(2)	\$0.00	0012
YOUTH TOBACCO EDUCATION & ENFORCEMENT FINES IC 35-46-1-10.2	\$0.00	0013
MORTGAGE FORECLOSURE COUNSELING & EDUCATION FEES & PENALTIES IC 33-37-7-2(j)	\$900.00	0003
PRO BONO LEGAL SERVICES FEE IC 33-37-7-2(k)	\$395.00	0005
TOBACCO MASTER SETTLEMENT PENALTIES IC 24-3-5-4	\$0.00	0029
REIMBURSEMENT TO DNR IC 14-22-38-4	\$550.00	0024
<b>TOTAL</b>	<b>\$239,027.57</b>	

CLERK OF THE CIRCUIT COURT  
Due Dates: June 30th for fees collected through May 31st  
 December 31st for fees collected through November 30th

6-2-16  
DATE

Make check payable to:  
 Treasurer of State  
 Mail to:  
 Settlement Director  
 240 State House  
 Indianapolis, IN 46204

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## Electronic Payment Policy

In the event a political subdivision or officer is unable to comply with the new policy, the political subdivision or officer must request the Auditor of State (AOS) grant a waiver of the requirement. The political subdivision or officer must state the reason for requesting the waiver, and sign and verify the waiver form.

**All waiver requests will be evaluated by AOS.**

Waiver Exceptions ---

- 1.) The political subdivision or officer does not currently have a savings or checking account and is unable to establish such an account within the geographic area of the political subdivision or officer's primary location without payment of a service fee.\*
- 2.) The political subdivision or officer's primary location is too remote to have access to a financial institution where a direct deposit can be made.
- 3.) The political subdivision or officer's financial institution is unable to accept an electronic deposit or withdrawal. \*\*

**NOTE:** The political subdivision or officer must submit with the waiver request a written statement by the political subdivision or officer's financial institution that the financial institution is unable to accept an electronic deposit or withdrawal.

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## Electronic Payment Policy

1. What happened that led to this change in policy?

This is something that AOS has wanted to do for several years, but the June Settlement 2015 showed us the importance of improving the remittance policy.

2. What does the State hope to accomplish with this policy change?

This policy will allow AOS to standardize both the method and the timetable for remittances which in turn will improve reporting and analysis capabilities.

3. Has anyone told the State Treasurer about this new policy?

Yes. AOS has worked closely with the State Treasurer to develop the policy.

4. Has anyone told the Court Administration about this policy change?

Yes. You will see additional information emailed from SCA and information posted on INCITE regarding the policy.

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## Electronic Payment Policy

6. Will the State be able to access my bank account?

No. The clerk will initiate the payment, payment amount, and date of the remittance. AOS will provide its banking information, but not request yours.

7. What happens if we send a check?

If the payment is not made in the manner prescribed by AOS, we reserve the right to return the check to your office. Then, AOS reserves the right to charge interest or damages for the delinquent remittance.

8. Why does the policy begin on December 1, 2016?

Ideally, we implement effective today, but December 1st the gives us the ability to review and discuss any issues prior to implementation.