



Legislation Details (With Text)

File #: 21-518 **Version:** 1
Type: New Business **Status:** Agenda Ready
File created: 9/20/2021 **In control:** City Council
On agenda: 9/28/2021 **Final action:**

Title: Consider approving an ordinance pertaining to collection services for court penalties, costs, fines, and fees creating Section 9-1-135, Article 9-1, Chapter 9, Lawton City Code, 2015, authorizing the City to enter into a contract with a collection agency for the provision of collection services for court penalties, costs, fines and fees in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the Court, providing for severability and establishing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Court Collection Services Ordinance

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Consider approving an ordinance pertaining to collection services for court penalties, costs, fines, and fees creating Section 9-1-135, Article 9-1, Chapter 9, Lawton City Code, 2015, authorizing the City to enter into a contract with a collection agency for the provision of collection services for court penalties, costs, fines and fees in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the Court, providing for severability and establishing an effective date.

INITIATOR: Jillian Allison, Municipal Court Director

STAFF INFORMATION SOURCE: Jillian Allison, Municipal Court Director; Kelea Fisher, Deputy City Attorney; Nathan Johnson, Municipal Court Judge

BACKGROUND: Title 11 Oklahoma Statutes Section 12-138 provides that the governing body of a municipality may enter into a contract with a collection agency for the provision of collection services for court penalties, costs, fines and fees in cases in a municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court. The statute further provides that if a municipality enters into such contract with a collection agency and authorizes the collection fee, the court shall order defendants to reimburse the fee and such court-ordered fee may be collected as provided by law for the collection of any other civil debt or criminal action. This ordinance establishes the City’s ability to enter into such a contract and collect such adjudicated court penalties, costs, fines and fees in cases in Municipal Court in accordance with state statute. The state statute further provides that the collection fee may not exceed thirty-five percent (35%) of the total amount referred to the collection agency for collection. This ordinance establishes the same percentage limitation.

EXHIBIT: Ordinance 2021-_____

KEY ISSUES: n/a

FUNDING SOURCE: n/a

STAFF RECOMMENDED COUNCIL ACTION: Adopt Ordinance 2021- _____, waive the reading of the ordinance and read the title only.