



STATE OF DELAWARE
THE COURTS OF THE JUSTICES OF THE PEACE
820 NORTH FRENCH STREET, 11TH FLOOR
WILMINGTON, DELAWARE 19801

NORMAN A. BARRON
CHIEF MAGISTRATE

TELEPHONE (302) 571-2485

POLICY DIRECTIVE 83-082

TO: ALL JUSTICES OF THE PEACE, STATE OF DELAWARE
ALL CHIEF CLERKS, CRIMINAL/TRAFFIC COURTS

FROM: NORMAN A. BARRON
CHIEF MAGISTRATE

DATE: DECEMBER 27, 1983

RE: PAYMENT OF SECURED CASH BAIL OR OF FINES, COSTS, VICTIM'S
COMPENSATION FUND ASSESSMENTS OR RESTITUTION BY VISA OR
MASTERCARD

Recently I met with Herb Barrett, Special Markets Executive of Comdata Network, Inc.,¹ a Tennessee corporation licensed to do business in the State of Delaware. He informed me of a service they undertake to all VISA or Mastercard holders who are arrested on traffic or criminal charges. For a fee, Comdata will pay by check² a defendant's cash bail or a defendant's fines, costs, VCF or restitution charging the amount thereof against the VISA or Mastercard account of the defendant or of the cardholder if the cardholder is other than the defendant. In that this procedure will likely increase the amount of money collected by the Courts for bail or for fines, costs, VCF or restitution, I have agreed to permit the Justice of the Peace Court system to utilize this collection method.

¹ Hereinafter referred to as Comdata.

² The special checks are known as Comcheks.

Therefore, the following procedures will be utilized whenever a defendant wishes to transfer money from his VISA or Mastercard or, with the consent of a third party, from a third party's VISA or Mastercard:

After learning of a defendant's wish to transfer money to the Court from his VISA or Mastercard or from a third party's VISA or Mastercard, the clerk should:

1. Inform the cardowner of the Comdata service charge and obtain his/her verbal agreement to have money wired.
2. Call Comdata toll-free: 1-800-225-4455.
3. Tell the Comdata representative that "This is an FB order. My service center code is FB ____."
4. Give the Comdata representative:
 - A. Defendant's name and cardowner's name (if different from defendant);
 - B. Mastercard or VISA number;

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The Fine/Bond (FB) service charges are as follows:

\$.01 - 50.00	\$ 9.75	\$ 750.01 - 800.00	\$33.75
50.01 - 100.00	9.75	800.01 - 850.00	35.75
100.01 - 150.00	9.75	850.01 - 900.00	36.75
150.01 - 200.00	9.75	900.01 - 950.00	39.75
200.01 - 250.00	17.75	950.01 - 1,000.00	40.75
250.01 - 300.00	18.75	1,000.01 - 1,050.00	41.25
300.01 - 350.00	19.75	1,050.01 - 1,100.00	42.00
350.01 - 400.00	21.75	1,100.01 - 1,150.00	42.75
400.01 - 450.00	23.75	1,150.01 - 1,200.00	43.50
450.01 - 500.00	24.75	1,200.01 - 1,250.00	50.25
500.01 - 550.00	26.75	1,250.01 - 1,300.00	51.00
550.01 - 600.00	27.75	1,300.01 - 1,350.00	51.75
600.01 - 650.00	29.75	1,350.01 - 1,400.00	52.50
650.01 - 700.00	30.75	1,400.01 - 1,450.00	53.25
700.01 - 750.00	32.75	1,450.01 - 1,500.00	60.50

4

For each Court's FB number, see page 4 of this Policy Directive.

- C. Expiration date of card;
- D. ICA number (Mastercard only);
- E. Cardowner's home address (street number, city, state and zip code) and home phone number; and
- F. Amount to be wired.

5. Within minutes, the Comdata representative will verify the transaction and call you back.

6. The Comchek representative will request that you fill out a Comchek:⁵

A. Give the representative the check number (upper right hand corner).

B. Fill in date, Payee (the defendant) and amount.

C. Fill in the authorization number (middle left portion) that the Comdata representative gives you.

7. Have the defendant endorse the check to your particular Justice of the Peace Court.

8. The guaranteed check may then be deposited.

Mr. Barrett has produced 8" x 10" posters for each of the 14 traffic/criminal Justice of the Peace Courts which, when received, should be displayed in the reception area. These posters will inform all defendants of the possibility of paying Court financial obligations by VISA or Mastercard.

The 14 traffic/criminal Justice of the Peace Courts are assigned the following service center FB code numbers:

⁵A copy of a Comchek (front and reverse sides) is attached hereto as Appendix A. Examples which explain the above procedures are shown at Appendix B.

Court No. 1: FB-025
Court No. 2: FB-026
Court No. 3: FB-027
Court No. 4: FB-028
Court No. 5: FB-029
Court No. 6: FB-030
Court No. 7: FB-031

Court No. 8: FB-032
Court No. 9: FB-033
Court No. 10: FB-034
Court No. 11: FB-035
Court No. 14: FB-036
Court No. 15: FB-037
Court No. 18: FB-038

Each Chief Clerk of the above-referenced Justice of the Peace Courts will receive along with this Policy Directive a package containing a procedural check-list prepared by Comdata, a service charge schedule and a book of Comcheks for use by that particular Court.⁶

Once an authorization has been given by Comdata, the check, endorsed by the defendant, should be deposited in the Court's account.⁷ The payment thereof is guaranteed by Comdata.

