

LRB – FISCAL REVIEW SECTION ANALYSIS

**JANUARY 12, 2004 AGENDA
JUDICIARY & LEGISLATION COMMITTEE**

**ITEM 1a, FILE 031158
Emma J. Stamps**

File #031158 is a resolution encouraging the Milwaukee Municipal Court to resolve certain unpaid forfeitures in support of the Driver's License Workforce Development Program and the efforts of the Driver's License Task Force, and reserving \$50,000 in the 2004 Common Council Contingent Fund for payment of expenditures related to administration of the program.

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. State law currently authorize City of Milwaukee Municipal Court judges to order the suspension of an offender's driver's license for non-payment of certain court ordered forfeitures and assessments.
3. Pursuant to s. 800.095 (4)(b)(3), Wis. Stats., the judge may order indigent or other qualified offenders to perform community service.
4. Driver's license suspensions impair the employability of some offenders and reduce the possibility of compliance with forfeiture payment orders.
5. Based on statistics compiled in November 2003, the Milwaukee Municipal Court, Milwaukee County and State of Wisconsin are owed approximately \$14.5 million overdue forfeitures from approximately 61,837 offenders who had their driver's licenses suspended.
6. Using existing staff, the Municipal Court is willing to support the effort of the Driver's License Task Force to provide a way to reduce the number of persons with suspended driver's licenses. The proposed program also helps the city to collect a greater portion of unpaid outstanding forfeitures.
7. Eligible persons could request that the Municipal Court temporarily terminate their driver's license suspension for 120 days, appear in court during the 120 day suspension period, present a valid driver's license, pay 50% of the total outstanding amount owed in forfeitures and assessments, and obtain a municipal court ordered permanent stay of the remaining amount owed.
8. The Municipal Court judges continue to retain discretion over community service opportunities.

Fiscal Impact

This file imposes \$50,000 total fiscal impact from the Common Council Contingent Fund for compensating Municipal Court overtime costs related to the program.

Other Information

The Milwaukee Police Department will utilize \$5,303.20 to pay overtime costs for court bailiffs due to expanded court hours associated with this program. These funds will be drawn from the Police Department Grants and Aids fund.

cc: Barry Zalben Municipal Judges
 M. Wally Morics Kristine Hinrichs
 Joseph Czarnecki Mark Ramion
 Thomas Bell Inspector Ray Sucik

Prepared by: Emma J. Stamps
LRB-Fiscal Review
January 9, 2004