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DATE: February 15, 2023

TO: Representative Jamie Becker-Finn, Chair, House Judiciary Finance and Civil Law Committee
Representative Peggy Scott, Lead, House Judiciary Finance and Civil Law Committee
Representative Kelly Moller, Chair, House Public Safety Finance and Policy Committee
Representative Paul Novotny, Lead, House Public Safety Finance and Policy Committee
Representative Frank Hornstein, Chair, House Transportation Finance and Policy Committee
Representative John Petersburg, Lead, House Transportation Finance and Policy Committee
Senator Ron Latz, Chair, Senate Judiciary and Public Safety Committee
Senator Warren Limmer, Lead, Senate Judiciary and Public Safety Committee
Senator Scott Dibble, Chair, Senate Transportation Committee
Senator John Jasinski, Lead, Senate Transportation Committee

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RE: Minn. Stat. § 171.325, subdivision 2
Report to Legislature by the State Court Administrator

Minn. Stat. 2021, section 171.325, subdivision 2 mandates that the State Court Administrator report annually by February 15, to chairs and ranking minority members of the legislative committees with jurisdiction over public safety and transportation, on charges and convictions for violations of Minn.Stat. section 171.24, subdivisions 1 and 2 (driving after suspension and driving after revocation) and specified fine revenue.

Specifically the statute provides that at a minimum, the report must include:

- (1) for each of the previous eight calendar years, the number of charges under section 171.24, subdivisions 1 and 2 (driving after suspension and driving after revocation), broken down by the charges for each subdivision and indicating whether the court appointed the public defender to represent the defendant;

- (2) for each of the previous eight calendar years, the number of convictions under section 171.24, subdivisions 1 and 2, (driving after suspension and driving after revocation), broken down by the convictions for each subdivision and indicating whether the court appointed the public defender to represent the defendant; and
- (3) for the past calendar year, for all charges on violations related to the operation of a motor vehicle and included on the uniform fine schedule authorized under section 609.101, subdivision 4, the percentage of fines, broken down by whether the court appointed the public defender to represent the defendant, that:
 - (i) were paid in full by the due date on the citation;
 - (ii) were paid in full through a payment plan;
 - (iii) accrued late charges;
 - (iv) were sent to court collections; and
 - (v) were sent to the Department of Revenue for collection.

This report is filed in compliance with the statute.

Table 1

**Charges Filed Under Minn. Stat. section 171.24, subdivisions 1; Driving After Suspension
Charges Filed Under Minn. Stat. section 171.24, subdivisions 2; Driving After Revocation
2015 – 2022**

Number of Charges Filed per year	2015	2016	2017	2018	2019	2020	2021	2022	Total
171.24.1 Driving After Suspension	34,429	28,301	26,755	24,321	22,768	16,569	17,197	15,184	185,524
Public Defender Appointed	3,951	2,639	2,416	2,041	1,792	1,178	1015	584	15,616
Public Defender Not Appointed	30,478	25,662	24,339	22,280	20,976	15,391	16,182	14,600	169,908
171.24.2 Driving After Revocation	48,433	50,323	52,414	51,450	50,813	43,001	42,170	40,445	379,049
Public Defender Appointed	7,374	6,471	6,827	6,318	5,713	4,529	4,111	2,793	44,136
Public Defender Not Appointed	41,059	43,852	45,587	45,132	45,100	38,472	38,059	37,652	334,913
Grand Total	82,862	78,624	79,169	75,771	73,581	59,570	59,367	55,629	564,573

Table 2

**Convictions Under Minn. Stat. section 171.24, subdivisions 1; Driving After Suspension
Convictions Under Minn. Stat. section 171.24, subdivisions 2; Driving After Revocation
2015 – 2022**

Number of Charges Convicted per year	2015	2016	2017	2018	2019	2020	2021	2022	Total
171.24.1 Driving After Suspension	19,545	19,688	18,370	17,345	15,925	11,231	16,573	13,869	132,546
Public Defender Appointed	1,064	958	873	758	506	228	254	315	4,956
Public Defender Not Appointed	18,481	18,730	17,497	16,587	15,419	11,003	16,319	13,554	127,590
171.24.2 Driving After Revocation	24,060	29,533	28,411	28,109	27,452	16,824	34,457	28,245	217,091
Public Defender Appointed	2,068	2,120	2,140	2,056	1,564	718	997	1,031	12,694
Public Defender Not Appointed	21,992	27,413	26,271	26,053	25,888	16,106	33,460	27,214	204,397
Grand Total	43,605	49,221	46,781	45,454	43,377	28,055	51,030	42,114	349,637

The conviction may not occur in the same year in which the charge is filed. Convictions do not include charges with no disposition or a current disposition of acquittal, continuance for dismissal, dismissed, diversion, stay of adjudication.

For calendar year 2022, charges on violations related to the operation of a motor vehicle and included on the uniform fine schedule authorized under section 609.101, subdivision 4, the percentage of fines, broken down by whether the court appointed the public defender to represent the defendant, that:

- (3)(i): were paid in full by the due date on the citation**
- (3)(ii): were paid in full through a payment plan**
- (3)(iii): accrued late charges**
- (3)(iv): were sent to court collections**
- (3)(v): were sent to the Department of Revenue for collection.**

Court collections is referring the case to the Department of Revenue, therefore this report does not contain data related to item (3)(iv). All cases sent for collection are represented in Table (3)(v).