I believe that this procedure, whereby Comdata transfers emergency cash to VISA and Mastercard cardholders, charging the transfer to their VISA or Mastercard account, will decrease the instances where a defendant is unable to post bail or to pay for fines, costs, VCF assessments or restitution at the time of sentencing.⁸ This procedure is particularly appropriate with regard to out-of-state defendants who are outside of their banking areas. Therefore, it is worthy of our support and participation.

⁶Mr. Barrett will contact each Chief Clerk periodically with regard to the issuance of additional checkbooks.

⁷If the check covers the amount of bail and the defendant appears for trial and is convicted, the amount of any fines, costs and VCF may be credited against the amount of bail collected. If there is money due to the defendant, the Court should issue to the defendant a Court check covering the difference.

⁸With regard to bail, if the case is to be transferred to another Court, the clerk should simply give the completed paperwork to Chief Clerk, after giving the defendant a receipt, and, thereafter, the Chief Clerk will forward a check drawn from the particular Justice of the Peace Court's account made out to the Court to which the case is being transferred in the amount of the bail set, along with the normal paperwork.

The procedures contained in this Policy Directive shall be effective commencing Thursday, January 1, 1984.

NAB:pn

Attachments (2)

cc: The Honorable Daniel L. Herrmann
The Honorable Albert J. Stiftel
The Honorable Robert H. Wahl
Arthur R. Carello
Mary E. Cooper
James D. Brown
Thomas J. Quinn
Earl L. Shockley
Herb Barrett
Files



145086551

DATE 19 87-1 640

PAY TO THE ORDER OF

THE SUM OF

DOLLARS

\$

AUTHORIZATION NUMBER

PAYABLE THROUGH

COMCHEK SERVICE FEE

DO NOT CASH BEFORE CALLING

This draft is not valid and will not be honored without obtaining an authorization number before cashing. To obtain this number, call one of the following toll-free numbers:

OUTSIDE TENNESSEE 800-251-8597

Within Tennessee 800-342-8210

Within Nashville 385-0400

In emergency, call Nashville collect, area 615.



First American Bank
Nashville, Tennessee

MASTER CARD

VISA

James Squire
TREASURER

⑈ 145086551 ⑈ ⑆0640000⑆7⑆ ⑈600 049 3⑈

DO NOT CASH BEFORE CALLING

(SEE REVERSE SIDE)

DRIVER'S LICENSE INFORMATION:

STATE

NUMBER

IMPORTANT -

THIS DRAFT WILL NOT BE HONORED WITHOUT VALID DRIVER'S LICENSE INFORMATION BEING RECORDED ABOVE.

PAYEE'S HOME ADDRESS:

STREET ADDRESS

CITY, STATE & ZIP CODE

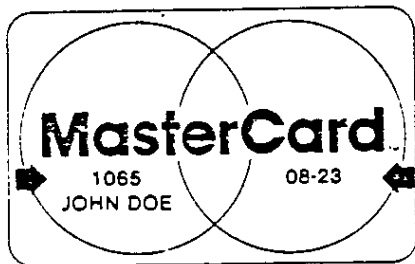
PAYEE'S SIGNATURE:

IMPORTANT:

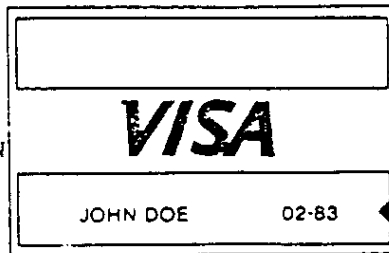
A Comchek Service Fee shown on the face of this draft is charged for Comchek's services in this transaction, and will be charged to your (the payee's) credit card in addition to the face amount of this draft.

EXAMPLES:

ICA
NUMBER



EXPIRATION
DATE



EXPIRATION
DATE

AUTHORIZATION
NUMBER

A check form with a decorative border. At the top left is the "COMDATA NETWORK" logo. At the top center is the "COMCHEK" logo. At the top right is the authorization number "145085301". Below the logo is a line for "PAY TO THE ORDER OF". Below that is a line for "THE SUM OF" followed by a box for "DOLLARS" and a box for "CENTS". To the left of the sum line is a box for "AUTHORIZATION NUMBER". Below the sum line is a box for "COMCHEK SERVICE FEE". To the right of the sum line is a box for "DO NOT CASH BEFORE CALLING". Below the sum line is the "PAYABLE THROUGH" section with the "First American Bank Nashville, Tennessee" logo and name. To the right of the sum line are checkboxes for "MASTER CARD" and "VISA". At the bottom right is a signature. At the bottom of the form is a MICR line: "⑈145085301⑈ ⑆06400012⑆ ⑆600 049 3⑆".

