

- 1. Claims are sent to our unit via email from our document support system ONBASE
- 2. Support staff loads the claim and reassigns the email to a different folder for claims worker
- > 3. Letters are sent from MAXIS either Certified or Regular Mail

ESTABLISHMENT

- > Claims worker reviews new case or new claim if case already exists
- <u>ALWAYS</u> make sure each responsible party has a current address on the CADR screen
- Evaluate the case information to see if client is current on benefits for recoupments or closed on claim related program. Calendar to monitor that a recoupment will in fact be coming the next month . If no recoupments are likely- calendar for RR claim to be entered within 4-6 weeks from receiving case

COLLECTIONS

When cards come back signed always make a claim note & review case to see if JOL filing criteria has been met

- Cards go in either a yes cabinet or a no cabinet (at my desk) for safe keeping
- DHS likes them filed within 90 days if possible but if it is tax season and client has a RR claim may extend to make sure claim isn't PIF with RR intercept first.
- All counties are e-file now so check with court admin for the process that they would like you to use

JOL'S

MAXIS receipts are sent to claims workers daily

- Update RR balances
- Close any paid claims
 Monitor for compromised payments

- > Document Direct

PAYMENTS

Claims are often in MAXIS prior to conviction Upon conviction certify in RR immediately (if not already)

- > Meet with client one on one after sentencing

 - Give background on one offer an enterioring
 Give background on collection process
 Establish a RA & give information on where to send payments
 Employment status for any future gamishments
 Build a good working relationship to promote a better collection rate

FRAUD

Active judgment (either JOL or restitution) & no payments for a good length of time & job is located

- Send pre-gamishment letter to hopefully spark a payment
 No response to pre-gamishment letter send a 10 day intent to gamish letter that has been signed by County Attorney to the client
 Sill no response- obtain a With of Execution from Court Admin & send to employer (AUWAY Counst) with your County Attorney's office prior to get the most up to date procedures that should be followed)

GARNISHMENTS

> Once notified of an appeal

Stop all letters
 Flace RR on hold
 Stop recoupments
 Request appeals documentation for file
 Calendar to monitor appeal process in case not notified of a decision

APPEALS

Once appeals decision is reached

- appears decision is reached
 Proceed with collections according to decision
 Start lates
 Renove RR hold
 Note sure you start recomments DO NOT FORGET THIS
 Request appeal documentation for file if not provided
 If draim needs to be adjusted in any way make sure you receive a Gen-11
 Class claim If found not valid and no collections needed- again get a Gen-11
 so claim may be adjusted

APPEALS



- Claims are established at the Childcare Assistance office
- The responsible parties names & claim # are then sent to claims worker to send out a certified letter- not sure all counties do this
- Claims worker will case note the sending of the letter & whether it is returned signed or not-if not signed no new letter is sent because they receive notice from Childcare Assistance- certified letters are so we may obtain a JOL in the future

ESTABLISHMENT

- Once CCA case closes an email is sent with the collections form to claims worker
- Collection worker immediately certifies clients in RR & sends a repayment letter & uploads claim to ONBASE
- If client goes back on CCA in Anoka County- Childcare Assistance will email to suspend collections- letters stopped & hold placed on RR
- Fill case closes again & there is still a balance owed. Childcare Assistance will email collections to resume-letters started and RR hold removed, with balance updated if needed to reflect recoupments

COLLECTIONS

- ► I receive a spreadsheet of MEC2 receipts daily Update RR balances
 Close any cases that are poid in full
 Monitor for any compromise payments so claim amount can be adjusted
- Pull claims listing from MEC2 every few months to monitor recoupments, adjust RR balances and close cases that have zero balances from recouping (usually from recoupments happening in other counties)

PAYMENTS

Sending out the certified notices has allowed for Anoka County to obtain JOLS for Childcare Assistance claims

> We follow the same criteria as we would for MAXIS claims

JOL'S

- Anoka County will request judgments for CCA claims through conciliation court proceedings
 A CCA demand letter that goes to the client giving them 2 weeks to enter into an RA or we will proceed with court (this usually works)
 Calendar for deadline if no contact we will initiate conciliation court proceedings to obtain a judgment for possible wage garnishment-tollow county court rules for court

CONCILIATION COURT

Fraud claims & garnishments are handled the same way for both MAXIS and MEC2 claims



QUESTIONS???

Judgment by Operation of Law MFSRC 2016

Scott Wotzka, DHS Jodie Schuldt, Chippewa County Anna Welch, Anoka County Dave Lovik, Scott County

Topics

- Introductions
- Definition
- Policy
- MAXIS Procedure
- County Processes Jodie and Anna
- Electronic Filing Process Dave

What is JOL?

Form of civil recovery of overpayments and securing a judgment on MAXIS claims.

