

Appendix A: Commission Survey Forms

Clerks of Court Questionnaire

You may complete the online questionnaire at this link

<https://www.surveymonkey.com/r/5G7CWGW> or fill out this form and email it to Jennifer.barrie@tn.gov or mail it to the address below. We appreciate any information you can provide.

Date: _____

1. Contact information

Name: _____

Type of Clerk: _____

County: _____

Number of Years in Position: _____

Email Address: _____

Phone Number: _____

2. Please select the courts that you serve. Check all that apply.

_____ Chancery

_____ Circuit, Civil

_____ Circuit, Criminal

_____ General Sessions, Civil

_____ General Sessions, Criminal

_____ Criminal

_____ Juvenile

_____ Probate

_____ Other—Please specify: _____

3. Which of the following court fees or taxes have been adopted by your county and are collected in the courts you serve? Please include the dollar amount for each of the court fees or taxes that you collect.

Tennessee Code Annotated	Description of Fee or Tax	Yes or No	Dollar Amount
8-26-105	Jailers' fee for housing prisoners convicted of misdemeanors in county jail (amount varies)		
10-7-408(b)(1)(C)	Archives and record management fee for initiating case (up to \$5 per public record)		
16-15-5006	Local litigation tax for general sessions judge salary (up to \$6 or more if necessary)		
16-20-106(d)	Litigation tax for local victim-offender mediation center (additional \$1 per case)		
16-20-106(g)	Litigation tax for local victim-offender mediation center (additional \$1 for a total of \$2 per case)		
40-14-210	Fee for indigent representation (\$12.50 public defender fee)		
40-24-109	Fee for victim assistance programs (\$45 per criminal case)		
55-10-207	Fee for electronic traffic citation (\$5 per conviction)		
67-4-601(b)(1)	Local litigation tax for jail construction or renovation or to retire debt for courthouse renovation or construction (up to \$10 per case)		
67-4-601(b)(5)	Local litigation tax (up to \$25 per case)		
67-4-601(b)(6)	Local litigation tax for courthouse security, jail construction, courthouse debt, or law enforcement recordkeeping (up to \$25 per case)		

4. Does your county have any private acts that set court fees or taxes?

Yes _____ No _____ Not Sure _____

If yes, please answer the following questions for each private act fee or tax:

- a. What are the amounts of the private act fees or taxes?

- b. Are the funds from the private act fees or taxes earmarked for a specific use or do they go to a general fund? Please specify the earmarked use or fund.

- c. In which courts are private act fees or taxes imposed? On what types of filings or offenses are private act fees or taxes imposed?

5. Please list any private act fees or taxes not included above that are **optional or specific** to your county or court and answer the following questions for each one:

a. What are the amounts of the private act fees or taxes?

b. Are the funds from the private act fees or taxes earmarked for a specific use or do they go to a general fund? Please specify the earmarked use or fund.

c. In which courts are private act fees or taxes imposed? On what types of filings or offenses are private act fees or taxes imposed?

6. We would like to know about the funding of your office.
 - a. If your office is a fee office, what portion of your overall budget was funded by fines, fees, and taxes in Fiscal Year 2014-15? Please include a percentage if possible.

 - b. If your office is a general fund budget office, how much were you over or under your approved budget in Fiscal Year 2014-15?

7. We would like to know about your collection efforts in the courts you serve. **In the past five years,**
 - a. How successful have your collection efforts been? If possible, please provide the percentage of the total amount assessed that went into default, and of the amount in default, how much you were able to collect.

 - b. How often and how successfully do you collect fees and taxes using review hearings, executions, garnishments, judgment liens, or other collection methods?

- c. Do you collect payments in-house, use a private collection company, or both? If both, how do you determine which to use and does it differ by court?

- d. **If possible**, please estimate how much collection efforts have cost, whether in-house or with a private company, in the past four years. Please answer in the chart below.

	Fiscal Year 2011-12	Fiscal Year 2012-13	Fiscal Year 2013-14	Fiscal Year 2014-15
Circuit				
General Sessions				
Juvenile				
Chancery				
Other (specify):				

Please share any thoughts or comments you have about collection costs.

8. Please include the total amounts assessed and received for each court that you serve for fiscal years **2012-13, 2013-14, and 2014-15** in each of the **three charts below**.

