

OREGON JUDICIAL DEPARTMENT

State Court Generated Revenue

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Judicial Branch

Presentation Overview

2



- ❖ General Principles
- ❖ Types of Fines and Fees Courts Impose and Collect
- ❖ Revenue Distribution
- ❖ Revenue Trends
- ❖ How OJD Collects and Collection Rates

General Principles

3



Most court revenue goes to the General Fund.



Legislature restructured fines and fees in 2011



Courts primarily funded by General Fund to maintain impartiality



Ability to pay is considered where statutorily authorized



Fees are waived for litigants who are financially eligible

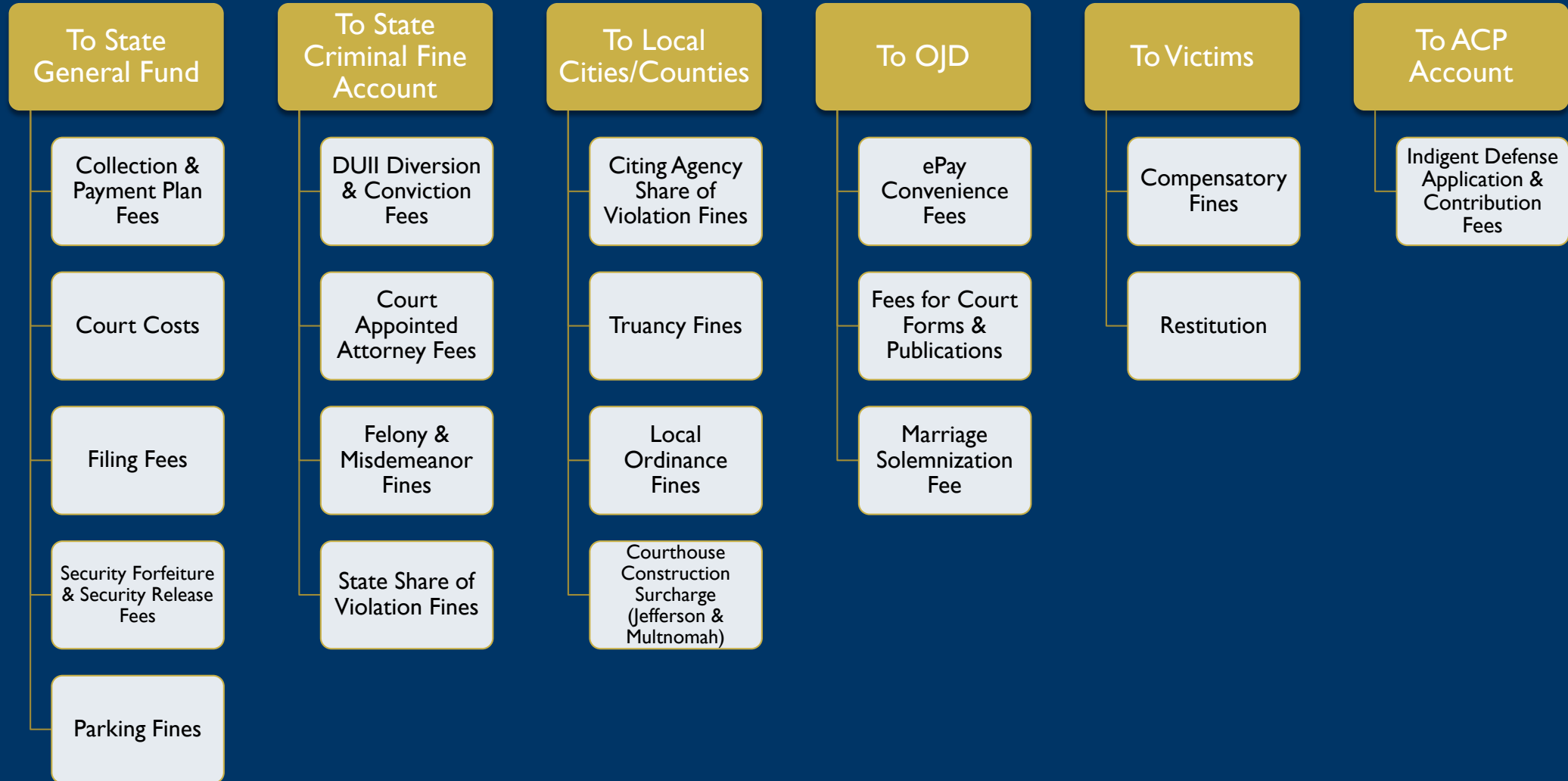


Fees and costs are continually evaluated and adjusted



