

LRB – RESEARCH AND ANALYSIS SECTION ANALYSIS

**MAY 22, 2006 AGENDA
JUDICIARY & LEGISLATION COMMITTEE**

**ITEM 8, FILE 060007
Emma J. Stamps**

File #060007 is a approving revised Municipal Court Non-Traffic and Boating Deposit Schedules.

Background and Discussion

1. The Municipal Court has jurisdiction over action for forfeitures for violations of city ordinances. The Court imposes, collects, and deposits fines and forfeitures for these violations on behalf of the City.
2. The judges have authority to set forfeitures pursuant to state law. The schedule, however, does not become effective until approved by the Common Council.
3. The most recent schedule change, adopted in February 2006 effectuated a 1% penalty assessment increase on the State Surcharge, increasing it from 25% to 26% of the forfeiture amount and also increased the Crime Lab Assessment Fee by \$1 from \$7 to \$8. State law mandates those changes.
4. File #060007 increases the Court Clerk Fee by \$5 from \$23 to \$28, pursuant to state law, which subsequently allows the Municipal Court Clerk Fee to increase from \$18 to \$23.
5. The Court’s revised deposit schedule attached to File No. 060007 lists various forfeitures that judges may charge for municipal offenses. Forfeitures for boating related offenses range from \$73 to \$424 in total. Non-traffic forfeitures for adults range from \$52 to \$3,211 in total, and non-traffic forfeitures for juvenile offenders range from \$52 to \$983 in total. Most often, forfeitures could be set at \$85, \$160, and \$73 in those respective categories.

Comparison Method	Boating Related	Adult Non-Traffic	Juvenile Non-Traffic
Minimum	\$73.00	\$52.00	\$52.00
Maximum	\$424.00	\$3,211.00	\$983.00

Fiscal Impact

Based on the \$1,388,229 in Municipal Court Clerk fees generated in 2005—at the \$18 level—the Court expects that the \$23 fee would generate an additional \$385,000.

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Municipal Judges
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