

**PRISON SWEEPS (ORDER TO REMIT PRISONER FUNDS)**  
**50<sup>TH</sup> CIRCUIT COURT**  
**CHIPPEWA COUNTY, MICHIGAN**

The Michigan Department of Corrections and the Circuit Courts of Michigan have formed a partnership to collect fees for those defendants who have been sentenced to incarceration with the Michigan Department of Corrections.

The 50th Circuit Court has established the following procedures:

1. Upon Sentencing, a Judgment of Sentence, Commitment to Department of Corrections (CC219b) is prepared and signed by the Judge. SEE EXAMPLE #1 An Order to Remit Prisoner Funds (MC288) is also prepared and signed by the Judge. SEE EXAMPLE #2
2. The original Judgment of Sentence and Order to Remit Prisoner Funds are filed in the court file and two (2) copies are certified and given to the local Probation Department so that the DOC paperwork and Judgment of Sentence, along with the Order to Remit are in one packet upon delivery of the defendant to the Correctional Facility. A return will be filed by the Correctional Facility upon taking charge of the defendant.

IF THE DEPARTMENT OF CORRECTIONS DOES NOT WANT THE ORDER TO REMIT PRISONER FUNDS INCLUDED WITH THE JUDGMENT OF SENTENCE, CONTINUE WITH STEP #3

3. An Order to Remit Prisoner Funds (MC288) is prepared once the defendant is placed in a more permanent facility. This process usually takes about two (2) months. The facility does not contact the sentencing Court of the transfer, so you must go onto the Michigan Department of Corrections website (OTIS) to check periodically. SEE EXAMPLE #2

The Department of Corrections has requested that the 20% late fee not be assessed to DOC inmates as most do not have the ability to pay what is already assessed. It has been suggested that in the alternative, that the 20% late fee be assessed after release from the facility.

Periodically, the Department of Corrections will send a state check to be applied to the defendants case. We have made policy in the Clerk's Office to return the receipt to the defendant.

When the final payment for amounts owed is applied to the case, a Satisfaction of Financial Obligation (MC290) is sent to the housing facility and the defendant. SEE EXAMPLE #3

More often than not, the defendant will be paroled with monies still owing to the Court. By looking at the Department of Corrections website (OTIS) you can determine where the defendant has been paroled.

As a reminder of monies owed, the Clerk's Office sends a letter to the Parole Agent along with a fee summary.

Approved, SCAO

Original - Court  
1st copy - Corrections  
2nd copy - Corrections (for return)

3rd copy - Michigan State Police CJIC  
4th copy - Defendant  
5th copy - Prosecutor

<b>STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY</b>	<b>JUDGMENT OF SENTENCE COMMITMENT TO DEPARTMENT OF CORRECTIONS</b>	<b>CASE NO.</b>
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<b>ORI</b> <b>MI-</b> Police Report No.	<b>Court address</b>	<b>Court telephone no.</b>
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THE PEOPLE OF THE STATE OF MICHIGAN

v

Defendant's name, address, and telephone no.

CTN/TCN	SID	DOB
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Prosecuting attorney name	Bar no.
P-	

Defendant attorney name	Bar no.
P-	

**THE COURT FINDS:**

1. The defendant was found guilty on \_\_\_\_\_ of the crime(s) stated below:

Count	CONVICTED BY			DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC Code
	Plea*	Court	Jury			

\*For plea: insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

- 2. The conviction is reportable to the Secretary of State under MCL 257.625(21)(b). \_\_\_\_\_ Defendant's driver's license number
- 3. HIV testing and sex offender registration is completed.
- 4. The defendant has been fingerprinted according to MCL 28.243.

**IT IS ORDERED:**

- 5. Probation is revoked.
- 6. Participating in a special alternative incarceration unit is  prohibited.  permitted.
- 7. Defendant is sentenced to custody of Michigan Department of Corrections. This sentence shall be executed immediately.