COSCA Policy Paper
Courts Are Not
Revenue Centers

Revenue Distribution Quick Reference



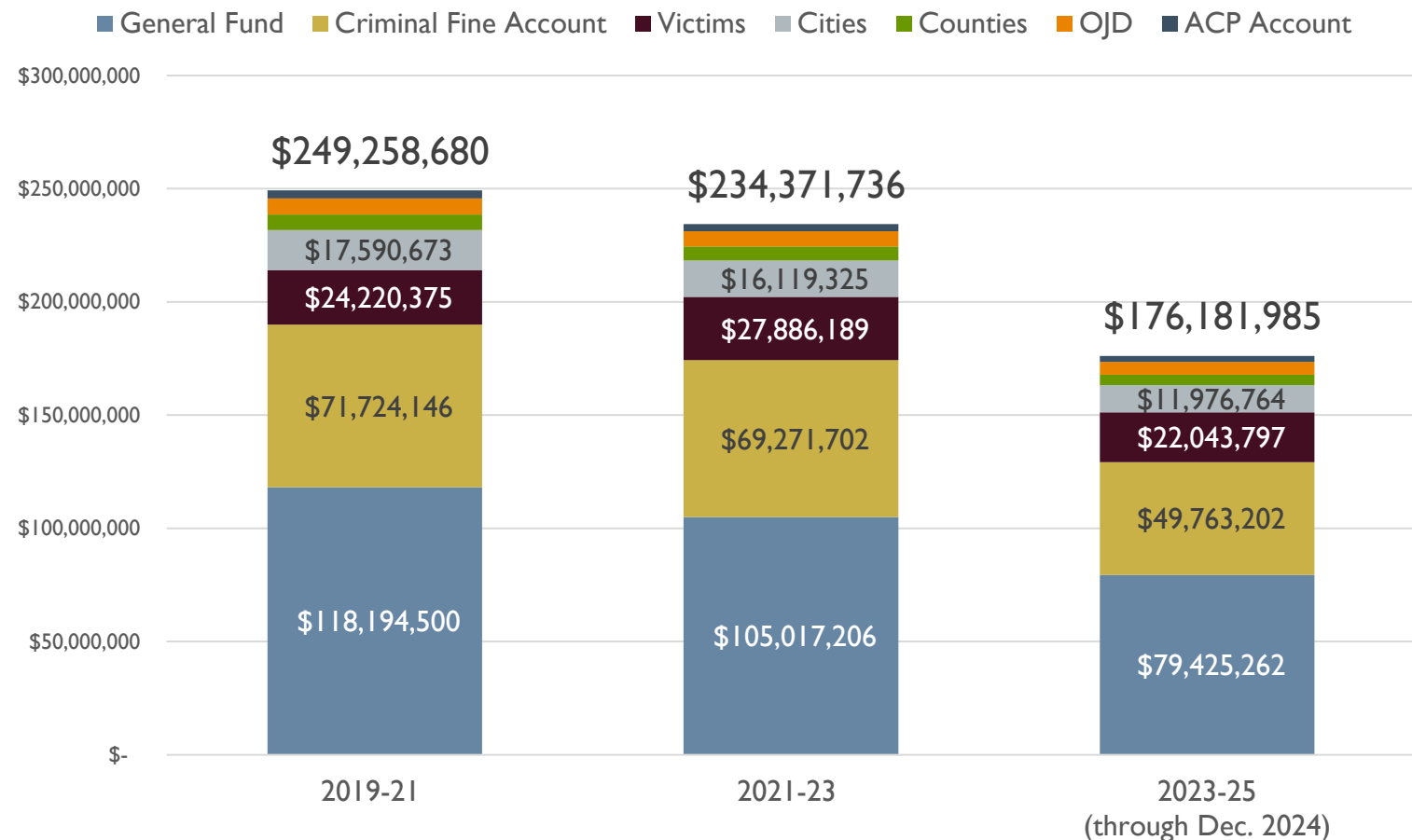
Recent Collections and Revenue Trends

6

Contributing Factors to Revenue Trends

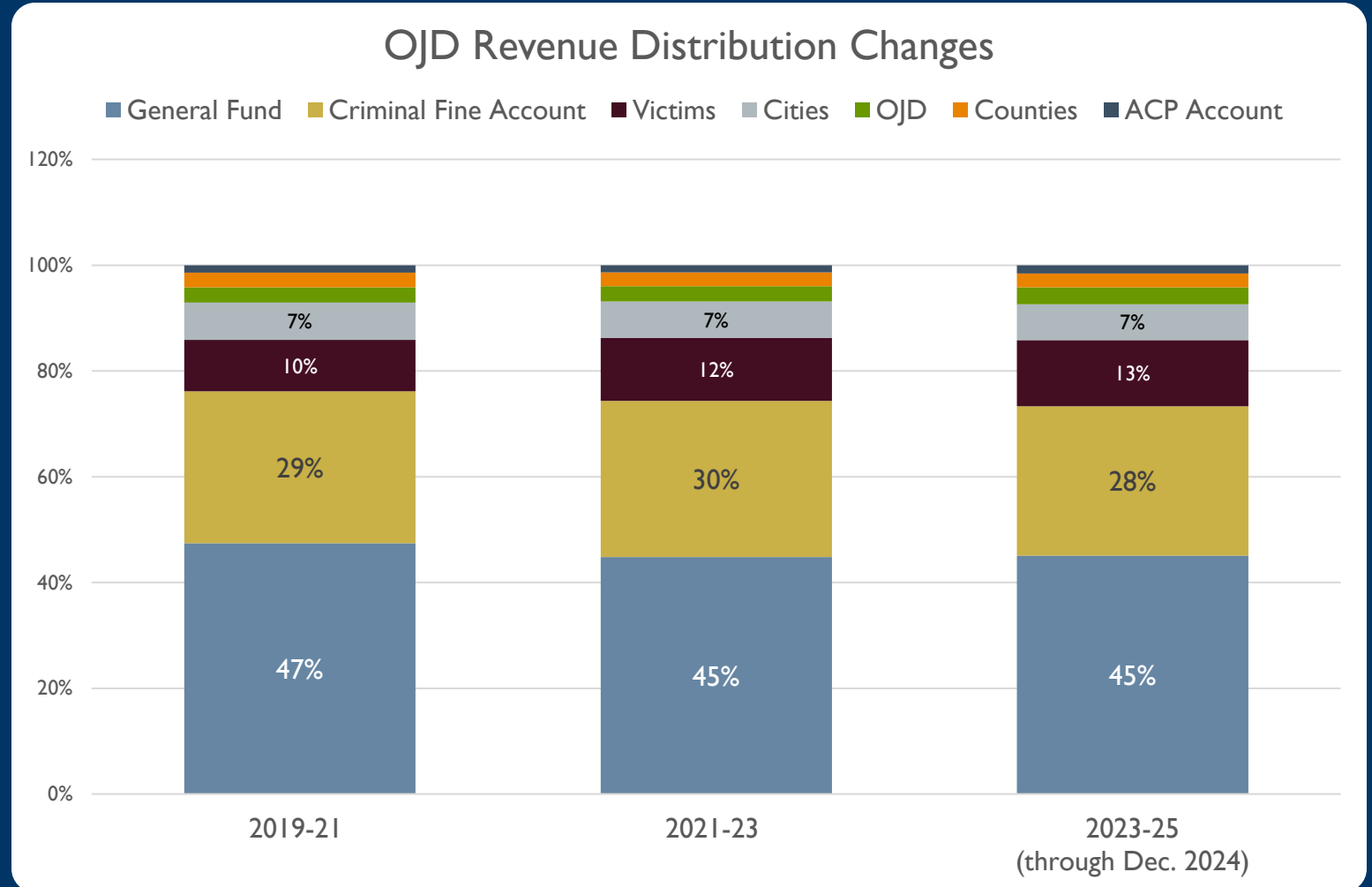
- ❖ Violations delayed during COVID were processed in 2022, **70-80%** are paid in full within a year.
- ❖ Courts are imposing fewer financial obligations due to lack of ability to pay.
- ❖ More money is going to victims - HB 4075 (2022) gave restitution priority over fines and fees.

OJD Revenue Distribution



Changes to Revenue Distribution

- ❖ General Fund revenues declining due fewer financial obligations being imposed due to lack of ability to pay.
- ❖ Greater share of revenue distributed to victims and less to criminal fines and fees going to the CFA.
- ❖ HB 4075 (2022) gave restitution priority over fines and fees. Restitution often takes years to collect which will delay fine collections.



How Courts & Third-Parties Collect

Third-Parties are the Department of Revenue and Private Collection Firms

8

- ❖ OJD provides people a full year to pay in full or set up a payment plan with the court.
- ❖ Payment plans are assessed a \$25 fee to cover administrative costs.
- ❖ OJD is required to send cases to third-party collections after a year of non-payment (ORS 1.197).
- ❖ Judgments for restitution are collectible for 50 years.
- ❖ Judgments for criminal fines and fees are collectible for 20 years.