General Information Related to Tables 3(i), 3(ii), 3(iii), 3(v):

“Payable Citations Certifiable to the Department of Public Safety” refers to payable citations with charges that must be reported to the Department of Public Safety upon conviction under Minn. Stat. 171.16 subd. 1.

Net Fine Assessments are for the fine portion only and equal total assessments less any credits.

The payment information in Tables 3(i) and 3(ii) do not account for all fine payments received. Payments can also be received by an extended due date, after the due date but prior to the referral to the Department of Revenue for payments, or through partial payments.

Data is as of January 6, 2023. Cases filed in calendar year 2022 are included. Net fine assessments, payments, late fees, and referrals to collections are as of January 6, 2023.

Table 3(i): Were paid in full by the due date on the citation

The due date is 30 days after the case filing date. Cases filed after December 7, 2022 were not yet due when the data were compiled.

Table 3(i)(a). Cases where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	383	557	\$70,065	
Of those, citations paid in full by the due date on the citation	5	8		\$740
Percent paid in full by the due date on the citation	1.3%	1.4%		1.1%

Table 3(i)(b). Cases where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	243,937	280,631	\$26,594,442	
Of those, citations paid in full by the due date on the citation	119,092	126,481		\$8,030,532
Percent paid in full by the due date on the citation	48.8%	45.1%		30.2%

As shown in Table 3(i)(a), 1.3% of cases (5/383) where the court appointed the public defender to represent the defendant were paid in full by the due date on the citation.

As shown in Table 3(i)(b), 48.8% of cases (119,092/243,937) of cases without a public defender appointment were paid in full by the due date on the citation. Of the total fine amount assessed on cases without a public defender appointment, 30.2% (\$8,030,532/\$26,594,442) was paid in full by the due date on the citation.

Table 3(ii): were paid in full through a payment plan

The fine payment total does not include payments on payment plans that were not yet paid in full as of January 7, 2022.

Table 3(ii)(a). Cases where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	383	557	\$70,065	
Of those, citations paid in full through a payment plan	10	17		\$1,025
Percent paid in full through a payment plan	2.6%	3.1%		1.5%

Table 3(ii)(b). Cases where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	243,937	280,631	\$26,594,442	
Of those, citations paid in full through a payment plan	1,709	2,030		\$138,994
Percent paid in full through a payment plan	0.7%	0.7%		0.5%

As shown in Table 3(ii)(a), of the total fine amount assessed on cases with a public defender appointed, 1.5% (\$1,025/\$70,065) was paid in full through a payment plan.

As shown in Table 3(ii)(b), of the total fine amount assessed on cases without a public defender appointed, 0.5 % (138,994/\$26,594,442) was paid in full through a payment plan.

Table 3(iii): accrued late charges

Late charges include a First Penalty of \$5, which is added after the due date, and a Second Penalty of \$25, which is added 30 days after the First Penalty. Fine Payments include the fine portion only of the total payments and do not include payments made toward late penalties or other fees.

Table 3(iii)(a). Cases where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	383	557	\$70,065	
Of those, citations which accrued late charges	94	130		\$445
Percent which accrued late charges	24.5%	23.3%		0.6%

Table 3(iii)(b). Cases where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	243,937	280,631	\$26,594,442	
Of those, citations which accrued late charges	96,735	120,944		\$2,983,547
Percent which accrued late charges	39.7%	43.1%		11.2%

As shown in Table 3(iii)(a), 24.5% (94/383) of the cases in which the court appointed the public defender accrued late charges; fine payments made on these cases represent 0.6% (\$445/\$70,065) of the net fine assessments on citations certifiable to the Department of Public Safety where the court appointed the public defender.

As shown in Table 3(iii)(b), 39.7% (96,735/243,937) of the cases in which the court did not appoint a public defender accrued late charges; fine payments made on these cases represent 11.2% (\$ 2,983,547/\$26,594,442) of the net fine assessments on citations certifiable to the Department of Public Safety where the court did not appoint the public defender

Table 3(v): were sent to the Department of Revenue for collection.

These tables include the number of cases charged in 2022

with convictions that were referred to DOR for collection as of January 6, 2023. Referral occurred at least 90 days after a missed payment.

Table 3(v)(a). Cases referred where the court appointed the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court appointed the public defender	383	557	\$70,065	
Of those, citations which were sent to the Department of Revenue for collection	61	92		\$521
Percent which were sent to the Department of Revenue for collection	15.9%	16.5%		0.7%

Table 3(v)(b). Cases referred where the court did not appoint the public defender				
	Number of Cases	Number of Charges	Net Fine Assessments	Fine Payments
Payable citations certifiable to the Department of Public Safety where the court did not appoint the public defender	243,937	280,631	\$26,594,442	
Of those, citations which were sent to the Department of Revenue for collection	30,286	36,863		\$401,610
Percent which were sent to the Department of Revenue for collection	12.4%	13.1%		1.5%

As shown in Table 3(v)(a), 15.9% (61/383) of cases where the court appointed the public defender to represent the defendant were sent to the Department of Revenue for collection. Fine payments on the cases sent for collection represent 0.7 % (\$ 521 /\$ 70,065) of the total fine assessments on citations certifiable to the Department of Public Safety where the court appointed the public defender.

As shown in Table 3(v)(b), 12.4% (30,286/243,937) of cases where the court did not appoint the public defender to represent the defendant were sent to the Department of Revenue for collection. Fine payments on the cases sent for collection represent 1.5% (\$401,610/ \$26,594,442) of the total fine assessments on citations certifiable to the Department of Public Safety where the court appointed the public defender.