



## Legislation Text

---

**File #:** 031158, **Version:** 1

---

031158  
SUBSTITUTE 1

ALD. PRATT and ALD. RICHARDS

Substitute 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.

This resolution expresses Common Council support for the efforts of the Driver's License Task Force and the Milwaukee Municipal Court's efforts to facilitate the reinstatement of motor vehicle operating privileges for certain persons.

In addition, this resolution encourages the following activities of the Milwaukee Municipal Court:

1. Persons for whom motor vehicle operating privileges have been suspended as a result of failure to pay forfeitures and assessments imposed by the Milwaukee Municipal Court are eligible for participation.
2. Persons who are eligible to participate in the program may during a period of time established by the Municipal Court request that the Municipal Court temporarily terminate for 120 days the suspension of their motor vehicle operating privileges.
3. Persons for whom the Municipal Court has temporarily terminated driver's license suspensions are provided an extension of time of 120 days in duration to provide payment of outstanding forfeitures and assessments imposed by the Municipal Court.
4. Persons who return to appear before the Municipal Court at a time designated by the Municipal Court within the 120-day extension period, and who are able to present the court a valid driver's license, are eligible to receive, after payment of an amount equal to 50% of the total outstanding amount owed for forfeitures and assessments imposed by the Milwaukee Municipal Court, a permanent stay of the remaining amount owed.
5. Persons who are able to demonstrate to the Municipal Court's satisfaction an inability to make monetary payment are provided at the court's discretion an opportunity to perform community service at bonafide, non-profit community based organizations.

This resolution also reserves \$50,000 within the 2004 Common Council Contingent Fund for the Municipal Court Salaries and Wages Account for payment of overtime expenditures related to administration of the program.

Whereas, Pursuant to s. 800.09, Wis. Stats., a municipal court may order the suspension of an offender's motor vehicle operating privileges for the non-payment of forfeitures and assessments ordered by the court for certain violations; and

Whereas, Milwaukee Municipal Court records indicate that 61,837 adults and juveniles currently have their motor vehicle operating privileges suspended for the non-payment of forfeitures and assessments regarding 157,979 cases which involved violations of ordinances relating to the operation of motor vehicles; and

Whereas, Milwaukee Municipal Court records also indicate that the City of Milwaukee, Milwaukee County and the State of Wisconsin are owed approximately \$14.5 million in outstanding judgments for cases in which the non-payment of forfeitures and assessments have resulted in the suspension of offenders' motor vehicle operating privileges; and

Whereas, The suspension of motor vehicle operating privileges often restricts an offender's ability to gain or maintain employment and pay the forfeitures and assessments required prior to reinstatement of suspended motor vehicle operating privileges; and

Whereas, Between 1995 and 2000, the number of jobs in the metropolitan area grew by 52,496 while the total number of jobs in the city of Milwaukee declined by 678, which indicates that all of the net job growth for the metropolitan area occurred outside of the city of Milwaukee; and

Whereas, The unemployment rates for the first 9 months of 2003 were 9.7% for the city of Milwaukee; 7.1% for Milwaukee county; 4.2% for the metropolitan area; 4.9% for the state of Wisconsin; and 6.1% for the U.S.; and

Whereas, The unemployment rate in 2000 for the Community Development Block Grant (CDBG) area was 14.7%, and 7 of the 17 designated Neighborhood Strategic Planning (NSP) areas which comprise the CDBG area had unemployment rates greater than 20%; and

Whereas, While the city of Milwaukee in 2000 contained 56.6% of the county's labor force and 33.6% of the metropolitan area's labor force, the city had over 77% of the county's and 55% of the metropolitan area's unemployed residents; and

Whereas, While the CDBG area in 2000 contained 41.3% of the city's labor force and 24.9% of the county's labor force, the CDBG area had over 64% of the city's and 53% of the county's unemployed residents; and

Whereas, The percentage of persons in 1999 living below the federal poverty line was 21.3% for the city of Milwaukee, 10.6% for the metropolitan area and over 40% in 8 of the 17 NSP areas comprising the CDBG area; and

