

Show Me the Money

By Donald C. Collins

Trouble getting paid? There are some things you can do without going to court. And you'd need to do these things even if you were going to court.

First, an official needs information. Information is the start of the collection process. It's also essential to any legal proceedings that could come up later.

The official needs to know the funding source, the mechanics of payment, the timing of payment and the terms of payment.

Knowing the funding source will allow officials to be more efficient in their administrative efforts to collect payments due. For example, there's no sense in pursuing money from a school if the league is the payment source.

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Knowing the mechanics of payment can help the official fix some late payment or non-payment problems. Every now and then a school or league tells you it paid you, but you don't have the money. An official may have to take some steps to track things down, and that tracking is going to be different if the official is paid via cash (which is not optimal but still happens), check or through an online payment system.

Knowing timing information will ensure the official does not pursue payments that are not yet due. There's nothing more embarrassing than pounding the table about not being paid only to find out that payment isn't due for three more weeks.

Knowing the terms of payment lets officials know if they're dealing with a slow-payer or with someone who claims he or she doesn't have to pay you at all — yes, that would be a no-payer. The no-payer is the worst possible situation. We often see terms of payment problems with show-up fees, cancellation fees and travel fees.

An official does not generally need to go to court to fix late payment or

non-payment problems. Rather, the official needs to cultivate strategies for dealing with institutions. The schools, leagues, governing bodies, municipal recreational leagues and even our own officials associations are institutions. The unpaid official's task is to find the people who can convert institutional rules and regulations into the action of getting the official paid. Here's how that looks when we deal with the following institutions:

Schools — Officials generally deal with a school's athletic department. If the athletic department won't pay, work with an officials association representative to approach the school's principal.

Interscholastic leagues — Officials should work with an association representative to approach the school they worked for. That school and the association representative should then approach the league. If this fails, officials and their representative should approach the state governing body, which can use its authority to make an inquiry regarding the matter.

Municipal recreational leagues — These are city-department run leagues. An association representative has two paths to follow. First, the representative should find someone in the department who can help them approach the department head. Second, if an issue is so big it has to go beyond the department, many of these departments report to commissions. An informal inquiry about payment problems will often lead a member of the commission to make an inquiry. The inquiry from above may help resolve the matter.

An official does not generally need to go to court to get paid — not even to small claims court. However, officials will need to take many of the same steps as those needed if they did go to court, and officials might have to put in a lot of work to track down their payment in some situations.

Donald C. Collins recently retired as commissioner of the San Francisco Section of the California Interscholastic Federation. He is a longtime basketball official and lawyer. This article is for informational purposes and is not legal advice. □

Option of Last Resort: Take Them to Court

If you're owed for providing officiating services and all your efforts to get payment have led nowhere, you may sue to collect overdue game fees. In most jurisdictions, small claims courts exist to handle civil lawsuits for small dollar amounts. No lawyers are necessary and the filing fees are nominal. The average small claims court's jurisdictional limit is around \$5,300, representing the maximum claim you can collect. Small claims courts each have their own rules, so your mileage may vary. Still, their decisions have force of law. Details will be available at the courthouse.

Before filing, officials should consider if they've tried every other method to get paid. They also should ask if the unpaid fee is worth time and effort in court. At the end of the day, though, only a court can order the deadbeat to pay.

Bank on It: Cash Checks Promptly, Update Paperwork

Electronic payments have become commonplace. But there are still plenty of schools, conferences and leagues that pay by check. It's a good practice to make a note of the date, amount and issuer of a check. Then, either cash it or deposit it right away. It's easy to lose a check, which may result in your thinking you never got it and being embarrassed when you call to ask why you haven't been paid. Or, you'll have effectively worked the game for free.

As with all other officiating-related paperwork, take care of it right away and save the headaches. Also, come tax time, that paperwork — including noting your electronic officiating payments — will come in handy and make the process of filling out tax forms quicker and easier.

Get It in Writing

The best time to nail down the person or organization who will pay your officiating fee is when the contract is presented or the assignment is made — not months after the game when you're wondering why you haven't been paid. Make sure those details are clearly outlined in the written contract or assignment details. If you have issues with payment, it will make it easier to sort things out.

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