Count	SENTENCE DATE	MINIMUM			MAXIMUM		DATE SENTENCE BEGINS	JAIL CREDIT		OTHER INFORMATION
		Years	Mos.	Days	Years	Mos.		Mos.	Days	

- 8. Sentence(s) to be served consecutively to: (if this item is not checked, the sentence is concurrent)
  - each other.  case numbers \_\_\_\_\_

9. Defendant shall pay as follows:

State Minimum	Crime Victim	Restitution	Court Costs	Attorney Fees	Fine	Other Costs	Total
\$	\$	\$	\$	\$	\$	\$	\$

The due date for payment is \_\_\_\_\_. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed.

- 10. The concealed weapon board shall  suspend for \_\_\_\_\_ days  permanently revoke the concealed weapon license, permit number \_\_\_\_\_, issued by \_\_\_\_\_ County.

11. Court recommendation:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Bar no.

I certify that this is a correct and complete abstract from the original court records. The sheriff shall, without needless delay, deliver defendant to the Michigan Department of Corrections at a place designated by the department.

(SEAL)

Deputy court clerk

MCL 765.15(2), MCL 769.1k, MCL 769.16a, MCL 775.22, MCL 780.766

# 1

Approved, SCAO

Original - Court  
1st copy - Institution/Facility  
2nd copy - Prisoner

<b>STATE OF MICHIGAN JUDICIAL CIRCUIT JUDICIAL DISTRICT</b>	<b>ORDER TO REMIT PRISONER FUNDS FOR FINES, COSTS, AND ASSESSMENTS</b>	<b>CASE NO.</b>
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Court address Court telephone no.

TO: Institution name and address

THE PEOPLE OF  STATE OF MICHIGAN

\_\_\_\_\_

v

Defendant's name	
Prisoner no.	DOB
SID	

**THE COURT FINDS:**

1. The defendant owes a balance of \$ \_\_\_\_\_, **not including restitution** which is collected by the Department of Corrections in accordance with MCL 791.220h, for the obligation ordered in the judgment of sentence or other order dated \_\_\_\_\_ . **(copy of judgment of sentence or order attached).**

**IT IS ORDERED:**

2. For payment toward the obligation, the Department of Corrections shall collect 50% of all funds received by the defendant over \$50.00 each month.
3. If the amount withheld at any one time is \$100.00 or less, the Department of Corrections shall continue collecting funds from the defendant's prisoner account until the sum of the amounts collected exceeds \$100.00, at which time the Department of Corrections shall remit that amount to this court to  the address above.  the following address:
4. Withdrawal from the defendant's prisoner account and remittance to this court shall continue until the obligation is paid in full. If the defendant transfers to a facility at which an institutional account is not maintained, or if the defendant is paroled, discharged, or dies, any withheld funds shall be remitted to this court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge Bar no.

**CERTIFICATE OF MAILING**

I certify that on this date I served copies of this order on the warden or supervisor of the facility where the prisoner is incarcerated and on the prisoner by ordinary mail at the above address.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

# 2

Approved, SCAO

Original - Court  
1st copy - Institution/Facility  
2nd copy - Prisoner

<b>STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT</b>	<b>SATISFACTION OF FINANCIAL OBLIGATION</b>	<b>CASE NO.</b>
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Court address

Court telephone no.

THE PEOPLE OF <input type="checkbox"/> STATE OF MICHIGAN  <input type="checkbox"/> _____
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v

Defendant's name	
Prisoner no.	DOB
SID	

Institution name and address
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On \_\_\_\_\_ this court entered an order to remit prisoner funds for payment toward  
 Date an obligation ordered in a judgment of sentence or other order.

