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TO: Town and Village Justices and Court Clerks

FROM: Susan Motler
Manager, Justice Court Fund

SUBJECT: Reporting to the Justice Court Fund (JCF)

ISSUED: April 18, 2011

This advisory is to inform you of upcoming changes to the Justice Court Fund's reporting website used by justices who file their monthly report electronically, and to provide guidance for areas of reporting where we have seen a significant increase in errors.

Changes to the JCF Electronic Filing Website

The Justice Court Fund (JCF) is nearing completion of a project to improve the electronic filing website that courts use to file their monthly justice reports. The redesigned website is scheduled for release by late spring or early summer. This new reporting system will include several noticeable improvements. The most significant improvement is that justices will no longer need to submit a separate report certification page to the JCF; instead, an electronic certification will be completed at the time the electronic report is submitted. In addition, each justice submitting a report electronically will be provided an automated email response indicating whether or not the report submission has passed certain validation checks for acceptance by the JCF. For those submissions that do not pass the validation checks, the reporting system will display information giving the filer an opportunity to correct the errors and resubmit the report immediately. We believe that these changes will significantly improve the reporting experience for courts, and will provide more timely assurances that the justice's report filings have met the JCF's reporting standards.

New features of the website will also include improved functionality for assigning and maintaining User IDs and passwords. Each justice will receive a unique User ID and temporary password to use when initially accessing the system. The first time justices sign into the reporting system, they will be prompted to create their own personal passwords to be used for future access. Justices will have the ability to change their password as frequently as they deem necessary. In the event that a password is forgotten, the system will ask for responses to two personally selected challenge questions. When the questions are successfully answered, the system will allow the user to establish a new password. The JCF staff will be available to provide assistance to anyone experiencing password problems or other filing issues. We believe that these enhanced password protection controls will help the justices maintain their passwords more easily, while also improving

the integrity of the information reported to the JCF by guarding against inadvertent or intentional misuse by unauthorized people.

Lastly, the new website will provide information on the status of previously submitted reports. Each justice will be able to print a report that includes the date, time and status of each submission for their records. Not only will this reporting feature provide confirmation that the justice has fulfilled their reporting requirements to the JCF, but it could also serve as report filing documentation for the annual audit by the governing board.

The JCF will be piloting the new reporting website with a small number of courts prior to rolling it out statewide. If you are interested in participating in the pilot, please contact our office at 518-473-6438 by April 25th.

Additional information and guidance will be sent to each court as we move closer to full implementation.

Reporting Issues

Adjustments and Refunds

As a reminder, the threshold for processing adjustments on the monthly report (AC-1030) is capped at \$250; amounts in excess of \$250 are considered refunds, in which case the court must request a refund from the JCF. Please note that adjustments on the report are permitted only in limited circumstances, including: overpayments by the court to the JCF; checks returned to the court for insufficient funds; and bail forfeited through clerical error (see 1993 Ops St Comp No. 93-22, at 38).

As indicated above, justices must request a refund from the JCF when the amount of the reporting error or the dishonored check exceeds \$250. In addition, the JCF will continue to process all refunds paid directly to defendants for reversals on appeal, vacation of judgments or remissions of forfeited bail (see Criminal Procedure Law § 540.30). Justices should not process refunds to defendants as adjustments to the monthly report.

The JCF requires a written request for all refunds. Written requests must, among other things: (1) be on court letterhead; (2) include a brief explanation of the circumstances, as well as the month and year of the report conveying the funds to us; and (3) include an original signature of the justice.

Violations of Environmental Conservation Law

The court fee for many civil cases enumerated in the Environmental Conservation Law remains at \$2.50 and must be reported and remitted to the JCF (see Environmental Conservation Law § 71-0519). Please remember that these fees (\$2.50) should be reported in the “civil fees” column and the fine should be reported in the “fine” column. There should be no amount reported in the “mandatory surcharge” column when the disposition is “civil compromise”.

We hope that this information is sufficient to address your reporting concerns. If you should have any questions, please contact us by email at courtfund@osc.state.ny.us or by phone at (518) 473-6438.