

DRAFT #2

Public Protection and Judiciary, Fines and Fees Subcommittee

County-wide Recommendations:

1. Work with county staff, including but not limited to DOA, HS, COC, FCC, Sheriff, Corp Counsel, to develop a uniform waiver form that can be used across services. The uniform waiver should start with the Court's mandated form, and work off of that.
2. Create a uniform county-wide policy for when fees should be waived and when someone qualifies for a payment plan if they do not qualify for a fee waiver.
3. Educate consumers on the fee waiver process, including how to qualify for waivers or payment plans, and how to request a fee waiver or payment plan. Public education should include the creation of a single landing page on the county website.
4. Collect racial and gender demographic data on who is being assessed fees, who is requesting a fee waiver or payment plan, who is being granted a fee waiver or payment plan, and who is being sent to collections, for all county departments assessing fees.
5. Establish a county-wide minimum dollar threshold that triggers sending an individual's debt to collections. Debts below that threshold should not be sent to collections.
6. Develop a county-wide process for actions to take before a debt is sent to collections. That process should require various attempts at personal contact (telephone, text, email, mail, in person).
7. Add to the County's legislative agenda support for the state to grant Judges discretion in assessing all state fines and fees that are part of the civil, criminal, and family court systems.
8. Share these processes and frameworks on how to reduce fines and fees with other counties and municipalities in Wisconsin, and partner with the state and others to further reduce and eliminate fines and fees throughout Wisconsin.

Agency Specific Recommendations:

Family Court Counseling:

1. Eliminate fee for Tier I for Study Fees and Brief Focused Assessment, and set the maximum income for Tier I at 300% the Federal Poverty Level for a family of three. (Eliminated every time or just the first time?)
2. When assessing one fee for a family, percentage of amount owed by each parent should be based on income of that individual parent, not a default 50-50 division.

3. Implement a uniform fee waiver process with clear factors for qualification for all fee waiver services, including for parent education. Ensure that it is included on published materials and agency website.

4. Cease Contempt Hearings / Orders to Show Cause for failure to pay FCC fees. No other department holds a contempt hearing for failure to pay.

Child Support / Corporation Counsel:

1. Eliminate and/or Reduce the Genetic Testing Fee.

Juvenile Court:

1. Eliminated in 2020 Res 267

District Attorney:

1. Eliminated in 2020 OA 42

Sheriff Department:

1. Eliminate Huber Fees, and do not charge for services for Huber inmates, such as for transportation.

2. Eliminate Warrant Fees.

3. Eliminate Inmate Copy Fees.

Next steps:

Establish Fines and Fees Subcommittee 2.0-- Deeper Dive of Impacts beyond County:

1. What happens when people cannot afford the fines and fees that they are being assessed?

--Do they lose services?

--Do they lose their driver's license?

--Does it impact their qualification for housing, banking/loans, employment, etc?

2. Look at Fines and Fees on the municipal level throughout Dane County.

--What are the Cities of Madison, Fitchburg, Sun Prairie, Middleton, Stoughton doing?

--What is UW doing?

--What is the impact if these fines and fees are not paid?

--What is happening at Municipal Courts and with FO cases in Dane County?

3. Conduct Public Outreach / Public Hearings to learn about impact of any governmental issued Fines and Fees on Dane County Residents.

Resolutions:

2019 Res 507-- Establishing the Fines and Fees Subcommittee

2020 Res 267-- Discontinuing Juvenile Justice Fees

2020 OA 42-- Eliminating Deferred Prosecution and First Offenders Fees

2021 Res 1-- Authorizing the Sheriff's Office Elimination of Outstanding Debt