That financial obligation has been paid in full to the court as of \_\_\_\_\_  
 Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Court clerk/Deputy court clerk

**CERTIFICATE OF MAILING**

I certify that on this date I served copies of this satisfaction on the warden or supervisor of the facility where the prisoner is incarcerated and on the prisoner by ordinary mail at the above address.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

# 3



**Michigan Supreme Court**  
**State Court Administrative Office**  
Michigan Hall of Justice  
P.O. Box 30048  
Lansing, MI 48909  
Phone: (517) 373-0130  
John D. Ferry, Jr., State Court Administrator

DATE: July 16, 2004

TO: Chief Circuit Judges, Chief District Judges, Presiding Family Division Judges  
cc: Court Administrators, County Clerks, Juvenile Registers

FROM: John D. Ferry, Jr.

RE: State Court Administrative Memorandum 2004-09  
SCAO Approved Forms MC 288 and MC 290

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To assist courts with collecting outstanding financial obligations from criminal defendants sentenced to the Department of Corrections (DOC), the State Court Administrative Office (SCAO) has approved form MC 288, Order to Remit Prisoner Funds for Fines, Costs, and Assessments, and form MC 290, Satisfaction of Financial Obligation.

SCAO has worked with DOC to develop a process and form that will enable an effective process to collect funds available from prisoner accounts for payment toward fines and costs. The process mirrors the current process used by DOC to collect funds for payment of restitution.

Effective immediately, courts should use form MC 288 for all financial sanctions ordered by the court, **excluding** restitution. Because DOC is already required by statute (MCL 791.220h) to collect for restitution, restitution is **not** to be included on form MC 288. When a circuit court sentences a defendant to prison, the MC 288 form should be attached to the judgment of sentence.

When issuing the order to remit prisoner funds (MC 288) for old circuit court cases, it is not necessary to attach the judgment of sentence. DOC will have already been notified to collect for restitution based upon the restitution amount reflected on the judgment of sentence originally submitted. When a district court issues an order to remit funds, or when a circuit court issues an order to remit funds on a case for which the prisoner was not sentenced to prison, a copy of the judgment of sentence should be included with the MC 288 form.

Payments received from DOC should be distributed as required by statute. MCL 775.22 requires that payments be distributed 50% to victim payments (crime victim rights and restitution) and 50% in the following order of priority: state minimum costs, other costs, fines, probation or parole supervision fees, assessments, and other payments.

The satisfaction of financial obligation (MC 290) should be issued to DOC when the court-ordered financial obligation, including restitution, is paid in full.

The forms are available at <http://courts.michigan.gov/scao/courtforms/generalcriminal/gcrindex.htm>.

Questions may be directed to Beth Barber, Trial Court Collections Project Manager, by phone (517-373-5895) or e-mail ([barberb@courts.mi.gov](mailto:barberb@courts.mi.gov)).



## Michigan Supreme Court

State Court Administrative Office

**Trial Court Services Division**

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

### MEMORANDUM

DATE: January 5, 2006

TO: Circuit, Family Division, and District Court Judges

cc: Court Administrators  
Family Division Administrators  
County Clerks  
Juvenile Registers

FROM: Nial Raaen, Trial Court Services Director

RE: New Statutory Authority to Collect Funds from Prisoner Accounts

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MCL 769.11, a new statutory provision, codifies the process to collect funds from prisoner accounts to pay court-ordered fines, costs, and assessments.

Effective January 1, 2006, if a court has ordered a prisoner under the jurisdiction of the Michigan Department of Corrections (MDOC) to pay any fine, cost, or assessment, and the prisoner receives more than \$50 in a month, MDOC shall deduct 50 percent of the amount over \$50 received by the prisoner in a month for payment of the court-ordered financial sanctions. When the amount collected exceeds \$100, MDOC is required to forward it to the court. The courts should use form MC 288 for all financial sanctions ordered by the court, **excluding** restitution.

In addition, this new statutory language requires that MDOC gives priority to a restitution order entered pursuant to the Crime Victim's Rights Act over an order issued under this new section.

If you have any questions, please contact Beth Barber at [barberb@courts.mi.gov](mailto:barberb@courts.mi.gov) or 517-373-5895.

