

Ordinance

Version 3.4 released on 6/29/23
Use for all Ordinances including: TRO, Budget, Zoning, Declarations,
Trust Indentures, etc.



CITY COUNCIL USE ONLY	Tracking #: _____	CITY CLERK USE ONLY	
Date Received: _____	Committee: _____	<input type="checkbox"/> Scanned	Date: <u>05.28.2025</u>
Committee Date: _____	Hearing Date: _____	<input type="checkbox"/> Posted	Item #: <u>2505.01382</u>
1 st Agenda Date: _____	2 nd Agenda Date: _____		

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Dept. Tracking No.	Board Approval	Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Municipal Court	Contact Name Cheri Harvell	Email charvell@cityoftulsa.org	Phone 918-596-7760
Subject (Description) Ordinance Repealing Title 23, Chapter 1, Section 116		Ordinance Type Repealing Ordinance	
Section	Township	Range	Lot
Block	Address		BA / CT Number
Amending Ord. No.	TRO Title No. e.g. 43	TRO Subtitle e.g. G	Property/Non-Property
Council District	Zoning No.	PUD No.	Planning District

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:	<u>Cheri Harvell</u>	Date:	<u>5-20-2025</u>
Legal:	<u>Walter Walter</u>	Date:	<u>5-22-25</u>
Board:	<u>[Signature]</u>	Date:	<u>MAY 28 2025</u>
Mayor:	<u>[Signature]</u>	Date:	
Other:		Date:	

Policy Statement

Background Information

The repeal of Title 23, Chapter 1, Section 116 will allow the City full authority granted under Oklahoma law, 11 O.S section 22-138, to collect penalties, costs, fines, and fees in cases in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court.

Provide background information on the requested action.

Summation of the Requested Action

Summarize the pertinent details of the requested action.

Emergency Clause?

☐ Yes

☐ No

Reason for Emergency Clause

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- ☐ Mail vendor copy (addt'l signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Addt'l governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the Tulsa World
_____, 2023)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 23, TULSA REVISED ORDINANCES, ENTITLED "MUNICIPAL CRIMINAL COURT," BY REPEALING IN ITS ENTIRETY SECTION 116 ENTITLED "COLLECTION SERVICES FOR COURT PENALTIES, COSTS, FINES AND FEES IN CASES IN MUNICIPAL COURT IN WHICH THE ACCUSED/ DEFENDANT HAS FAILED TO APPEAR OR OTHERWISE FAILED TO SATISFY A MONETARY OBLIGATION ORDERED BY THE COURT."

BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA:

Section 1. That Title 23, Tulsa Revised Ordinances, be and the same is hereby amended by repealing Section 116 in its entirety.

ADOPTED by the Council _____
Date

Chair of the Council

OFFICE OF THE MAYOR

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____
Date

Mayor

(Seal)
ATTEST:

City Clerk

APPROVED:

City Attorney

[Signature]

Section 116. - Collection services for court penalties, costs, fines and fees in cases in Municipal Court in which the accused/defendant has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court.

- A. Subject to the provisions of the Amended Charter and the Tulsa Revised Ordinances, the Mayor, on behalf of the City, shall be authorized to enter into a contract with a collection agency for the provision of collection services for adjudicated court penalties, costs, fines and fees in cases in Municipal Court in which the accused/defendant has failed to appear or otherwise failed to satisfy a monetary obligation ordered by a Judge of the Municipal Court.
- B. Upon the City entering into a contract with a collection agency as authorized in Subsection A. of this section and upon a Judge of the Municipal Court entering an order finding an accused/defendant has amounts past due and owing to the Municipal Court for adjudicated court penalties, costs, fines and fees in a case or cases filed in Municipal Court, the Clerk of the Municipal Court or the appropriate finance official of the City may refer the indebtedness of the accused/defendant to the collection agency for collection. In addition to the original amount of the indebtedness to the Municipal Court, the Judge of the Municipal Court shall order the accused/defendant to reimburse the actual and contracted collection fee arising from the City's contract with the collection agency authorized by this section in an amount not to exceed thirty-five percent (35%) of the original indebtedness.

