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Circuit court collections increase

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CENTREVILLE — Those convicted of crimes in St. Joseph County Circuit Court are finding out that the fines and costs imposed at sentencing are not to be ignored.

"If you owe the court, you have to pay," Pattie Bender, St. Joseph County Clerk said following a presentation to the County Commission about recent successes in collecting overdue payments.

During the past five months, collections received at the clerk's office are up 72 percent — \$38,456 — over the last five months of 2009.

A new approach to recovering money owed is making a big difference in Circuit Court revenues.

"My staff developed a plan and we talked about it with the Circuit Court," Bender said. Looking at the large amount of uncollected fines and costs, the clerk's office and Circuit Court Judge Paul Stutesman decided to take an aggressive approach to retrieving money from offenders that had failed to pay.

"We said let's start with the newer ones and go back from there," Bender said.

People convicted of crimes are assessed a number of fees including state costs, crime victim rights costs, circuit court costs, attorney fees (for public defenders), and restitution to victims, and a payment plan is established. Failure to pay within 56 days after sentencing results in a one-time 20 percent late payment penalty (excluding restitution fees).

Initially, responsibility to insure compliance with the court's order to pay falls on the Michigan Department of Corrections (MDOC) through probation enforcement. But when a case is closed, MDOC leaves the picture and often the circuit court assessments are not fully met.

The St. Joseph County plan now kicks in to assure that full payment is made.

"A late payment notice is generated by computer," said Sandy Bowen, chief deputy for the county clerk. The notification is sent on a letterhead bearing the circuit court and county clerk imprints.

"If they don't pay then the judge will order them to come to court to explain," Bowen said. Payment at that time plus continuing monthly payments puts the payer back on track.

Failure to pay means an order for another appearance in court. "If they don't appear then, a bench warrant is issued for their arrest," Bowen said.

Results to the new approach have been good, as collections have increased significantly.

"We said it was high time we collected this money," Bender said. "You're going to pay and not ignore the order of the court."

"It's a lot of work finding the time and locating people," Bowen said. "It's worth the effort."

In the near future, other counties might adopt a similar approach, Bender said. "The State is developing rules, but we have a product here that shows results." She predicts that some of the procedures being implemented locally might be emulated in other municipalities in Michigan.

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