



05 - 0398

THE SUPREME COURT OF MINNESOTA
MINNESOTA JUDICIAL CENTER
25 REV. DR. MARTIN LUTHER KING JR. BLVD.
ST. PAUL, MINNESOTA 55155

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TO: Senator Jane Ranum, Chair
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Representative Mary Murphy
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Representative Michael Paymar
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Pursuant to 2003 Minn. Laws, 1st Spl. Sess., Chap 2, Art 1, Sec 2, the State Court Administrator was requested to "review and report on the financial consequences of policy changes made in the following areas:

- (1) criminal and traffic offender surcharges
- (2) public defender co-payments
- (3) the use of revenue recaptures to collect the public defender co-payments.

The report shall also list the local government units that employ administrative procedures to collect fines for ordinance violations." The following report is submitted in fulfillment of this request.

Surcharge

In FY 04, the criminal and traffic surcharge of \$32 was increased by \$28 to a total surcharge of \$60 on crimes and petty misdemeanors occurring on or after August 1, 2003. A portion of the surcharge (\$9.75) is dedicated to the peace officer training fund and \$.25 is dedicated to the game and fish fund. The remainder was credited to the general fund. The Department of Finance tracks each

increase to the surcharge separately in a separate account. The following chart indicates the general revenue surcharge incremental increases (\$15, \$7, \$28) and the number of persons paying each of the surcharge increments over time.

	Surcharge Increments					
	\$15	No. Paying	\$7	No. Paying	\$28	No. Paying
2000	\$10,489,000	699,000				
2001	\$10,361,000	691,000				
2002	\$10,646,000	710,000	\$3,406,000 ^a	487,000		
2003	\$10,275,000	685,000	\$4,686,000	669,000		
2004	\$10,335,000	689,000	\$4,782,000	683,000	\$13,736,000 ^b	491,000
2005 ^c	\$10,189,000	679,000	\$4,729,000	676,000	\$18,331,000	655,000

From the above chart, it appears that the number of defendants paying the surcharge has decreased slightly over the past several years and with the addition of each increment. The cause of this decrease is unclear. However, the total revenue increased with each increment.

Public Defender Copayments

On February 12, 2004, the Supreme Court found the increased public defender co-payment unconstitutional in State v. Tennin (Minn. 2003) 674 NW2d 403. Consequently, no further discussion of the public defender co-payment is included in this report.

Local Units of Government Collecting Ordinance Violations

The following are local units of government, known to court administrators, which utilize an administrative process for processing petty misdemeanor, other minor criminal infractions, and/or ordinance violations as of June 1, 2005:

- Ada (Norman County)
- Annandale (Wright County)
- Anoka (Anoka County)
- Atwater (Kandiyohi County)
- Baxter (Crow Wing County)
- Brainerd (Crow Wing County)
- Cambridge (Isanti County)
- Coleraine (Itasca County)
- Coon Rapids (Anoka County)
- Eagle Bend City (Todd County)
- Gilbert (St. Louis County)
- Glencoe (McCloud County)
- Grand Rapids (Itasca County)
- Hill City (Aitkin County)
- International Falls (Koochiching County)
- Kandiyohi County Sheriff
- Kimbel (Stearns County)
- Long Prairie City (Todd County)
- Mapleton (Blue Earth County)

Minneapolis (Hennepin)
Minnetonka (Hennepin)
Northfield (Rice County)
Paynesville (Stearns County)
Pine River (Cass County)
Renville (Renville County)
Rushford (Fillmore County)
Silver Lake (McCloud County)
Staples City (Todd County)
Twin Valley (Norman County)
Verndale (Wadena County)
Wabasha County Sheriff
Wadena (Wadena County)
White Bear Lake (Ramsey County)
Willmar (Kandiyohi County)
Winona (Winona County)
Worthington (Nobles County)

Local Government entities in planning stage:

Menahga (Wadena County)
Renville County Sheriff
Sebeka (Wadena County)

Respectfully submitted,



Sue K. Dosal
State Court Administrator

^a Effective July 1, 2001

^b Effective August 1, 2003

^c The fiscal year 2005 revenue is estimated based on receipts received through April 2005.