(Ord. No. 22160, § 1, 11-12-2009)



5/15/2025

Collection of Unadjudicated Fines/Fees

Background / Justification

City ordinance mimics state law except the word “adjudicated” was inserted. By repealing the city ordinance, the process for sending cases to collections would default to state law.

Currently, Municipal Court sends cases to collections when the case is heard by a judge and the citizen fails to pay costs/fines ordered by a judge. Cases where preset fines exist, and the citizen fails to appear in court, are not sent to collections. For example, when a citizen receives a \$150 traffic citation, they are advised to pay or appear in court on a specific date, which is about 30 days after the violation occurred. If the citizen does not pay or appear on that date, the case is not sent to collections.

With this ordinance change, Municipal Court would be able to send those types of cases to collections. Currently, our only effort to resolve payable citations is to mail a reminder postcard.

Allowing payable citations to be sent to collections:

- Reduces the administrative burden and cost of pursuing unpaid fines
- Improves efficiency in recovery of unpaid traffic fines and reduces backlog
- Improves overall compliance with legal obligations
- Agency has expertise on legal requirements and best practices for debt collection
- Agency can scale their efforts to meet the volume demand
- Helps us recover cost of case and warrant management

Ways We Have Prepared

- Added collection language to citations and cost review (payment plan) paperwork
- Collection agency is willing to soften their messaging and work with us to meet our messaging requirements
- Collection letters will notify citizens
 - They have the right to plea NOT GUILTY and have a trial.
 - They may enter a plea of NO CONTEST OR GUILTY when sending payment.
 - They may contact the court to inquire about any qualifications to alternative means to satisfy the amount due.
 - They have the right to a Cost Hearing where a judge will determine their ability to pay.
 - They can appear in the courthouse to request an interpreter.



Municipal Court

Revenue Estimate

Annual revenue to the city is expected to increase by \$60-100k annually. Additionally, the initial bulk of cases sent to collections could result in one time revenue of \$510k.

Ordinance Reference

Title 23, Chapter 1, Section 116

Response to Questions

- As of May 2025, Municipal Court has about 187,000 open court cases.
- About 14% or 25,629 cases are in collections.
- About 8% or 14,337 new cases are proposed to go to collections.
- The cost difference of mailing a letter (.73) vs. a postcard (.56) is about \$1,343 for 7,900 pieces annually.
- State statute allows collections fees up to 35%. The current contracted amount is 24%; however, with rising costs, it may not be realistic to include a 25% maximum in the city ordinance.

JOHN DOE
123 ANYWHERE ST
TULSA, OK 74103

Physical Address of Courthouse:
City of Tulsa Municipal Court
600 Civic Center, Suite 228
Tulsa, OK 74103

Please complete the back of this form and remit this portion with your payment

NOTICE OF OUTSTANDING CITATION

For questions, call (866) 870-8565 | Si tiene preguntas, llame al (866) 870-8565

If you need an interpreter, please appear in the courthouse and one will be provided. [Language]

- Aakaal sainsai hcakarrypyan tait u loaautpark tararronnetwin kyaayyjuupyau pawlarpyee tait uko payysaung parmai.
[Burmese]
- Ika pwe ka mochen emon chon affouni, kose mochen kopwe pwa non ewe imwen kapung iwe ipwe kawor emon.
[Chuukese]
- Elane kwoj aikuj juon ri-ukok, jouj im walok ilo jikin ekajet eo im enaj wor juon.
[Marshallese]
- Yog hais tias koj xav tau ib tug neeg txhais lus, thov tshwm sim nyob rau hauv lub tsev hais plaub thiab ib tug yuav muab.
[Hmong]
- Nangmah i thilthlek a awm theih lo, courthouse ah hmu khith, ka hmu khat a ni.
[Zomi]

The Municipal Court, City of Tulsa, Oklahoma has referred this delinquent financial obligation to our law firm for collection pursuant to 11 Oklahoma Statutes §22-138. If payment is not made immediately, we will proceed with our collection efforts. Please note the following may pertain to this outstanding citation:

- **A Warrant may be pending for your arrest. If no warrant is pending, the Court may have the authority to still issue one. Avoid possibly going to jail by acting immediately.**
- **Oklahoma law allows for the Oklahoma Tax Commission to turn over your state income tax refund to the Court to pay any outstanding fines, costs, or fees.**
- **Depending on the offense, Service Oklahoma may suspend your driving privileges.**

