

Court-Ordered Fines and Fees Report Highlights

March 2019

Idaho would benefit from a statewide system of accountability for the assessment and collection of fines and fees.

\$53 million

Fines and fees collected by the courts from civil and criminal cases in FY17.

7%

Estimated overall waiver rate for civil filing fees in FY16, totaling an estimated \$821,000.

At least \$195 million

Unpaid court-ordered financial obligations are on record. It is not reasonable to assume that this entire amount can be collected.



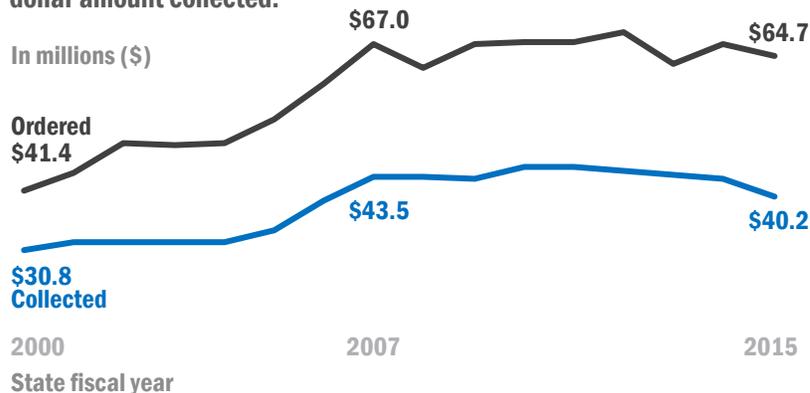
Recommendation

The Joint Legislative Oversight Committee should ask the courts to provide to the committee a plan that identifies next steps and timelines for establishing a system of statewide accountability. This information should be provided in a timeframe that facilitates completion of a comprehensive OPE follow-up by the start of the 2020 legislative session.

Fines and fees are used to offset the costs of court services and various programs. When fines and fees are not enough to cover programs costs, other sources, such as property tax or general fund dollars, are used.

Findings

Overall, the dollar amount of fines and fees ordered has increased faster than the dollar amount collected.



Even within the same judicial district, views differ about the role of judges and administrators in fostering compliance with court-ordered fines and fees.

Collection rates varied across judicial districts. The 5th and the 7th Judicial Districts have historically outperformed other judicial districts.

Differences in several practices at least partly explain variation in collection success rates among districts:

- Communication with defendants
- Defendants' ability to pay relative to the amount of fines and fees ordered
- Use of private collection agencies
- Payment agreements
- Scheduled review hearings
- Probation

Data collection, monitoring, and reporting on the collection of court-ordered financial obligations are insufficient to answer basic questions about collection efforts with any precision or depth.



View the report:
www.legislature.idaho.gov/ope/