Policy

- Must be done on household error overpayments over \$100.00 or fraud claims not established by a court order for restitution
- Client must be notified via certified mail
- Appeal timeframe extended to 90 days

Policy Continued

- May be docketed 90 days after notice delivery or termination of benefits, whichever is later
- Can be postponed if payment plan is made
- Must be renewed every 10 years
- MAXIS JGMT panel should be kept up-todate

Certified Notice

- Certified notice initiated in MAXIS CCOL/CLRA
- Each adult must get certified notice
- Printed at IOC, sent to county contact
- Mailed certified by the county

Certified Notice Continued

- Cost can be reimbursed by state
- Must have signed card to docket
- Can have the notice served personally
- If no certified notice, no JOL

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Docketing and Renewing

- Must be done every 10 years
- Update MAXIS with new info
- Once satisfied, file satisfaction document

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Resources

- Combined Manual 0025.21.07 JOL -Establishing Claims
- Combined Manual 0025.21.08 JOL -Docketing and Renewing

-

County Procedures

- Anna Welch from Anoka County and Jodie Schuldt from Chippewa County will talk about their county's procedures
- Dave Lovik from Scott County will guide you through the electronic filing procedures

Contact Number

- Scott Wotzka DHS Claims/TOP
- Phone number: 651-431-3955
- SIR email: <u>Scott.Wotzka@state.mn.us</u>

Thank You!

July 27, 2016

Court Administrator 200 4th Ave W Shakopee, MN 55379

Attn Civil Dept.

Enclosed please find a Notice of Overpayment, proof of service, along with an Affidavit of Judgment by Operation of Law Notice of Entry of Judgment, Affidavit of Default, Affidavit of Identification, Affidavit of Non-Military Status, and Affidavit of Service, for purposes of entering and docketing judgment against in favor of the State of Minnesota, County of Scott, in the amount of \$ 810.00. This action is pursuant to MN Statute Section § 256.0471.

Please forward a notice of docketing to my attention. Feel free to contact me if you have any questions.

Sincerely

David Lovik Human Services 952-496-8661

STATE OF MINNESOTA

COUNTY OF SCOTT

STATE OF MINNESOTA COUNTY OF SCOTT PLAINTIFF

vs

IN DISTRICT COURT

FIRST JUDICIAL DISTRICT

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL Court File #

DEFENDANT

STATE OF MINNESOTA)) SS. COUNTY OF SCOTT)

David Lovik, being first duly sworn, deposes and says that on the 7th day of

April 2016, I served the attached Notice of Overpayment upo

The Defendant in this action, by placing a true and correct copy there of in

an envelope, certified mail, first class postage prepaid, return receipt requested and by

depositing same in the United States mail at Shakopee, Minnesota, directed to said

Defendant at,

SE Prior Lake, MN 55372 the last known

Address of Said Defendant.

014

David Lovik

Subscribed and sworn to before me on this day of .2016 Notary Publi THERESAL. THEIS Notary Public-Minnesota Commission Expires Jan. 31, 2019



9990873800192120

SCOTT COUNTY HUMAN SERVICES GOVERNMENT CENTER 300 200 FOURTH AVE. W. SHAKOPEE MN 55379-1220

March 25, 2016 08:16 PM

K Remover 4

SSN: XXX-XX[·] ____ i Claim Number:

PRIOR LAKE MN 55372-2509

IMPORTANT INFORMATION REGARDING THIS DOCUMENT:

* This information is available in other forms to people with disabilities by calling your county worker, DAVE at (952) 496-8490.

* For TTY/TDD users, contact your county worker through the Minnesota Relay at 711 or (800) 627-3529. For the Speech-to-Speech Relay, call (877) 627-3848.

Supplemental Nutrition Assistance Program (SNAP) Notice of Overpayment

Your household was overpaid SNAP benefits. This happened from February 2016 through March 2016. All household adults are responsible for this overpayment. You owe \$810.00.

The reason for the overpayment is: Your household failed to give us information.(Auth:5,7,10,11,12)

Please repay this amount within 30 days of the date on this notice. If not, this claim will become delinquent. However, if your household is still receiving benefits, a recoupment will be collected from them to pay back the claim. This will prevent the claim from becoming delinquent.

Once you or another adult responsible for the claim, are no longer receiving this benefit, you will have 30 days to pay this claim in full or contact the county office to make repayment arrangements for this claim. After the 30 day period, this claim will become delinquent.

COMPROMISE

We will forgive part of this claim if: -You repay it within 90 days of this notice AND

-You repay 75% of the amount due. You may pay a smaller amount for some asset claims. For these you can repay the amount assets were over the limit. March 25, 2016 08:16 PM Claim Number:

Page 2 9990873800192220

Failure to repay may result in: -taking part of your benefits each month -taking state tax refunds -taking lottery winnings -taking federal wages, benefits or refunds -referral to other agencies for recovery

A delinquent claim may result in a collection fee.

You have the right to look at and copy the claim record. Your appeal rights are on the back of this notice.

NOTE: A JUDGMENT MAY EXIST IF YOU GOT THIS BY: -CERTIFIED MAIL or -PERSONAL SERVICE

> YOU MAY AVOID A JUDGMENT IF YOU: -APPEAL WITHIN 90 DAYS and -WIN THE APPEAL

IF NOT REPAID BEFORE YOUR ASSISTANCE ENDS, A JUDGMENT MAY BE DOCKETED. THIS MEANS IT IS FILED WITH THE COURT

ONCE A JUDGMENT IS DOCKETED, RESULTS MAY INCLUDE: -property liens -credit bureau reports -interest charges, and -wage levies

Call your claim worker if you have any questions about your overpayment.

