

Glenda Wiles

From: Paige Trautwein
Sent: Sunday, October 5, 2014 2:41 PM
To: Glenda Wiles; Greg Chilcott; J.R. Iman; Jeff Burrows; Ravalli County Commissioners Office; Ron Stoltz; Suzy Foss
Cc: Klarryse Murphy
Subject: FW: Passport Fee issue

Dear Commissioners,

I believe we have achieved the proper solution regarding passport acceptance in Ravalli County that benefits both the county and the citizens of Ravalli County. Since 2013, there has been a county fund and disbursements are made to that fund by the Clerk of District Court on a monthly basis. In addition, there is a claim submitted for all expenditures, providing a paper trail as well as a system of checks and balances. This procedure allows the Court to use the money at will while remaining accountable for funds taken by county employees during working hours.

I also believe that this procedure keeps us compliant with 22 CFR 51.51(b) of the Federal Statutes.

I am forwarding a short email from Francisco Carmona, Customer Service Manager for the Seattle Passport Agency. It is a short read, but informative. I appreciate your taking the time to read it.

Though our county is on track with this issue, many other counties are not. Passport Agents are a dying breed, and having the Clerk of District Court be willing to take on this task is a great service to Ravalli County and other counties around the State of Montana. It requires training, certification, and security excellence to complete this task.

Enjoy a happy and productive week,

Paige Trautwein

From: Peg Allison [mailto:pallison@flathead.mt.gov]
Sent: Thursday, October 2, 2014 4:25 PM
To: 'macdc@sympa.montana.edu'
Subject: Passport Fee issue

I have been in communication with Francisco Carmona about the concern some County Commissioners and/or Clerks of Court may have about the handling of passport fees across Montana. Here are some thoughts from Francisco that he has given permission to share with anyone:

First let's make sure we all understand that the Execution Fee is a statutory fee and cannot be waived (22 CFR 51.51(b)).

Second, the FEE is there to defray the cost of the Court for providing the service and carrying on the Passport Function. If the Commissioners were to nix the revenue and transfer it to the central fund without in some way compensating the Court, the court in return would have no reason to provide the service. Meaning, the Commissioners should at that moment begin to search for a suitable replacement within the offices they directly fund to continue providing the service to their constituents. Once found they should appropriate the pertinent funds to that office to continue the service.

We on the other hand would do what we can to find a replacement, but we cannot promise a quick replacement – please see the situation in Petroleum County as an example. We can guarantee at this time that the local Post Office WILL NOT be taking the function from the Court.

In the past Commissioners that have issues with the collection of the fee pointed to ethical issues surrounding the collection of fees by a county office were the County could not account for it. However, those commissioners that took the time to ask were never able to pinpoint to a specific example of inappropriate use of the collected money.....so our discussions were mostly about PERCEPTION. That is why in the past I have alluded that the money be deposited in a bank account that is transparent and that can be audited to show that the monies have been used for COURT RELATED ITEMS only and not some frivolous expenditure. This is the best advice I can give you since if you are able to disarm the perception of inappropriateness, the accuser would not be able to carry on about this issue.

Another possible option would be to allow the County Treasurer to administer the monies on behalf of the Court.

Again, removing the fee completely without compensating the Court is not a real good answer.

Francisco Carmona
Customer Service Manager
Seattle Passport Agency

I hope everyone will carefully consider Francisco's comments and discuss them with your fellow clerks and your board of county commissioners.

Have a great day!

Peg L Allison
Clerk of District Court
Flathead County Montana
406-758-5870