CHECK
NUMBER



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WILMINGTON, DELAWARE 19801

NORMAN A. BARRON
CHIEF MAGISTRATE

TELEPHONE (302) 571-6001

POLICY DIRECTIVE 83-082 (SUPPLEMENT)

TO: ALL JUSTICES OF THE PEACE, STATE OF DELAWARE
ALL CLERKS OF THE COURT JUSTICE OF THE PEACE COURTS

FROM: NORMAN A. BARRON
CHIEF MAGISTRATE

DATE: JANUARY 5, 1985

RE: PAYMENT OF FINES, COSTS, VCF OR RESTITUTION BY NTS
GREENBACKS

Policy Directive 83-082, dated December 27, 1983, dealt with Comcheks. Here, we deal with the NTS GreenBack Money Transfer System used by NTS trucking company clients. This system is described by Bernadette J. Pian, Product Manager for NTS, Inc., in her letter to me dated December 10, 1987:

"NTS, Inc. has provided fuel management and financial services to the trucking industry for 25 years. Our GreenBack Money Transfer System is accepted at truck stops, banks, convenience stores and point-of-entry/weigh stations from coast to coast. We would like to provide this service to our clients through the courts of Delaware.

NTS, Inc. is owned by PHH Group, a New York Stock Exchange company headquartered in Baltimore, Maryland. PHH has a 5A1 Dun and Bradstreet Rating, over 3.5 billion dollars in assets, and a billion dollar revolving credit line with major banks. The financial backing of NTS/PHH Group guarantees payment on any GreenBack draft, once authorized by NTS with a simple authorization number.

GreenBack is a safe and convenient way to accept payment for overweight loads, permits and

finer. No special telephone lines, wiring or machines are needed for GreenBack, and no fees are charged to you. Your clerks need only to follow instructions that are printed on the draft. Our Service Center operates 24 hours a day, 365 days a year; authorization codes for GreenBack drafts are just a toll-free call away. GreenBack's authorization system has the fastest turnaround time in the industry - we average thirty-five seconds. Once authorized, you will then process GreenBack drafts just as you would a Western Union check or a Comchek."

It is the request of NTS, Inc., that the Courts of the Justices of the Peace for the State of Delaware accept NTS GreenBacks for the payment of Motor Vehicle Code and Motor Fuel Tax violations committed by truckers authorized to use the NTS GreenBack Money Transfer System. As with Comcheks, I see no reason why our courts should not accept GreenBacks, so long as proper procedures are followed. These procedures are extremely simple as may be seen from reviewing the attached Instructional Sheet.

In light of the above, effective immediately, Magistrate Court clerical personnel are authorized to accept NTS GreenBacks from NTS GreenBack Money Transfer System users in payment of fines and other court costs and fees so long as the procedures as set forth on the accompanying Instructional Sheet are scrupulously observed.

Several blank "GreenBacks" are being forwarded to each traffic/criminal court under separate cover. In the normal case, I believe that the user will produce a blank NTS GreenBack within his own possession, so the forwarded blank NTS GreenBacks should last a while. In either case, it is most important that the user

PD83-082(S)

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fill in the money transfer code box with the other information required and that the clerk obtains a 4 digit authorization number from the 24 hour NTS service center by telephoning the applicable 1-800 number.


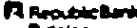

NAB:pn

Enclosures

cc: The Honorable Andrew D. Christie
Michael E. McLaughlin
Robert J. Voshell
Bernadette J. Pian
File [P82(S)]

GREENBACK INSTRUCTIONS FOR THE U.S. COURT SYSTEM

1. Tell the driver the exact name to arrange for on the "Pay to the Order" of line. For example, the check may be made payable to "The State of Nevada", the "District Court of Michigan", "The Circuit Court of Illinois" or the "City of Odessa, Municipal Court". He will also need the exact dollar amount.
2. The driver will fill in the "Money Transfer Code" box, the Date, and the Amount. He enters his drivers license number on the back of the draft.
3. The Court System Official calls the NTS 24 hour service center at 1-800-433-2165. The operator will ask for his telephone number, the transaction code, the draft number (on the upper right hand side of the draft), the payee name, and the dollar amount.
4. NTS verifies the transaction and responds with a 4 digit authorization number.
5. The Court System Official writes the authorization number on the draft in the lower left hand box and deposits the check just as he would a Western Union check or Comchek.

	GreenBack	The Money Transfer System From NTS	05519525
	Enter Money Transfer Code or Card Number Here <u>WVFFV 796</u>		Date <u>August 17, 1981</u>
Pay to the Order of <u>DEPT. OF TRANSPORTATION</u>			
The Sum of <u>FORTY DOLLARS AND NO/100</u>		<u>40.00</u>	
Company Name <u>ABC TRUCKING CO.</u>			
TO OBTAIN CASH BECOME CALLING		To obtain an Authorization Number Call Toll Free: 1-800-433-2165	
Enter Authorization Number Here <u>3715</u>		Accepted Through  Republic Bank P.O. Box 9179 Fort Worth, Texas 76107	NTS, Inc. P.O. Box 12247 Ft. Worth, TX 76121-2247 
#05519525 1:111900675:		100 050 4	