**REVISED JUDICATURE ACT OF 1961 (EXCERPT)**  
**Act 236 of 1961**

**600.4803 Penalty, fee, or costs; failure to pay as subject to late penalty; waiver; disposition of late penalty; "funding unit" defined.**

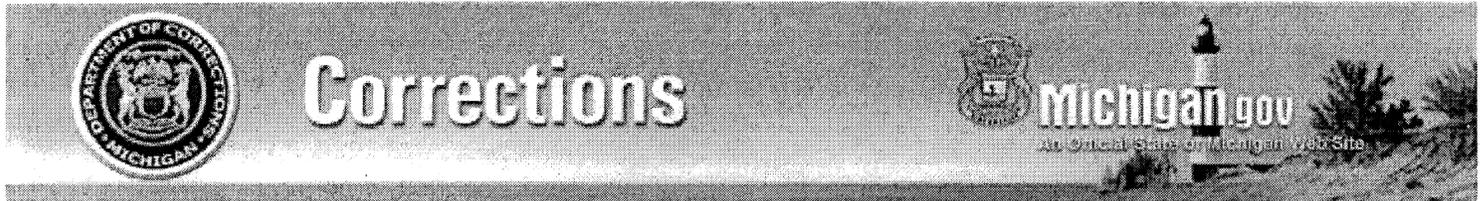
Sec. 4803. (1) A person who fails to pay a penalty, fee, or costs in full within 56 days after that amount is due and owing is subject to a late penalty equal to 20% of the amount owed. The court shall inform a person subject to a penalty, fee, or costs that the late penalty will be applied to any amount that continues to be unpaid 56 days after the amount is due and owing. Penalties, fees, and costs are due and owing at the time they are ordered unless the court directs otherwise. The court shall order a specific date on which the penalties, fees, and costs are due and owing. If the court authorizes delayed or installment payments of a penalty, fee, or costs, the court shall inform the person of the date on which, or time schedule under which, the penalty, fee, or costs, or portion of the penalty, fee, or costs, will be due and owing. A late penalty may be waived by the court upon the request of the person subject to the late penalty.

(2) Within 30 days after receiving a late penalty, the clerk of the court shall transmit the amount received to the treasurer or chief financial officer of the funding unit of the court, for deposit in the general fund of the funding unit.

(3) As used in this section, "funding unit" means 1 of the following as applicable:

- (a) For the circuit court, each county in the circuit.
- (b) For the recorder's court of the city of Detroit, the county.
- (c) For the district court, the district funding unit of the district, as defined in section 8104.
- (d) For a municipal court, the political unit where the municipal court is located.

**History:** Add. 1993, Act 317, Eff. Jan. 1, 1994;—Am. 1996, Act 374, Eff. Oct. 1, 1996.

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## ABOUT OTIS

 [click here to start your OTIS search](#)

Welcome to the Michigan Department of Corrections searchable database, which we call the Offender Tracking Information System (OTIS). This advisory is intended to help you use OTIS, understand how the information is presented and what it means. The advisory will also offer some useful hints about finding information.

### CMIS, OMNI, OTIS AND THE HISTORY OF ELECTRONIC DATA COLLECTION IN THE MDOC:

The MDOC has been collecting offender data electronically and into one database since 1980. The primary system used since that time is known as CMIS, which holds information about all current and past prisoners and parolees. The CMIS database is not available online, but it is available through the Michigan Freedom Of Information Act (FOIA). Requests for the database should be sent to:

FOIA Coordinator  
Michigan Department of  
Corrections  
206 E. Michigan Ave.  
Grandview Plaza  
P.O. Box 30003  
Lansing, MI 48909

Starting in 1997, the MDOC began to implement a new database, known as OMNI. The new database will eventually replace CMIS as well as several other databases within the department. OMNI will also include information about probationers, a group of offenders who are NOT under the jurisdiction of the MDOC but who are merely supervised by the department. OMNI is also being used to store offender photographs, something CMIS did not do.