Whereas, The median household income in 1999 in the CDBG area was \$22,649, which was approximately 70% of the city of Milwaukee's median, 59% of the county's median, and 50% of the metropolitan area's median; and

Whereas, The higher unemployment rate in the CDBG area severely impacts the economic well-being of the entire city by negatively affecting the city's property tax base, revenues and expenditures for city services; and

Whereas, The Driver's License Workforce Development Program is part of a multi-point plan being created through a court-community collaboration led by the Driver's License Task Force; and

Whereas, The actions of the Milwaukee Municipal Court in this one-time effort to facilitate the goals of the

Driver's License Workforce Development Program would remove a barrier to employment for certain persons by providing an opportunity for the reinstatement of suspended motor vehicle operating privileges; and

Whereas, The Milwaukee Municipal Court expects that their efforts will be matched by those of a variety of community-based organizations committed to assisting persons seeking reinstatement of their driver's licenses and to assisting those persons in securing employment; and

Whereas, Numerous states, counties and municipalities have established programs which waive penalties and reduce interest and principal amounts owed relating to outstanding taxes, interest on child support arrearages and unpaid forfeitures for parking tickets, moving violations and misdemeanors in order to increase the collection of unpaid forfeitures, assessment and taxes, and to reduce the number of outstanding court judgments; and

Whereas, The efforts of the Municipal Court would provide for some increase in the collection of unpaid forfeitures and assessment and reduce the number of outstanding municipal court judgments; and

Whereas, Pursuant to s. 800.095 (4)(b)(3), Wis. Stats., if the court determines that the reason for the failure to pay a forfeiture is for good cause or due to indigence, the court may order the violator to perform community service work for a public agency or a nonprofit charitable organization which has been designated by the court; and

Whereas, Additional funds are necessary to pay for the overtime of Municipal Court personnel required to handle the increased workload and expansion of court hours required to accommodate interested persons; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council expresses its support for the efforts of the Driver's License Task Force and the Milwaukee Municipal Court's efforts to facilitate the reinstatement of motor vehicle operating privileges for certain persons; and, be it

Further Resolved, That the Common Council encourages the following activities of the Milwaukee Municipal Court:

1. Persons for whom motor vehicle operating privileges have been suspended as a result of failure to pay forfeitures and assessments imposed by the Milwaukee Municipal Court are eligible for participation.
2. Persons who are eligible to participate in the program may during a period of time established by the Municipal Court request that the Municipal Court temporarily terminate for 120 days the suspension of their motor vehicle operating privileges.
3. Persons for whom the Municipal Court has temporarily terminated driver's license suspensions are provided an extension of time of 120 days in duration to provide payment of outstanding forfeitures and assessments imposed by the Municipal Court.
4. Persons who return to appear before the Municipal Court at a time designated by the Municipal Court within the 120-day extension period, and who are able to present the court a valid driver's license, are eligible to receive, after payment of an amount equal to 50% of the total outstanding amount owed for forfeitures and assessments imposed by the Milwaukee Municipal Court, a permanent stay of the remaining amount owed.

5. Persons who are able to demonstrate to the Municipal Court's satisfaction an inability to make monetary payment are provided at the court's discretion an opportunity to perform community service at bonafide, non-profit community based organizations.

; and, be it

Further Resolved, That the Milwaukee Municipal Court is authorized to expand court hours to include evening and weekend court sessions in order to accommodate persons interested in participating in the Driver's License Workforce Development Program; and, be it

Further Resolved, That the sum of \$50,000 shall be reserved within the 2004 Common Council Contingent Fund (0001-9990-0001-C001-006300-2004) for the Municipal Court Salaries and Wages Account (0001-1320-0001-R999-006000-2004) for payment of overtime expenditures related to administration of the program; and, be it

Further Resolved, That the City Clerk shall forward copies of this resolution to all Milwaukee Municipal Court Judges and the Chief Court Administrator.

LRB03489-2

RGP

1/6/04