Courts

Collect **70%** of Total Revenue

- Cashiering & ePay
- Voluntary Payment Plans
- Local Court Programs

Third-Parties

Collect **30%** of Total Revenue

- Tax Refund Intercept
- Payment Plans
- Wage Garnishment

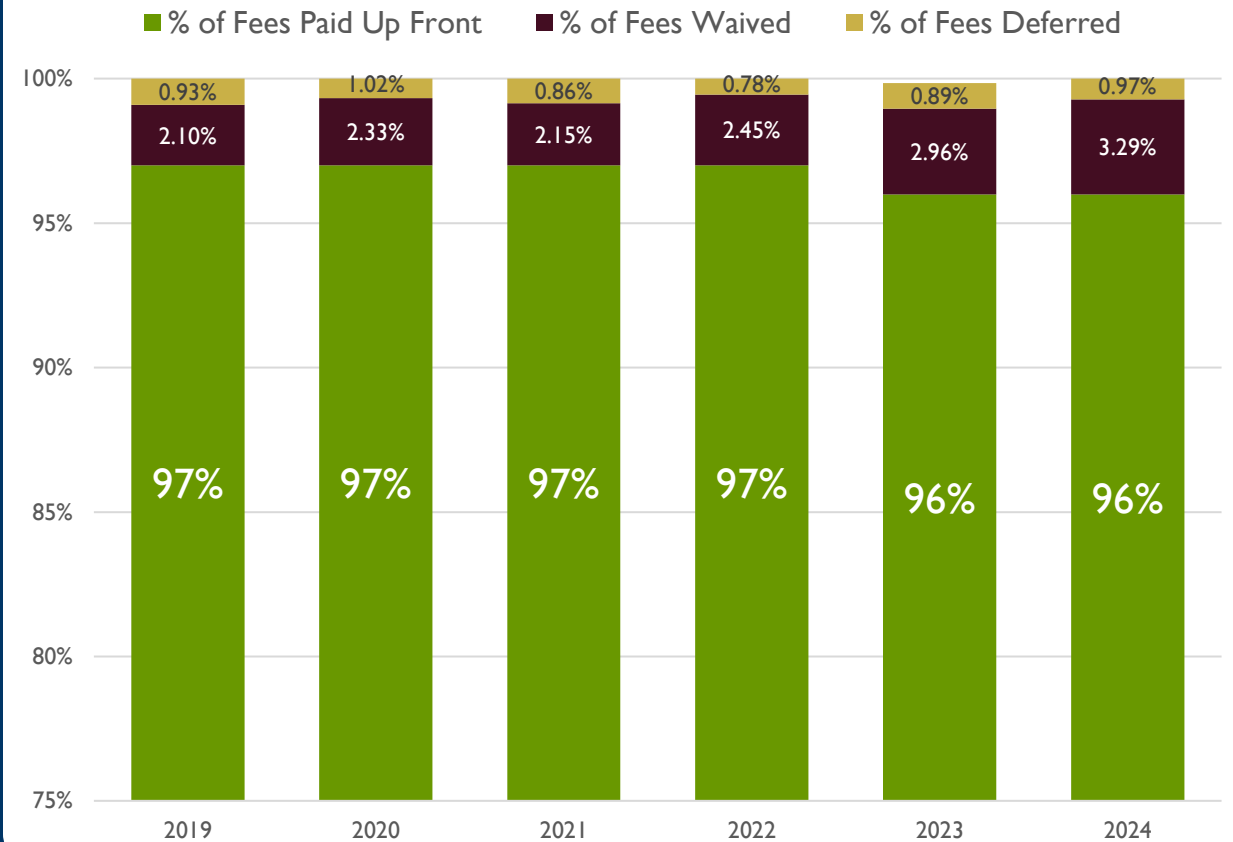
Civil Filing Fees

meeting people where they're at

9

- ❖ Statutory fees for receiving court services @ <https://www.courts.oregon.gov/pages/fees.aspx>
- ❖ Paid in advance -- law requires payment at time of filing
- ❖ Waiver and deferrals available for low-income individuals
- ❖ Amounts collected are distributed to the General Fund

