

FLORIDA COURTS E-FILING AUTHORITY

COLLECTIONS POLICY

I. PURPOSE.

The purpose of this Collections Policy (“Policy”) is to establish a process for the enforcement of collection actions for delinquent e-Filing fees.

II. PAYMENT OF E-FILING FEES.

The e-Filing fees for various court actions are established statutorily. There is also a convenience fee assessed for use of a credit card or ACH transaction, which covers the associated banking and merchant fees as permitted under Florida Statutes.

III. AUTHORIZED DESIGNEE.

The Florida Courts E-Filing Authority (“Authority”) hereby authorizes the Florida Court Clerks & Comptrollers, through its subcontractor CiviTek (“Contractor”), to pursue the collection of delinquent e-Filing fees.

IV. ENFORCEMENT PROCESS.

- A. NOTIFICATION. The Contractor shall notify the filer when payment cannot be processed. Notification shall be in the form of invoices, emails, letters and phone calls.
 - a. INSUFFICIENT FUNDS. If the failure is due to insufficient funds in the account, the filer will be given 30 days to respond and make payment. Failure to pay in 30 days will result in the case being turned over to a collections agency, reported to the Florida Bar and reported to the appropriate State Attorney’s office.
 - b. INVALID ACCOUNT. If the failure is due to an invalid account (mistyped or wrong account), the filer will be given 45 days to make payment. Failure to pay within the 45 days will result in the case being turned over to a collections agency and being reported to the Florida Bar.
 - c. DEBIT BLOCK. If the failure is due to a debit block on the account, the filer will be given 45 days to make the payment and clear the debit block. Failure to pay within 45 days will result in the case being turned over to a collections agency and being reported to the Florida Bar.
- B. REFERRAL TO COLLECTIONS AGENCY. The Contractor may engage a third-party collections agency to pursue such collections. The collections agency must be in compliance with section 559.555, F.S., regarding registration of consumer collection agencies “Federal Fair Debt Collection Practices Act” and the federal

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legislation regulating fair debt collection practices, as set forth in Pub. L. No. 95-109, as amended and published in 15 U.S.C. ss. 1692 et seq. The Contractor shall competitively procure the selection of the collections agency and shall do so every five (5) years.

- C. ACH BLOCK. In the event a filer's outstanding balance is turned over to a collections agency, that filer may be prohibited from conducting any further ACH transactions through the e-Portal and all future e-Portal transactions shall require credit card payments.