With the evolution of the department's electronic data storage came the desire, both within the department and among important constituencies, especially taxpayers, to put more information online. As a consequence,

OTIS was created so that a wide variety of Internet users could have access to the data.

OTIS is limited to the data stored in OMNI as well as data formerly stored in CMIS. Those seeking prisoner and parolee, formerly stored only on CMIS only, will find more data from 1980 onward. Those seeking probationer data, formerly viewed only through OMNI, will find more from 1997 onward.

### SEARCH RULES:

OTIS is designed such that users must at a minimum enter either an offender's last name or an offender number in order to query the database, unless searching for Escapees or Absconders. In this case, the name and offender number fields may be left blank to list all offenders of either category.

An asterisk (\*) may be used as a wildcard in the last name field to broaden the search, provided that at least 3 leading characters are also supplied. For example, entering "Smi\*" in the last name field will return a results set which will include all last names that begin with the letters "Smi". If less than 3 characters are entered with a wildcard (ex: "Sm\*"), OTIS will conduct the search using only the leading characters entered ("Sm"), and will likely return no matching records.

An asterisk (\*) may also be used as a wildcard in the first name field. There are no leading character restrictions with the first name.

Users may also enter additional information to refine the search process. Available search fields include: gender, offenders age (plus or minus 3 years), race and offender status. Users may enter information in any or none of these fields as desired. Generally, the more information entered, the faster OTIS will return search results. If an offender number is entered, OTIS will ignore any additional search criteria entered and perform the search on offender number alone.

OTIS additionally allows an offender search by scars, marks or tattoos. To utilize this feature, enter a one or two word phrase in the **Scars, Marks or Tattoos** field for which you wish OTIS to search. OTIS will perform an exact match text search. For example, if 'blue diamond' is entered in this field, OTIS will return only those offenders who have the text 'blue diamond' in their identification information. Offenders with the text 'diamond - blue' would not be included in the results, as it is not an **EXACT** match. Wildcards are not recognized in the scars, marks or tattoos search.

Only the current, legal name of the offender is used in the search process.

An offender's MDOC number is unique. Searching by the number will return information on one prisoner and is the most accurate way to find a particular offender.

### WHAT THE HEADINGS MEAN:

Listed below are explanations for each title heading found on the return information about an offender or list of offenders who fit the search criteria. To accommodate as much information as possible, some headings may be abbreviated.

- **OFFENDER NUMBER:** This number is unique to every offender whose pre-sentence investigation (PSI) is handled by the MDOC (all dispositions in circuit court). The number is generated when the PSI is created or it remains the same for offenders who are about to be re-sentenced.
- **LAST NAME:** An offender's last name at time of commitment.
- **FIRST NAME:** An offender's first name at the time of commitment.
- **DATE of BIRTH:** An offender's date of birth.
- **SEX:** An offender's gender.
- **RACE:** An offender's race or ethnicity.
- **MCL NUMBER:** The number listed for the Michigan Compiled Law (MCL) is for the crime of the controlling sentence (the sentence used to determine when an offender is eligible for parole or discharge) of most recent conviction. By clicking on the number, users will be taken to an excerpt of the statute.
- **LOCATION:** An offender's location or place from which the offender is being supervised. In cases of escapees and absconders, the location is the place where the offender was last being supervised before escape (it does NOT necessarily refer the place from which the offender escaped or absconded; in fact, very few if any escapes actually take place from a prison or camp).
- **STATUS:** This column indicates whether an offender is currently a prisoner, parolee, probationer, escapee, absconder or has discharged from the supervision of the department.

### **OTIS Status Codes:**

**PRISON:** The vast majority of offenders with this designation are in a prison or a camp. But some prisoners are also in the Special Alternative Incarceration (boot camp) program; are in Community Residential Programs (living in a corrections center or monitored in a private home with an electronic tether); are in a Technical Rule Violation (TRV) center; are on writ to a county jail, another state or the federal government; housed in a federal prison or county jail; out on bond; or have escaped.