Filing Fee Waiver and Deferral Rates





Oregon Circuit Courts

Fee Deferrals & Waivers

Statewide Summary

2019 - Current

Last Updated
1/4/2025



Intro

Statewide Summary

Fee Waiver Summary

Fee Deferral Summary

Appendix

Fee Counts

Fee Dollars

Judicial District

All

Court

All

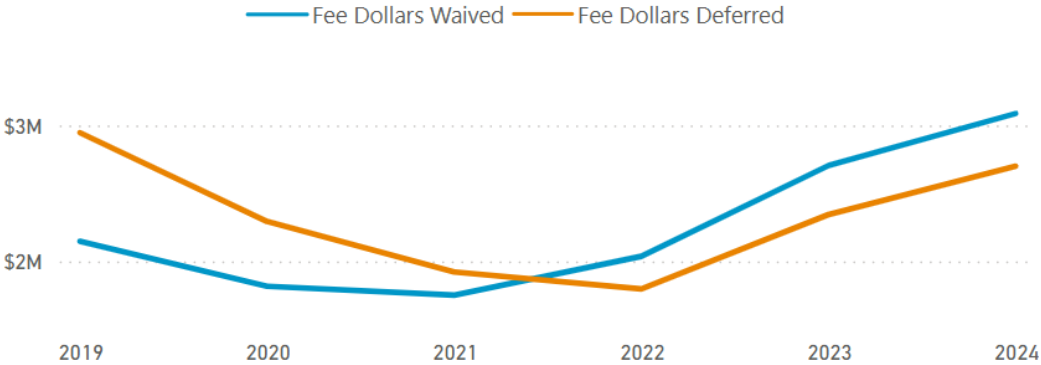
Year

Multiple selections

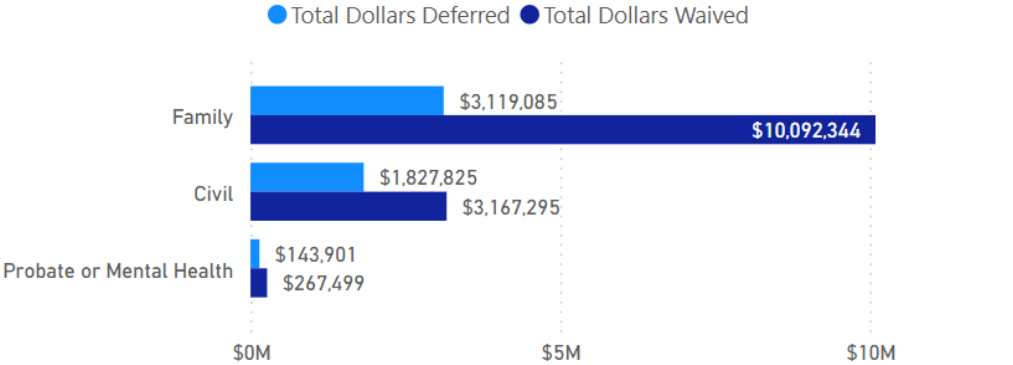
Case Category

All

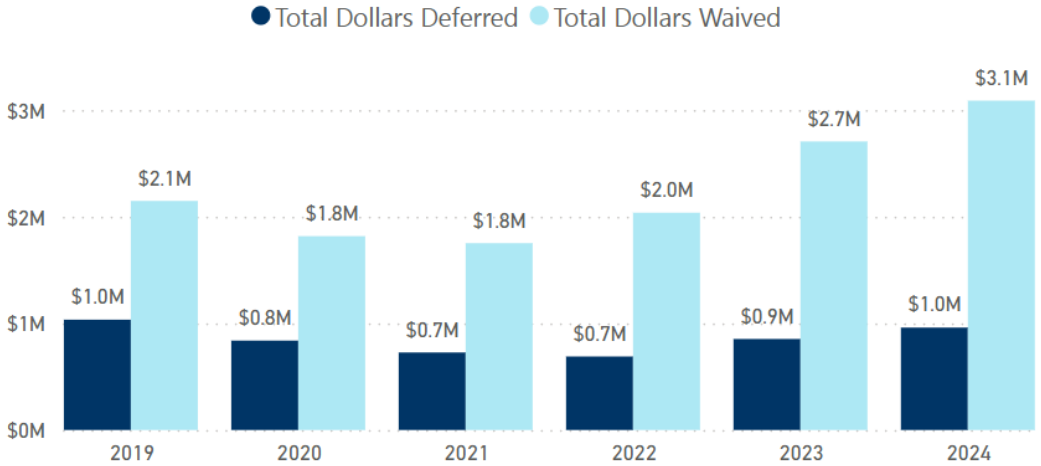
Fee Dollars Waived/Deferred Over Time



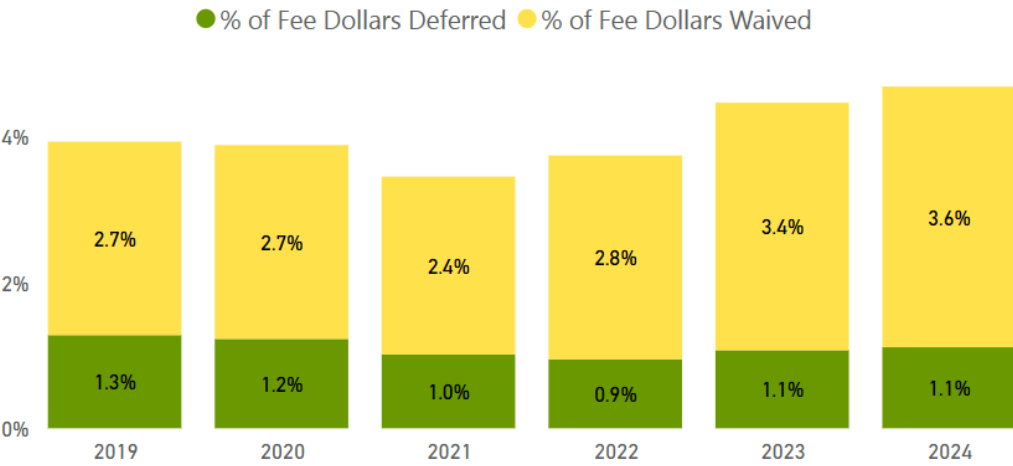
Total Fee Dollars Waived or Deferred by Case Category



