



Minnesota Judicial Branch Policy

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Title:	Collection and Distribution of Revenues Policy
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Collection and Distribution of Revenues

I. POLICY STATEMENT

It is the policy of the Minnesota Judicial Branch to collect and process revenue in a manner that protects the integrity of the court and its employees, promotes public confidence, and provides a consistent level of enforcement throughout the state.

The Judicial Branch shall establish uniform guidelines to collect, process, report and distribute all fees, fines, forfeitures, restitutions, penalties, assessments and reimbursements established by statute or resulting from court orders.

Diligent efforts shall be made to collect fines, fees, restitution and other payments using best practices established by the Judicial Branch.

A. Obligation to Pay Period

1. In a criminal case, a defendant's obligation to pay court-ordered fines, surcharges, court costs, restitution and fees imposed on or after July 1, 2009, shall survive for a period of 10 years after the due date or until the end of probation, whichever is later. *See* Minn. Stat. § 609.104, subd. 2.
2. In all other case types, for all court-imposed financial obligations currently owed or imposed in the future, a person's obligation to pay court-imposed financial obligations shall survive for a period of 10 years after the due date.

B. Write Off

1. Except as otherwise provided in this section, the court administrator shall write off as uncollectible all fines, surcharges, court costs, restitution, fees and other court-imposed financial obligations:

- a. upon expiration of the applicable obligation to pay period; or
- b. before the expiration of the obligation to pay period when:
 - i. the debt owed is less than \$10.00;
 - ii. the obligor has been deported;
 - iii. all reasonable collection efforts have been exhausted; or
 - iv. the cost of further collection efforts will exceed the amount recoverable.

Paragraph b does not apply in cases that include a restitution obligation.

2. Consistent with State Court Administrator Policy/Procedure 209(b) Collection of Past-Due Accounts:

- a. The court administrator shall write off as uncollectible all financial obligations of juveniles ordered or assessed in Juvenile Court upon termination of the Juvenile Court's jurisdiction, which occurs either by order of the court or when the individual becomes 19 years of age, or 21 years of age in extended jurisdiction juvenile cases. *See* Minn. Stat. § 260B.193, subd. 5.

If extended jurisdiction juvenile status is revoked and an adult sentence is imposed or executed, any financial obligation ordered or assessed as part of that sentence is under the jurisdiction of the adult court, is subject to collections under State Court Administrator Policy/Procedure 209(b) Collection of Past-Due Accounts, and the obligation to pay period and write-off provisions applicable to adult criminal cases apply. *See* §§ A.1 and B.1 above.

- b. The court administrator shall write off as uncollectible all fines, surcharges, court costs, restitution, fees and other financial obligations imposed as part of a diversion, continuance for dismissal or stay of adjudication 6 months after the end of the period of the continuance or stay UNLESS:
 - i. there is a hearing scheduled;
 - ii. there is an outstanding warrant;
 - iii. the stay has been revoked or extended; or
 - iv. a request or motion has been made to revoke the stay and/or terminate the agreement and resume prosecution.

C. Voluntary Payments

Court administration shall accept any voluntary payment made after the obligation to pay period has ended and/or the debt has been written off.

II. IMPLEMENTATION AUTHORITY

Implementation of this policy shall be the responsibility of the State Court Administrator, acting as the Judicial Council's agent.

III. EXECUTIVE LIMITATIONS

In carrying out this implementation authority, the State Court Administrator shall consult with the Judicial Administrators and Directors Advisory Workgroup (JAD).