FILED FOR RECORD - GRAY COUNTY TX
JEANNE HORTON - COUNTY CLERK
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By:Jeanne Horton, DEPUTY

STANDING ORDER REGARDING UNPAID AND/OR UNCOLLECTED FINES AND FEES

WHEREAS, the GOVERNMENT CODE states in SECTION 51.610 UNCOLLECTIBLE FEES.

(a) The clerk may request the court in which a court cost or fee was imposed on a party in a civil case to make a finding that the cost or fee is uncollectible if the cost or fee has been unpaid for at least 15 years.

(b) On a finding by a court that a court cost or fee imposed on a party in a civil case is uncollectible, the court may order the clerk to designate the cost or fee as uncollectible in the fee record. The clerk shall attach a copy of the court fee record.

(c) This section does not apply to a court cost or fee imposed by the supreme court, the court of criminal appeals, or a court of appeals.

WHEREAS, the TEXAS CODE OF CRIMINAL PROCEDURE states in ARTICLE 103.0081 UNCOLLECTIBLE FINES AND FEES.

(a) Any officer authorized by this chapter to collect a fine, reimbursement or other fee, or item of cost may request the trial court in which a criminal action or proceeding was held to make a finding that a fine, reimbursement or other fee, or item of cost imposed in the action or proceeding is uncollectible if the officer believes:

(1) the defendant is deceased;

(2) the defendant is serving a sentence for imprisonment for life or life without parole; or

(3) the fine, reimbursement or other fee, or item of cost has been unpaid for at least 15 years.

(b) On a finding by a court that any condition described by Subsection (a) is true, the court may order the officer to designate the fine, reimbursement or other fee, or item of cost as uncollectible in the fee record. The officer shall attach a copy of the court's order to the fee record.

WHEREAS, the direct costs of administering the collection of delinquent fines and fees can be substantial, including contracting collectors, locating offenders, and administrating collections for the low rates of return for longtime unpaid fines and fees, and the liability incurred by the Gray County Clerk's Office for managing these longtime unpaid fines and fees, this Court respects the principles these statutes were formed under and orders dismissal of unpaid and/or uncollected fines and fees that have languished in the Gray County Clerk's Office in excess of 15 years, in accordance to statute.

THEREFORE, it is a standing order of this Court that unpaid and/or uncollected fines and fees in excess of 15 years old or older be dismissed pursuant to the above statutes.

SIGNED this the 20th day of March 2023.

Chris Porter
Gray County Judge