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

SUE K. DOSAL
STATE COURT ADMINISTRATOR

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To: Senator Jane Ranum, Chair
Senate Public Safety Budget Division
Room 120, State Capitol

Representative Steve Smith, Chair
House Public Safety Policy and Finance Committee
Room 541, State Office Building

Senator Thomas Neuville
Ranking Minority Member
Senate Public Safety Budget Division
Room 123, State Office Building

Representative Mary Murphy
Ranking Minority Member Finance Lead
House Public Safety Policy and Finance Committee
Room 343, State Office Building

Representative Michael Paymar
Ranking Minority Member Policy Lead
Public Safety Policy and Finance Committee
Room 253, State Office Building

Re: Surcharges and Co-Payments

Pursuant to Laws of Minnesota 2003, 1st Special Session, Chapter 2, Article 1, Section 2, the State Court Administrator is 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 legislative requirement.

Surcharge

During FY05, the criminal and traffic surcharge remained at \$60. The FY06 surcharge was increased by \$12 to a total of \$72 for crimes and petty misdemeanors on July 1, 2005. A portion of the total surcharge (\$9.75) is dedicated to the peace officer training fund and \$.25 is dedicated to the game and

fish fund. The remainder is credited to the general fund. The following chart indicates the general revenue and the number of persons paying each of the surcharge increments over time.

Surcharge Increments
(All dollars and amounts in thousands)

Year	\$15	No. Paying	\$7	No. Paying	\$28	No. Paying	\$12	No. Paying
2000	\$10,489	699						
2001	\$10,361	691						
2002	\$10,646	710	\$3,406 ^a	487				
2003	\$10,275	685	\$4,686	669				
2004	\$10,335	689	\$4,782	683	\$13,736 ^b	491		
2005	\$ 9,960	664	\$4,623	660	\$17,947	641		
2006 ^d	\$ 9,975	665	\$4,632	662	\$18,443	658	\$5,586 ^c	466

^a Effective July 1, 2001

^b Effective August 1, 2003

^c Effective July 1, 2005

^d Fiscal year 2006 revenue is estimated based on collections for July - October

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.

Public Defender Co-payments

On February 12, 2004, the Supreme Court found the increased public defender co-payment unconstitutional in State v. Tennin (Minn. 2003) 674 NW2d 403. The public defender co-payment reverted back to the previous \$28 level and approximately \$391,000 was generated in FY05.

Local Units of Government Collecting Ordinance Violations

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

Ada (Norman County)

Annandale (Wright County)

Anoka (Anoka County)

Atwater (Kandiyohi County)

Avon (Stearns County)

Baxter (Crow Wing County)

Bovey (Itasca County)

Brainerd (Crow Wing County)

Browerville (Todd County)

Cambridge (Isanti County)

Clarissa (Todd County)

Cold Spring (Stearns County)

Coleraine (Itasca County)
Deer River (Itasca County)
Gilbert (St. Louis County)
Grand Rapids (Itasca County)
International Falls (Koochiching County)
Kimbel (Stearns County)
Mapleton (Blue Earth County)
Minnetonka (Hennepin County)
Moundsview (Ramsey County)
Paynesville (Stearns County)
Renville (Renville County)
Roseville (Ramsey County)
Silver Lake (McCloud County)
Staples City (Todd County)
Twin Valley (Norman County)
Wabasha County Sheriff
Waseca City (Waseca County)
Willmar (Kandiyohi County)
Worthington (Nobles County)

Coon Rapids (Anoka County)
Eagle Bend City (Todd County)
Glencoe (McLeod County)
Hill City (Aitkin County)
Kandiyohi County Sheriff
Long Prairie City (Todd County)
Minneapolis (Hennepin County)
Montevideo (Chippewa County)
North St. Paul (Ramsey County)
Pine River (Cass County)
Renville County Sheriff
Rushford (Fillmore County)
St. Joseph (Stearns County)
Todd County Sheriff
Verndale (Wadena County)
Wadena (Wadena County)
White Bear Lake (Ramsey County)
Winona City (Winona County)

Respectfully Submitted,



Sue K. Dosal
State Court Administrator

cc: Legislative Reference Library (6 copies)