Total Fee Dollars Waived or Deferred by Year



% of Fee Dollars Waived or Deferred by Year

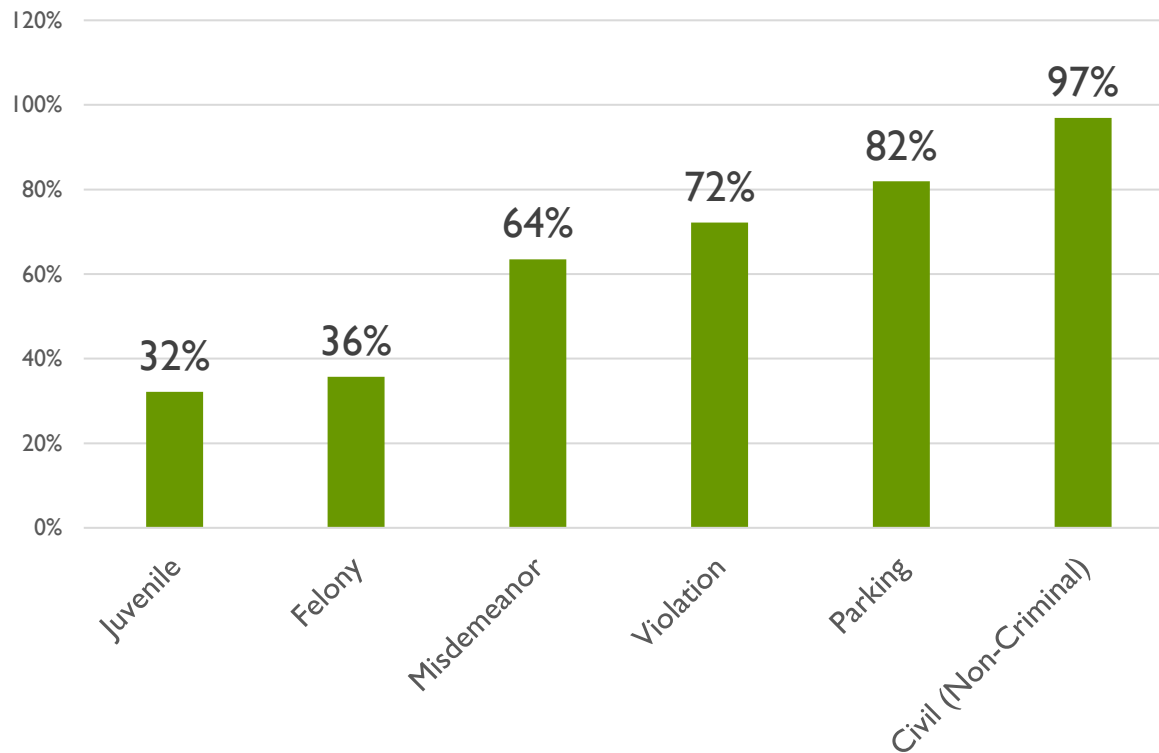


Collection Rates

The more serious the matter, the harder it is to collect.

11

Collection Rates by Case Type
All Fines and Fees Imposed



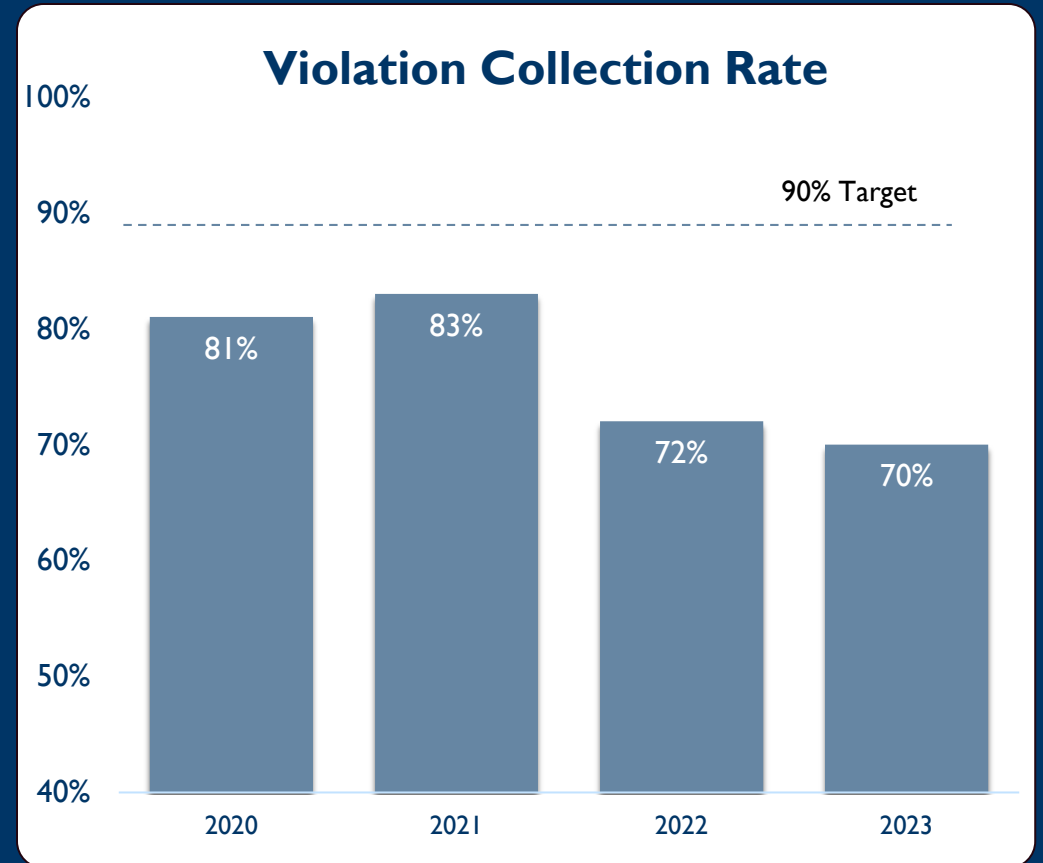
The lifecycle of some money judgments can span 50 years on restitution judgments and 20 years on criminal judgments for fines and fees.