	Fiscal Year 2012-13			
	Civil Assessed (Total Dollars)	Civil Received (Total Dollars)	Criminal Assessed (Total Dollars)	Criminal Received (Total Dollars)
Circuit				
General Sessions				
Juvenile				
Chancery				
Other (specify):				

	Fiscal Year 2013-14			
	Civil Assessed (Total Dollars)	Civil Received (Total Dollars)	Criminal Assessed (Total Dollars)	Criminal Received (Total Dollars)
Circuit				
General Sessions				
Juvenile				
Chancery				
Other (specify):				

	Fiscal Year 2014-15			
	Civil Assessed (Total Dollars)	Civil Received (Total Dollars)	Criminal Assessed (Total Dollars)	Criminal Received (Total Dollars)
Circuit				
General Sessions				
Juvenile				
Chancery				
Other (specify):				

9. Please share any other thoughts or comments about court fees, taxes, and fines.

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Thank you for completing this questionnaire. **Please respond by May 20, 2016.** You may print and complete the attached copy, scan it, and return it by email to jennifer.barrie@tn.gov, or return it by fax to 615-532-2443 or mail to

Attn: Jennifer Barrie, Senior Research Associate
 Tennessee Advisory Commission on Intergovernmental Relations
 226 Capitol Blvd., Suite 508
 Nashville, TN 37243-0760

Municipal Clerks of Court Questionnaire

You may complete the online questionnaire at this link <https://www.surveymonkey.com/r/TYGRQ2H> or fill out this form and email it to Jennifer.barrie@tn.gov or mail it to the address below. We appreciate any information you can provide.

Date: _____

1. Contact information

Name: _____

Type of Clerk: _____

City: _____

County: _____

Number of Years in Position: _____

Email Address: _____

Phone Number: _____

2. Please select the courts that you serve. Check all that apply.

_____ Municipal

_____ Juvenile

_____ Other—Please specify: _____

3. Which of the following court fees or taxes have been adopted by your local government and are collected in the courts you serve? Please include the dollar amount for each of the court fees or taxes that you collect.

Tennessee Code Annotated	Description of Fee or Tax	Yes or No	Dollar Amount
6-54-136(b)	Archives and record management fee (up to \$5 per record)		
16-18-304(a)	Fee for judges' and clerks' training (mandatory fee but amount set by legislative body)		
16-20-106(c)	Litigation tax for local victim-offender mediation center (additional \$1 per case)		
40-24-109	Fee for victim assistance programs (\$45 per criminal case)		
55-10-207	Fee for electronic traffic citation (\$5 per conviction)		

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4. Does your city have any municipal laws or ordinances that set court fees or taxes?

Yes _____ No _____ Not Sure _____

If yes, please answer the following questions for each fee or tax set by municipal law or ordinance:

a. What are the amounts of the fees or taxes set by municipal law or ordinance?

b. Are the funds from these fees or taxes earmarked for a specific use or do they go to a general fund? Please specify the earmarked use or fund.

c. In which courts are these fees or taxes imposed? On what types of filings or offenses are these fees or taxes imposed?

5. Please list any fees or taxes set by municipal law or ordinance that are not included above that are **optional or specific** to your city or court and answer the following questions for each one:

a. What are the amounts of the fees or taxes set by municipal law or ordinance?

b. Are the funds from these fees or taxes earmarked for a specific use or do they go to a general fund? Please specify the earmarked use or fund.

c. In which courts are these fees or taxes imposed? On what types of filings or offenses are these fees or taxes imposed?

6. We would like to know about the funding of your office.
 - a. What portion of your overall budget was funded by fines, fees, and taxes in Fiscal Year 2014-15? Please include a percentage if possible.

 - b. How often has your local government had to provide additional funding for the operation of your office over and above the fees collected?

7. We would like to know about your collection efforts in the courts you serve. **In the past five years,**
 - a. How successful have your collection efforts been? If possible, please provide the percentage of the total amount assessed that went into default, and of the amount in default, how much you were able to collect.

b. How often and how successfully do you collect fees and taxes using review hearings, executions, garnishments, judgment liens, or other collection methods?

c. Do you collect payments in-house, use a private collection company, or both? If both, how do you determine which to use and does it differ by court?

d. **If possible**, please estimate how much collection efforts have cost, whether in-house or with a private company, in the past four years. Please answer in the chart below.

	Fiscal Year 2011-12	Fiscal Year 2012-13	Fiscal Year 2013-14	Fiscal Year 2014-15
Municipal				
Juvenile				
Other (specify):				

Please share any thoughts or comments you have about collection costs.

8. Please include the total amounts assessed and received for each court that you serve for fiscal years **2012-13, 2013-14, and 2014-15** in each of the **three charts below**.

	Fiscal Year 2012-13			
	Civil Assessed (Total Dollars)	Civil Received (Total Dollars)	Criminal Assessed (Total Dollars)	Criminal Received (Total Dollars)
Municipal				
Juvenile				
Other (specify):				

	Fiscal Year 2013-14			
	Civil Assessed (Total Dollars)	Civil Received (Total Dollars)	Criminal Assessed (Total Dollars)	Criminal Received (Total Dollars)
Municipal				
Juvenile				
Other (specify):				

	Fiscal Year 2014-15			
	Civil Assessed (Total Dollars)	Civil Received (Total Dollars)	Criminal Assessed (Total Dollars)	Criminal Received (Total Dollars)
Municipal				
Juvenile				
Other (specify):				

9. Please share any other thoughts or comments about court fees, taxes, and fines.

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Thank you for completing this questionnaire. **Please respond by May 20, 2016.** You may print and complete the attached copy, scan it, and return it by email to jennifer.barrie@tn.gov, or return it by fax to 615-532-2443 or mail to

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