



Collecting Court Fines and Fees

July 2018

Background

Idaho relies on fines and fees from criminal and civil lawsuits to help fund its unified court system. Fines are monetary punishments for criminal offenses. Fees help pay court costs for civil and criminal cases. Fees also help fund state and local services such as victim notification, peace officer training, and probation and parole.

The Legislature sets the range of allowable fines and fees for each type of civil or criminal case. Judges set the dollar amount for fines and fees in each individual civil and criminal case. County clerks collect these fines and fees. The Administrative Office of the Courts maintains the data system (Odyssey) that counties use to monitor and collect fines and fees.

Growing pressures on court and county resources have increased attention on court funding. Fines and fees in particular have drawn significant scrutiny. For example, local news reported that Canyon County alone had accumulated \$33 million in unpaid fines and fees as of 2015.

Over the past few years, the Legislature has looked for ways to meet the rising strain on court resources. Some legislators pointed to collection practices as an opportunity for improving court resources. According to county and court officials, collection practices are already stretched thin. Officials explained that collection practices are inefficient and can be difficult to enforce.

In March 2018, the Joint Legislative Oversight Committee approved a request that our office identify ways to help counties optimize court funding from fines and fees.

Scope

Our evaluation will focus on practices and policies that affect the amount that counties collect in fines and fees. The following questions will guide our evaluation approach and methods.

To what extent have counties' practices for collecting fines and fees been effective?

How efficiently have counties collected fines and fees?

To what extent, if at all, do collection practices affect failure to pay fines? In turn, does failure to pay fines result in offenders going unpunished?

To what extent do factors other than collection practices affect funding from fines and fees? Such factors could include waived fines and fees, limitations of Odyssey, or policies that create disincentives to pay.

What, if anything, can be done to help counties optimize the funding available from fines and fees?

Across the country, the role of fines and fees in court funding has been the subject of ongoing debate. Idaho has made a policy decision to rely on fines and fees as a considerable source of court funding.

Alternative funding approaches will not be part of this evaluation. The evaluation will only explore the policies and practices under Idaho's current approach. Alternative approaches could be the focus of a future evaluation.

Projected completion: 2019 legislative session