COMMENTS:

THE COMBINED SIX MONTH REPORT FORM WAS RECEIVED ON 02/01/16. YOU DID NOT REPORT YOU WERE WORKING AT VALLEY NATURAL THUS THIS IS RECOOPMENT OF BENEFITS FOR 02/16, 03/16 YOU COLLECTED BUT WERE NOT ELIGIBLE FOR.

CLAIM WORKER: DAVE

TELEPHONE: (952) 496-8490

STATE OF MINNESOTA

COUNTY OF SCOTT

STATE OF MINNESOTA COUNTY OF SCOTT Plaintiff

vs

IN DISTRICT COURT

FIRST JUDICIAL DISTRICT

JUDGMENT BY OPERATION OF LAW NOTICE OF ENTRY OF JUDGMENT AND AFFIDAVIT OF DEFAULT AND AFFIDAVIT OF IDENTIFICATION AFFIDAVIT OF NON-MILITARY STATUS COURT FILE NO:

Defendant

NOTICE IS HEREBY SERVED UPON YOU by United States mail that filing is being made with the Court Administrator of a Notice of Entry of Judgement and an Affidavit of Default for failure to pay a Public Assistance overpayment, pursuant to Minnesota Statutes, Section 256.0471. You may request a hearing on the issue of whether the amounts claimed owing have been paid and to seek to vacate the Judgment. When these documents are filed, Judgment will be entered and docketed against you in favor of the State of Minnesota, County of Scott, in the amount of \$ 810.00. The Judgment will constitute a lien against your real property. David Lovik being first duly sworn on oath deposes and says:

That your affiant is an agent for the Judgment Creditor herein.

That to the best of your affiant's knowledge information and belief, the full name of the Defendant in this action is the occupation of the Defendant is unknown, the Defendant reside at Prior Lake MN 55372 the Defendants post office address' Prior Lake, MN 55372 the defendant is not in the United States Armed Services. The Plaintiffs in this action are the State of Minnesota, County of Scott. The Plaintiff's address is; 200 4th Ave W, Shakopee, MN 55379.

That the Defendant has not paid her Public Assistance overpayment. That during the time period February 2016 through March 2016 the Defendant failed to pay the full amount due; payments due were \$ 810.00, the amount paid was \$ 0.00. The amount unpaid is \$ 810.00.

The unpaid amount is \$ 810.00. Said amount is due and payable to the Plaintiff, State of Minnesota, County of Scott.

FURTHER YOUR AFFIANT SAITH NOT.

David Lovik, Collections Officer Collections Dept. on behalf of Scott County

Subscribed and sworn to before me this 27 of July, 2016

Notary Public



STATE OF MINNESOTA

IN DISTRICT COURT

FIRST JUDICIAL DISTRICT

COUNTY OF SCOTT

STATE OF MINNESOTA COUNTY OF SCOTT Plaintiff,

vs

AFFIDAVIT OF SERVICE BY MAIL Court File No.

Defendant

STATE OF MINNEOSTA))SS COUNTY OF SCOTT)

David Lovik, Collections Officer for the County of Scott, Office of Scott County Human Services in the city of Shakopee, state of Minnesota, being duly sworn, states that on The 27th day of July, 2016, he served the attached Judgment by Operation of Law, Notice Of Entry of Judgment, and Affidavit of Default and Affidavit of Identification and Affidavit of Non-Military Statue, , the Defendant in this action, by mailing To Defendant a true and correct copy thereof, enclosed in an envelope, first class postage prepaid, and by depositing same in the United States mail at Shakopee, Minnesota, directed to said Defendant's at, Prior Lake MN 55372 the last

known address of said Defendant.

Dail

David Lovik

Subscribed and sworn to before me this 2016. day of Notary Public

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State of Minnesota Scott County District Court First Judicial District

Court File Number:

Case Type: Default Judgment

Notice of Entry and Docketing of Judgment

Scott County Health & Human Services 200 4th Ave W Shakopee MN 55379

Scott County Health & Human Services vs

You are hereby notified that a judgment has been entered and docketed in the above entitled matter.

/ * * EMPERATOR CHANNEL () / 107 -02-0346-0340(2040)(2040)(2040)) * COMMUNICATION OF CHANNEL OF C	Judgment Information
Entered Date	July 27, 2016
Docketed Date	July 27, 2016
Docketed Time	3:05 PM
Debtor(s)	
Creditor(s)	Scott County Health & Human Services
Monetary Award:	
Monetary Amount:	\$810.00

A true and correct copy of this notice has been served pursuant to Minnesota Rules of Civil Procedure, Rule 77.04. Please be advised that notices sent to attorneys are sent to the lead attorney only.

Note: Costs and interest will accrue on any money judgment amounts from the date of entry until the judgment is satisfied in full.

Dated: July 27, 2016

Vicky L. Carlson Court Administrator Scott County District Court 200 4th Avenue West JC 115 Shakopee MN 55379 952-496-8200