

LATE NOTICES

In Bay County, the 18th Circuit Court had no collection or enforcement procedures in place. They simply took money from the defendants who chose to pay. If the defendant did not pay, no enforcement effort was ever made, and the defendants were discharged from probation without consequence for nonpayment.

Because of the lack of revenue in circuit court and the successful collections in district court, Bay County decided that the 74th District Court would take over the collection and enforcement of circuit court criminal assessments.

In March of 2006, the 74th District Court began an extraction process of 18th Circuit Court cases into the district court data base.

While this was a long, cumbersome project, it allowed for some improvements.

- 1) Codefendants were linked and restitution balances were accurately updated.
- 2) A review of death records was performed, and those cases in which the defendant was deceased were disposed of.
- 3) Collection/past due notices were then sent out on all existing cases with a balance owing.

Originally, circuit court cases did not have payment plans or a “due date” of any kind. Therefore, almost all open cases received a late notice. The chief judge of the circuit court now has a policy that all defendants are either on a payment schedule or the entire amount is due at the time of sentencing. In both cases, the due date is entered into the computer.

If the payment date or due date passes, a late notice will generate 28 days from the date the payment was due. There are two different notices that can be sent depending on the charge. If the conviction was on a charge where the license can be suspended, the notice will inform the defendant that a bench warrant will be issued and the license will be suspended. If the charge is a nonsuspendable offense, the notice will simply inform them that a bench warrant will be issued for their arrest. The issuance of a warrant will take place 28 days from the date of notice.

The district court will now begin issuing bench warrants on the defendants who have failed to pay as agreed. At the time the bench warrant is issued, a \$35.00 cost to compel appearance will be added and the warrant will be entered in LEIN by the district court. The warrant and license suspension (when applicable) will remain in effect until the balance owing is paid in full.

If the defendant is arrested on the bench warrant, the amount of the bond is the amount due and owing on the file. If the defendant cannot post bond, jail will be served in lieu of fines and costs. The defendant will still be responsible for the crime victim’s rights assessment, minimum state costs, and restitution. If bond is posted at the jail, it is forwarded to the court and applied to the outstanding assessments

The following is a six month comparison of circuit court collections before and after the late notice implementation. You will notice a substantial increase. Keep in mind, the ONLY tool used to this point has been the late notices.

	<u>Amount collected</u>		<u>\$ Increase</u>	<u>% Increase</u>
	<u>2006</u>	<u>2007</u>		
July	\$27,598.71	\$38,219.58	\$10,620.87	38%
August	\$28,837.73	\$48,658.83	\$19,821.10	68%
September	\$26,704.46	\$42,341.38	\$15,636.92	58%
October	\$51,310.94	\$74,177.41	\$22,866.47	44%
November	\$18,310.38	\$52,803.52	\$34,493.14	188%
December	\$21,919.66	\$44,332.13	\$22,412.47	102%
<u>Average monthly increase</u>			<u>Average monthly percent increase</u>	
\$20,975.16			83%	

AGAIN...ALL THAT WAS DONE WAS A SIMPLE MAILING.

74th District Court
1230 Washington Ave.
Bay City, Michigan 48708

TO:

Offense:
Offense Date:
Notice Date:
Case Number:
Balance Owed:

STATE OF MICHIGAN
18th CIRCUIT COURT

SUSPENSION

Address: 1230 Washington Ave.
Bay City, Michigan 48708
Phone (989) 895-4232

The // State // Twp. // City // Village of: MICHIGAN

You have failed to pay the judgment rendered against you. The total amount you owe is printed on the other side of this card. If you fail to pay this amount within 14 days:

1. The Secretary of State will suspend your driving privileges effective immediately.
2. A bench warrant will be issued for your arrest.
3. Cost to compel appearance will be added to the amount of your judgment.

Payment may be made by cash, check, money order, Visa, or Master Card. If payment is made by check or money order, make it payable to the 74th District Court. For your protection, do not send cash if you are making a payment by mail. Please return this notice with your payment. Payment made after the due date must include a \$45.00 drivers license reinstatement fee in addition to the amount due.

I hereby certify that on this date, copies of this notice were served upon the party indicated on the reverse side by ordinary mail addressed to the address shown, unless otherwise indicated.

Shirley J. Beeman
Collections Manager

74th District Court
1230 Washington Ave.
Bay City, Michigan 48708

TO:

Notice Date:
Case Number: _____

Balance Owed:

STATE OF MICHIGAN
18th CIRCUIT COURT

WARRANT
FOR FAILURE
TO PAY

Address: 1230 Washington Ave.
Bay City, Michigan 48708
Phone (989) 895-4232

You have failed to timely pay money owed to the circuit court. The total amount owed for the case(s) is printed on the front of this card. If you do not take care of this obligation within 14 days, you will be arrested and you will have to pay additional costs.

To avoid these consequences, you must within 14 days of the notice date printed on the opposite side of this card:

1. Pay the full amount owed. Payment may be made by cash, check, money order, Visa, or Master Card. If payment is made by check or money order, make it payable to the 74th District Court. For your protection, do not send cash if you are making a payment by mail. Please return this notice with your payment.

OR

2. Appear before the collections manager Monday through Thursday, 8:30 to 11:30 a.m. or 2 to 4:30 p.m. to make arrangements to pay the amount owed.

Failure to pay in full or make payment arrangements with the court will cost you more money in the future and may result in your sudden arrest.

Shirley J. Beeman
Collections Manager