OJD tracks revenue and collections since the first fines and fees were imposed in the statewide court system in 1988.

Violation Collection Rate

12

- ❖ This is a key performance measure for OJD that focuses solely on violations to evaluate the timeliness and effectiveness of collection actions.
- ❖ Debt is Referred to collections after 365 days with no payments.
- ❖ Approximately 20% of people cited with a violation failed to appear or pay by the date on their citation.

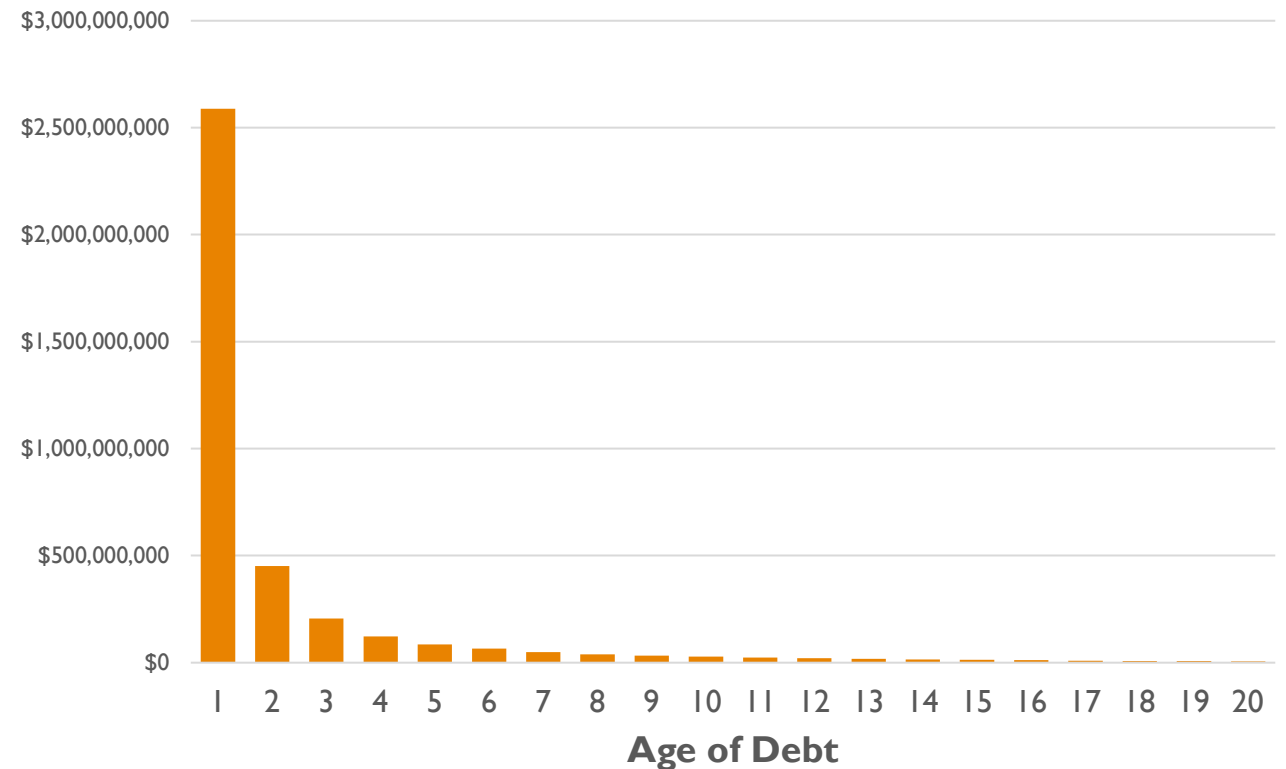


Diminishing Returns After First 5 Years

13

- ❖ Most payments are made within the first year of judgment.
- ❖ OJD offers payment options and interventions in the first 5 years when payment is most likely.
- ❖ If payment is not made within the first 5 years, the likelihood that payment will be made is less than 1%.
- ❖ Older cases continue to cycle through Department of Revenue and Private Collection Firms until they are paid, or the judgments expire.

