



Dane County

Minutes - Final Unless Amended by Committee

Public Protection & Judiciary Committee-Fines & Fees Subcommittee

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Wednesday, October 14, 2020

12:00 PM

Virtual Zoom Meeting: See top of agenda for
instructions on how to join the webinar or call in by
phone.

A. Call To Order

Meeting called to order at 12:02 p.m.

Others present: J. Hook, C. Lillethun, C. Nygaard, S. Tessmann, C. Pabellon and S. Stavn.

Present: 9 - CATHERINE DORL, WESLEY SPARKMAN, LINDA KETCHAM, HEIDI WEGLEITNER, NICHOLAS McNAMARA, DAVID MAHONEY, CARLO ESQUEDA, ERICA NELSON and CAROUSEL BAYRD

Excused: 2 - DOMINIQUE CHRISTIAN and SARAH DAVIS

Absent: 3 - ISMAEL OZANNE, JOSEPH BARING and ARVINA MARTIN

B. Consideration of Minutes

1. [2020 MIN-183](#) FINES & FEES SUBCOMMITTEE MINUTES OF SEPTEMBER 9, 2020

Attachments: [2020 MIN-183 09-09-2020](#)

A motion was made by KETCHAM, seconded by WEGLEITNER, that the Minutes be approved. The motion carried by the following vote: 9-0

Ayes: 9 - DORL, SPARKMAN, KETCHAM, WEGLEITNER, McNAMARA, MAHONEY, ESQUEDA, NELSON and BAYRD

Excused: 2 - CHRISTIAN and DAVIS

Absent: 3 - OZANNE, BARING and MARTIN

C. Presentations

1. [2020](#) COURT RELATED FEES
[PRES-074](#)

Attachments: [2020 PRES-074 Court Related Fees - Collection Unit](#)

Lillethun presented. Lillethun provided background on the Department's collection's activity, and explained the types of fees charged. Lillethun explained that un required charges is defined as those that state statutes allow, but do not require the County to assess. This includes Youth Justice, and specifically Shelter Home and Supervision charges. Currently, these charges are being suspended. Lillethun stated that guardianship fees are also being assessed, but are not required. Final category includes Substitute Care, a required charge because of state statutes. This category of fees are based upon charges for group homes, residential care centers, foster care and corrections.

Lillethun provided an overview of the collection process. Those assessed are provided financial disclosure forms which need to be completed. Otherwise, the DHS collections team would try to have the forms completed and gain cooperation. If this fails, outside collection efforts would begin.

(DA Ozanne joined the meeting at 12:32 p.m.)

Supervisor Wegleitner asked about the tax offset process and how the lack of a financial disclosure form impacts it. Lillethun explained that the amount assessed will depend on the amount of the tax refund. Nelson asked about the corrections charges, and the number of youth who are assessed and have not completed the financial disclosure forms. Lillethun answered that if there are balances it would be because of a lack of financial disclosure forms. Sparkman asked where the revenue is sent after collection. Lillethun stated that under Youth Justice, 7% is given to DHS, and 93% to Juvenile Courts. In the case of Substitute Care (Group Homes, Foster Care, etc.), DHS is the recipient of the fees. Likewise, the Guardianship Fees are also sent to DHS.

Supervisor Bayrd asked if DHS could provide demographic breakdown on who is assessed. Lillethun stated that DHS does not collect race or gender information, just age. Average age in corrections is 16; average age in sub care is 11, and average age of youth justice is 15. Lillethun suggested that perhaps the Juvenile Court Program has access to demographic information. Sup. Bayrd asked about the success of collection efforts, and Lillethun confirmed that it was not substantial (about \$20k).

Supervisor Bayrd asked about the County's ability to reduce the fees that are statutorily required. Lillethun explained that there is not much discretion because it is computed through a formula, and the Court finalizes the amount. The Department, however, can lower the monthly amount, but not the overall amount.

Ketcham asked about the contract terms with an outside collection agency. Lillethun explained that the original terms provided that the agency was not paid anything, unless there is a collection. If there is a collection, the agency can retain a percentage of the fee. Lillethun also explained that the success rate for collecting under sub care and correction is 30%. Supervision is 20%, and Shelter Home is 10.5%.

Lillethun further explained that there are other collections related to Birth to 3, and CLTS as part of a cost-share.

Present: 10 - ISMAEL OZANNE, CATHERINE DORL, WESLEY SPARKMAN, LINDA KETCHAM, HEIDI WEGLEITNER, NICHOLAS McNAMARA, DAVID MAHONEY, CARLO ESQUEDA, ERICA NELSON and CAROUSEL BAYRD

Excused: 2 - DOMINIQUE CHRISTIAN and SARAH DAVIS

Absent: 2 - JOSEPH BARING and ARVINA MARTIN

D. Items Requiring Committee Action

1. [2020 ACT-161](#) PROPOSED QUESTIONS TO DEPARTMENTS

Attachments: [2020 ACT-161 Proposed Questions to Departments Questions to Department as of 10-14-2020](#)

Supervisor Wegleitner provided additional questions to those already presented for the Committee's consideration. Nelson asked whether a question could be added to allow presenters to include an "other" category, which could include their opinions or suggestions about the fees imposed and/or waivers. A revised copy of the questions are attached to these minutes.

A motion was made by KETCHAM, seconded by SPARKMAN, that the Action Item be approved. The motion carried by the following vote: 10-0

Ayes: 10 - OZANNE, DORL, SPARKMAN, KETCHAM, WEGLEITNER, McNAMARA, MAHONEY, ESQUEDA, NELSON and BAYRD

Excused: 2 - CHRISTIAN and DAVIS

Absent: 2 - BARING and MARTIN

E. Future Meeting Items and Dates

Supervisor Bayrd suggested having the Sheriff's Office, and the District Attorney's Office present at a subsequent meeting. Sheriff Mahoney asked to be scheduled for February 2021. Supervisor Bayrd informed the committee that the next meeting is scheduled for Wednesday, November 11, 2020.

F. Public Comment on Items not on the Agenda

None

G. Such Other Business as Allowed by Law

None

H. Adjourn

A motion was made by OZANNE, seconded by KETCHAM, that the meeting be adjourned. The motion carried by the following vote: 10-0

The committee adjourned at 1:11 p.m.

Ayes: 10 - OZANNE, DORL, SPARKMAN, KETCHAM, WEGLEITNER, McNAMARA, MAHONEY, ESQUEDA, NELSON and BAYRD

Excused: 2 - CHRISTIAN and DAVIS

Absent: 2 - BARING and MARTIN

Respectfully submitted by Stephanie A. Stavn