

**NOTICE TO THE PUBLIC PURSUANT TO TEXAS GOVERNMENT CODE SECTION
2254.1036 RELATING TO CONTINGENCY FEE AGREEMENT FOR LEGAL
SERVICES**

WHEREAS, Hood County will consider entering into a contingent fee contract with the law firm of Perdue Brandon Fielder Collins & Mott, L.L.P. ("Firm") and hereby timely and properly posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(a)(2) of the Government Code and shall announce the following:

A. Hood County is entering into a contract with the Firm for the collection of delinquent fines and fees owed to Hood County Justices of the Peace and through this contract Hood County's desired outcome is to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(a)(1)(A).

B. Hood County believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(a)(1)(B). The Firm has collected delinquent government receivables for over 52 years. The Firm currently has 14 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs more than 350 individuals, including over 60 attorneys. It uses a multi-office, fully integrated team approach allowing Hood County access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes proprietary collection software that can be tailored to meet any special need Hood County may have.

C. The nature of any relationship between Hood County and the Firm is as follows. GOVT. CODE § 2254.1036(a)(1)(C).

The Firm currently represents the Hood County District Clerk for collections of fine/fees. The Firm began representing the Hood County District Clerk in August of 2016.

D. Hood County is unable to collect its delinquent fines and fees. GOVT. CODE § 2254.1036(a)(1)(D). Hood County currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to Hood County.

E. These collection services cannot be reasonably obtained from attorneys in private practice provided for an hourly fee. GOVT. CODE § 2254.1036(a)(1)(E). The Criminal /Transportation Codes allow the assessment of a percentage-based fee to recover the costs of collecting delinquent fines and fees. These percentage-based fees are assessed only against the debtor and not the Hood County or taxpayers of Hood County. The collection of delinquent fines and fees is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound

calls. An hourly fee for such work will likely exceed amounts of delinquent fines and fees due. Moreover, Hood County will bear the cost of these hourly fees and not the debtor, because the Code of Criminal Procedure does not expressly authorize the County to pay for collection services based on an hourly fee.

F. The County believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(a)(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent debt. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to Hood County or taxpayers in Hood County.

NOW THEREFORE, be it resolved, this Commissioners Court of Hood County, for the reasons stated above, hereby provides the public with notice of its consideration and possible action to approve entry of the contingent fee contract between Hood County and the law firm of Perdue Brandon Fielder Collins and Mott, LLP for the collection of delinquent fines and fees.

Executed this the 3 day of November, 2022.



Ron Massingill, County Judge
On Behalf of the Commissioners Court of
Hood County, Texas