

March 2, 2001

Attachment 4

TO: Council of Presiding Judges

FROM: Ted Gladden

SUBJECT: Survey Results

Attached are the survey results from 53 counties on the division of responsibility for administration of fees, fines, and costs in criminal cases. As you can see from the survey, we are "all over the board". At this time, I am working with the Department of Corrections to develop a procedure for those cases, albeit the smallest number, that are on supervised probation. In regard to supervised probation, we will work on a process whereby if a defendant falls into arrears notice will be given to probation/parole from UCIS so they can handle the order to show cause or whatever remedial action they will be taking.

The big issue regards how to handle supervised probation cases and cases where no court ordered probation is involved. I would suggest that we need to have one uniform, consistent procedure across the state giving explicit direction to our clerks of district court of what their role will be. To leave these matters unattended will mean very disparate practices which not only provide confusion to other justice personnel, but provides an opportunity for workload imbalances and inequities.

This is a matter that needs policy direction by the Council of Presiding Judges and a policy.

TG/cs

Attachment