



Utah State Courts

Implementing Recommendations for A Performance Audit of Court Fines and Surcharges

Judicial Council

September 28, 2021

Recommendations Addressed

- 1. Track Compliance With Ordering Statutorily Required Minimum Fines
- 2. Monitor Suspension of Fines
- 3. Track Aggregate Sentencing Data
- 4. Track Utilization of Payment Plans

Statutorily Required Minimum Fines

- Tables already created in CORIS to identify statutes
 - Used for displaying warnings and for reporting
 - Analysis and population of table needs completed
- Plan to Implement Warnings in CORIS & Workspace
 - Boards of District and Justice Court Judges gave input
 - Desired changes:
 - Case History – Charges section
 - Offense Lookup
 - Printed Calendar
 - Workspace: Case Information Page, Charges section

Statutorily Required Minimum Fines

- Report on Cases sentenced with fine below the mandatory
 - Report per district, quarterly
 - Deliver to PJ, District and Justice Court Administrators
 - Reports per court or judge available upon request

District Court Sentences by offense below the Mandatory Minimum, FY21				
District	Offense	Sentenced Cases	Sentenced Below Mandatory Minimum	Percentage Sentenced Below
1	41-12A-302	10	4	40.0
2	41-12A-302	55	12	21.8
2	41-12A-302(1)(A)(II)	1	1	100.0
3	41-12A-302	6	2	33.3
4	41-12A-302	95	19	20.0
4	41-12A-302(1)(A)(II)	13	0	0.0
5	41-12A-302	10	1	10.0
8	41-12A-302	23	16	69.6
8	41-12A-302(1)(A)(II)	2	1	50.0
Statewide	41-12A-302	199	54	27.1
Statewide	41-12A-302(1)(A)(II)	16	2	12.5

Statutorily Required Minimum Fines

- Sentencing practices affect the results:
 - No Proof of Insurance example (41-12A-302)
 - Mandatory Minimum \$400, \$300 suspendable
 - Spanish Fork 205300943:
 - Charge # 1 Fine: \$400.00
 - Suspended: \$300.00
 - Due: \$100.00
 - Spanish Fork 205300596 (will be reported)
 - Charge # 1 Fine: \$100.00
 - Suspended: \$0.00
 - Due: \$100.00
 - Ogden Justice Court 215800887 (will not be reported)
 - Charge #1: 41-12A-302
 - 3 Charges, sentenced \$740 'Applies to All'
 - Unclear if judge took the full \$400 into account for charge 1

Monitoring Suspension of Fines

- Quarterly Report of Fines Sentenced and Suspended
- By District, with Statewide Total
- Delivery to PJ and District and Justice Court Administrators
- Report by Court Location or Judge Upon Request
- Exclude Traffic Citations, Include Traffic Court

Suspension of Fines on Cases Sentenced 04/01/2021 to 06/30/2021 (District Courts)

District	Cases Sentenced	Cases with Suspensions	% Cases with Suspension	Total Amt Sentenced	Total Amt Suspended	% Amt Suspended
1	209	51	24.4	360,801.00	239,801.00	66.5
2	945	663	70.2	2,851,508.70	2,397,946.00	84.1
3	573	363	63.4	2,602,111.00	2,216,814.00	85.2
4	1006	466	46.3	2,442,324.96	1,970,063.00	80.7
5	555	548	98.7	5,622,614.40	5,360,623.14	95.3
6	182	181	99.5	1,786,753.00	1,682,011.00	94.1
7	103	0	0.0	147,760.00	0.00	0.0
8	164	1	0.6	107,464.00	2,000.00	1.9
Statewide	3737	2273	60.8	15,921,337.06	13,869,258.14	87.1

Monitoring Suspension of Fines

- Justice Court Sample Report
- Justice Court Administrator May Desire Report By County or by Court

Suspension of Fines on Cases Sentenced 04/01/2021 to 06/30/2021 (Justice Courts)