**PAROLE:** An prisoner is eligible for parole once the minimum portion of the sentence is satisfied, unless the prisoner is serving a life sentence. Parole is **NOT** presumed. It must be earned. The more violent the offense or the more chronic the offender, then the more that prisoner must do to earn his or her parole. Most parolees live in a residence, but some do not. Parolees are also housed in corrections centers, Technical Rule Violation centers and live in other states through the Interstate Compact, to which Michigan belongs.

**PROB:** Circuit court probationers are **NOT** under the jurisdiction of the Michigan Department of Corrections. They are under county jurisdiction. The department merely supervises these offenders for the county. As such, probationers who abscond from their sentences are subject to apprehension by the county, **NOT** the state.

**ESCAPE1:** Prisoners who escaped from a prison, camp, the Special Alternative Incarceration (boot camp) or a Technical Rule Violation center are given this designation. Escapees pose a direct threat to the health, safety and welfare of any person, household or community. To report an escapee, please send email to: [Corrweb@Michigan.gov](mailto:Corrweb@Michigan.gov).

**ESCAPE2:** Prisoners who escaped from a non-secure or non-prison location, such as a corrections center or who broke their electronic tethers, are given this designation. Escapees pose a direct threat to the health, safety and welfare of any person, household or community. To report an escapee, please send email to: [Corrweb@Michigan.gov](mailto:Corrweb@Michigan.gov).

**ABSCOND1:** Offenders with this designation have absconded from parole. They are being actively sought by the Michigan Department of Corrections. Absconders have eluded their supervision by failing to report in a reasonably timely manner. As such, absconders pose a direct threat to the health, safety and welfare of any person, household or community. To report a parole absconder, please send email to: [Corrweb@Michigan.gov](mailto:Corrweb@Michigan.gov).

**ABSCOND2:** Offenders with this designation have

absconded from probation. These offenders are under the jurisdiction of the county that sentenced them. Absconders have eluded their supervision by failing to report in a reasonably timely manner. As such, absconders pose a direct threat to the health, safety and welfare of any person, household or community. Please report any information about probation absconders to the appropriate county sheriff's office.

**DISCHRG:** An offender who has discharged from his sentence is no longer under the supervision of the Michigan Department of Corrections for that sentence. If an offender has no active sentences, then the department would not have any means of contacting the offender. There are several ways in which offenders discharge from their sentences: discharge while on parole or probation (successful completion of parole or probation); discharge on the maximum (failure to parole from prison before the maximum portion of the sentence is completed); and death (dies before completion of the sentence).

**UNKNOWN:** There are several reasons an offender might appear with this category, including: incomplete data on paper transferred to electronic storage; and court-action (such as reduction or overturning of sentence).

- **EARLIEST RELEASE DATE:** This is the prisoner's ERD. It should not be considered as the definite release date. In fact, the vast majority of prisoners do not have a definite release date, relative to the minimum portions of their sentences. The ERD refers only to that date at which a prisoner is eligible for parole, if all appropriate time off for good behavior is earned and if the prisoner is not serving a life sentence. This date changes if the prisoner accumulates misconducts for violating prison rules.

Alternately, this column represents the Supervision Release Date for probationers.

- **MAXIMUM DISCHARGE DATE:** The date shown represents the potential maximum and assumes that the prisoner receives any available good time or disciplinary credits, relevant to the controlling sentence. A prisoner will be released from prison on this date because the Parole Board declined to parole the offender. The MDOC does not have the legal authority to imprison an offender beyond his or her maximum date. Several months prior to this date, the warden of the facility in which the person is housed will determine how much, if any, time for good behavior will be awarded (but only for those offenders who are eligible for good time or disciplinary credits). The maximum date could be increased by the amount of time the warden does not grant.

- **DATE PAROLED:** The date shown represents the date the offender left prison, camp or, if the offender was under supervision other than that of a secure correctional, the date when parolee status was conferred.

M I C H I G A N D E P A R T M E N T O F C O R R E C T I O N S

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