Payments by Age of Debt



Outstanding Debt

14

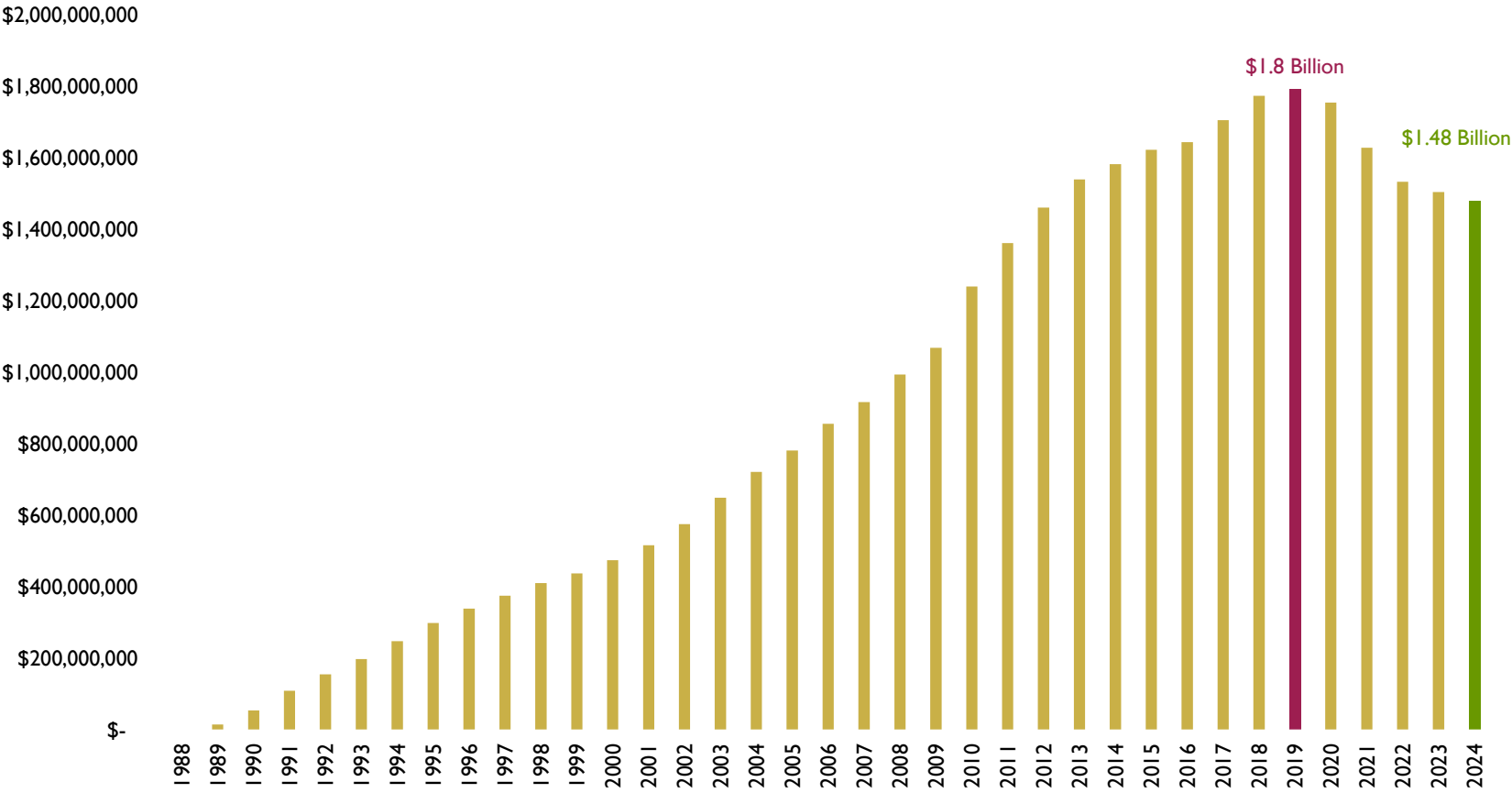
SB 817 (2021) removed \$8.4M in fines and fees on juvenile delinquency fines.

Governor's clemency order in 2022 removed \$14.3M in unpaid fines and fees and qualifying marijuana cases.

Governor's remittance orders in 2022 and 2023 removed \$7.7M in unpaid traffic fines and fees.

Ability to pay evaluations result in lower fine amounts.

Liquidated and Delinquent Debt



Thank You

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