If you have an attorney that has entered an appearance in this case, we cannot discuss the case with you and ask that you forward this letter to your attorney. Additionally, special requirements apply to juveniles. **Please contact the Court directly at (918) 596-1625 if this is a matter involving a juvenile.**

Perdue Brandon is not a Court Cost Compliance Liaison, however, under Oklahoma law, you have the right to request a Cost Hearing. All Cost Hearings must be attended in person. If you would like to request a Cost Hearing, please contact the Clerk of the Court at (918) 596-1625.

If you feel this letter was sent to you in error, please contact our office at (866) 870-8565 or via email at fines-ama@pbfcml.com.

To pay by mail, you must fill out the below plea information and return it with your payment. All juveniles must be accompanied by a parent or an attorney because of additional requirements.

If you are assessed a fine and/or court costs for this citation, and you are unable to pay, please contact the Court at (918) 596-1625 or courtclerk@cityoftulsa.org to inquire about any qualifications you may have for alternative means to satisfy the amount you owe.

You have the right to enter a plea of NOT GUILTY and have a trial. If you want to enter a plea of not guilty, please contact the Court directly at (918) 596-1625 or courtclerk@cityoftulsa.org.

To enter a plea of GUILTY or NO CONTEST, please detach and send in this form with payment.

- ____ 1) I hereby enter a plea of **GUILTY** and waive appearance for trial.
Enclosed is the full amount of fines and court costs.
- ____ 2) I hereby enter a plea of **NO CONTEST** and waive appearance for trial.
Enclosed is the full amount of fines and court costs.

Signature _____ Driver's License/State _____ Date _____

Date	Docket	Description	Total
10/8/2008	MC-2008-00065	OPERATING WITH EXPIRED TAG	\$115.85
Total Due -----> \$ 115.85			

PAYMENT OPTIONS: PERSONAL CHECKS ARE NOT ACCEPTED

Online: <https://payments.pbfcmlaw.com/pmts/> Customer ID: **F/B0059/0000001**
A CONVENIENCE FEE IS CHARGED FOR ALL CREDIT CARD PAYMENTS

CASHIER'S CHECK OR MONEY ORDER MAY BE MAILED TO:

Perdue Brandon
PO Box 9132
Amarillo, TX 79105
Phone: 1 (866) 870-8565

Court Contact: **City of Tulsa Municipal Court**
Phone: (918) 596-1625
Email: courtclerk@cityoftulsa.org
Website: www.cityoftulsa.org/courts

If you are assessed a fine and court costs for this citation, and you are unable to pay, please contact the court to inquire about any qualifications you may have for alternative means to satisfy the amount you owe. You have the right to request a cost hearing where a judge will determine your ability to pay.

Oklahoma Statutes Annotated

Title 11. Cities and Towns (Refs & Annos)

Chapter 1. Municipal Code (Refs & Annos)

Powers of Cities and Towns

Article XXII. General Powers of Municipalities

11 Okl.St. Ann. § 22-138

§ 22-138. Municipal collection agency contracts

Currentness

A. The governing body of a municipality may enter into a contract with a collection agency for the provision of collection services for one or more of the following items:

1. Debts and accounts receivable including, but not limited to, unpaid fees, penalties, interest, and other sums due the municipality, as applicable; or
2. Court penalties, costs, fines and fees in cases in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court.

B. A governing body of a municipality that enters into a contract with a collection agency pursuant to this section may authorize the addition of a collection fee in an amount not to exceed thirty-five percent (35%) on each item described in subsection A of this section that has been referred by the municipality to the collection agency for collection. 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 arising pursuant to paragraph 2 of subsection A of this section and such court-ordered fee may be collected as provided by law for the collection of any other civil debt or criminal action.

Credits

Laws 2009, c. 258, § 1, emerg. eff. May 22, 2009.

11 Okl. St. Ann. § 22-138, OK ST T. 11 § 22-138

Current with emergency effective legislation through Chapter 216 of the First Regular Session of the 60th Legislature (2025). Some sections may be more current, see credits for details.