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6 Debt Collection Policies

6.2 General Policy Statement

- **6.2.1 Purpose**

The Board of Supervisors of the County of Glenn adopts these policies for the purpose of providing an administrative framework for the management of accounts receivable.

6.3 Forms and Control

- **6.3.1 Department Control**

Control over accounts receivable shall be kept by each department.

- **6.3.2 Official Billing Forms**

Billing for services shall be done by use of official press numbered billing forms furnished to each using department by the County Finance Director, except where special forms are provided, and approved by the Finance Director.

- **6.3.3 Use of Forms**

Billing forms issued to a department shall be used in numerical sequence, and each billing form accounted for. Spoiled forms shall be retained on hand until audited. All copies of spoiled forms shall be marked "Cancelled"

6.4 Operations Guidelines

- **6.4.1 Departmental Procedures**

All officers and employees responsible for the receipt of money shall follow the following guidelines:

A. All accounts receivable shall be due and owing at the time the debt is incurred. Such accounts shall be considered delinquent 30 days after the due date.

B. Immediately after an account becomes due and payable to the County, the county officer or employee chargeable with collection of the debt shall immediately send a bill to the debtor and make every reasonable effort to collect the debt within 90 days. Responsible officers shall not agree to accept payments in installments over a period in excess of 90 days without the approval of County Counsel.

C. When an account becomes delinquent (i.e., 30 days after it is due), the proper county officer or employee shall send to the debtor a notice that the account is delinquent and that the delinquent account may be turned over to a collection agency unless payment is made immediately.

D. Between 60 and 90 days after an account has become due and payable, the officer charged with its collection shall notify the County Counsel of the debt. The responsible officer shall also be prepared to provide the following information:

- (1) All names used by the debtor and spouse;
- (2) All addresses used by the debtor within the past five years;
- (3) All places of employment of debtor and spouse within the past five years;
- (4) List of known tangible assets of debtor and spouse (e.g., cars, homes, bank accounts, etc.);
- (5) Evidence of debt;
- (6) Copies of correspondence with debtor; and
- (7) All other relevant information.

E. After notice is given pursuant to paragraph (D) above, the County Counsel and the responsible officer shall jointly determine whether the interests of the County would be best served by assigning the accounts to an outside collection agency, by collecting in-house, or by pursuing some other course of action.

F. An officer chargeable with accounts receivable may notify the County Counsel of the debt sooner than the standard 60 days in any of the following circumstances:

- (1) Bill returned undelivered by the Post Office;
- (2) Check returned unpaid by a bank.
- (3) Large accounts which clearly will not be paid within 90 days; or
- (4) Other circumstances which might result in a special or unusual problem.

• **6.4.2 Central Collection Management**

A. The County Counsel is authorized to take any and all measures permitted by law for the purpose of obtaining payment of debts on behalf of the County of Glenn. However, it is expected that the majority of accounts will be assigned to an outside collection agency chosen by this Board.

B. Whenever an account is to be collected by County Counsel or an outside collection agency, notice shall immediately be given to the debtor of such collection procedures. In such event, debtors are to be encouraged to make payments to the County Counsel or the collection agency, as the case may be, however, payments to the responsible officer shall not be refused.

C. An officer who receives money on an account being handled by the County Counsel or an outside collection agency shall properly receipt the payment and immediately notify the County Counsel or the collection agency thereof.

D. Whenever an account is to be collected by an outside collection agency, the responsible officer shall deliver the account along with the information required by Section 6.04.01(D)(1-7) to the County Counsel. Notice of the transfer shall be given to the Auditor-Controller.

- **6.4.3 Fee for Collection**

In lieu of any other fee or charge allowed for his services, the County Counsel may charge and deposit in the general fund a fee for collection of accounts receivable in an amount not to exceed twenty-five percent (25%) of the amount collected. This Section shall not apply to monies collected by an outside collection agency.

6.6 Discharge

- **6.6.1 Requests for Discharge**

Officers shall consider whether a discharge of a particular debt would be in the best interest of the County and if so, are encouraged to seek such discharge from the Auditor-Controller pursuant to Section 6.06.02.

- **6.6.2 Authority to Discharge**

A. Pursuant to Section 25259.5 of the Government Code, the County Auditor-Controller is hereby authorized and directed to exercise the powers of discharge from accountability set forth in Sections 25257 through 25259 of the Government Code.

B. The Auditor-Controller shall not exercise the power of discharge so authorized unless and until he has given the Board of Supervisors 10 days written notice of his intention to so discharge specified accounts. Said notice shall contain a list of those accounts, by name and amount, to be discharged. In the processing of such notice, all confidentiality required by law shall be maintained.

6.8 Exceptions

- **6.8.1 Juvenile or Criminal Fines and Penalties**

Law enforcement agencies, including the justice court, shall not be required to comply with these guidelines with regard to fees, fines and penalties imposed in any juvenile or criminal proceeding.

- **6.8.2 Confidential Records**

Agencies responsible for debts incurred in the course of providing services of a confidential nature shall not be required to comply with these guidelines, insofar as such debts are concerned, until the debt is reduced to judgment by any civil or criminal court.

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