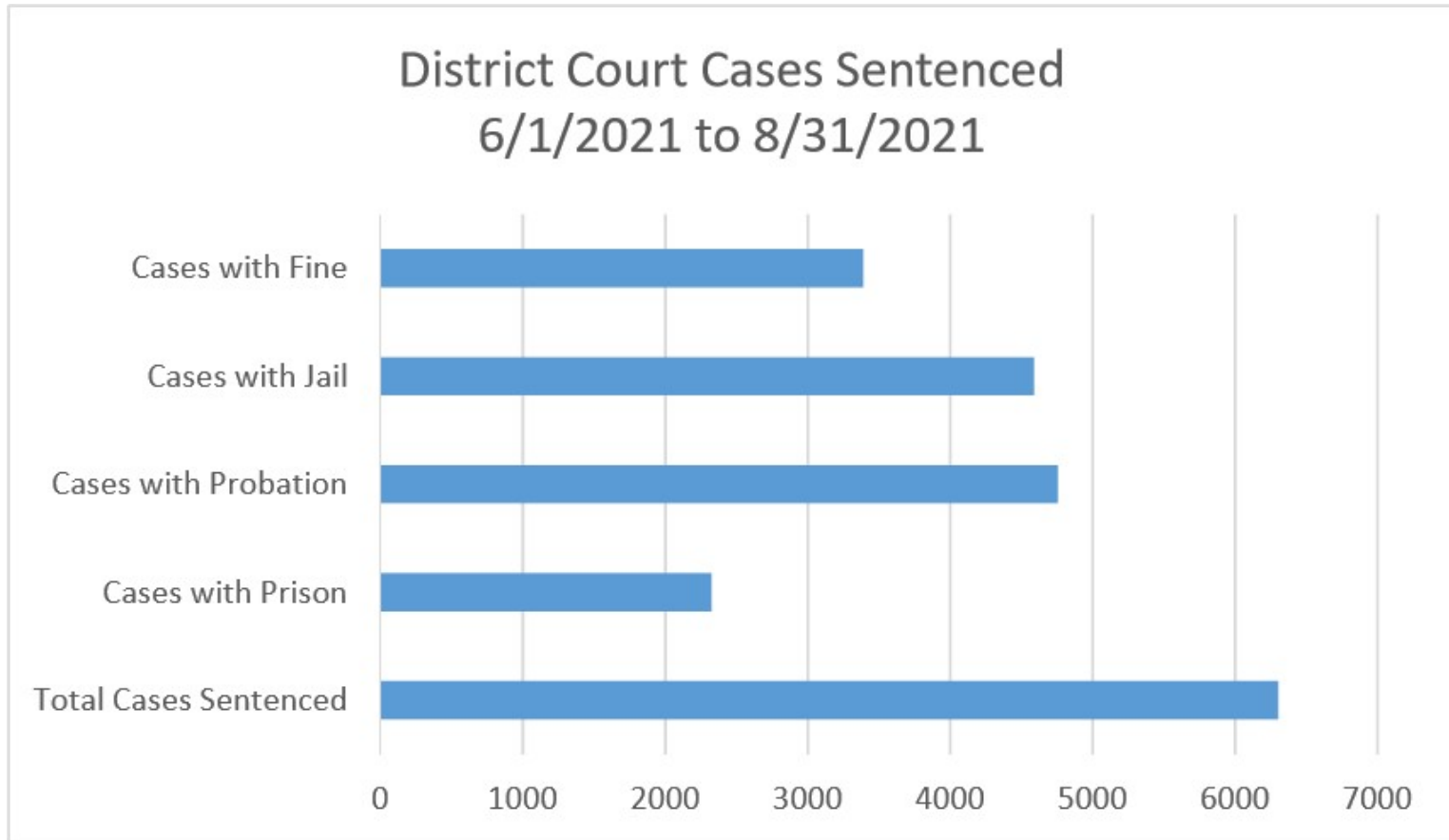
District	Cases Sentenced	Cases with Suspensions	% Cases with Suspension	Total Amt Sentenced	Total Amt Suspended	% Amt Suspended
1	949	116	12.2	410,811.00	27,890.00	6.8
2	3345	149	4.5	1,668,971.00	32,608.89	2.0
3	5134	835	16.3	2,729,779.89	341,944.39	12.5
4	2798	351	12.5	1,672,767.32	122,943.50	7.3
5	1374	508	37.0	1,382,598.08	637,620.18	46.1
6	416	21	5.0	240,653.00	18,509.00	7.7
7	699	39	5.6	465,808.07	24,509.00	5.3
8	397	7	1.8	208,489.00	1,960.00	0.9
Statewide	15112	2026	13.4	8,779,877.36	1,207,984.96	13.8

Tracking Aggregate Sentencing Data

- Statewide counts, reported quarterly to Court Administrators
- Totals could be posted on website
- Total Cases Sentenced
 - Total with Prison
 - Total with Probation
 - Total with Jail
 - Total with Fine, Fee or Trust
- Overlap among categories

District Court Cases Sentenced 6/1/2021 to 8/31/2021 *		
Total Cases Sentenced	6304	
Cases with Prison	2324	
Cases with Probation	4756	
Cases with Jail	4590	
Cases with Fine	3390	\$22.2 Million
* Excludes Traffic and Parking cases, counts include suspended sentences.		

Tracking Aggregate Sentencing Data



Tracking Aggregate Sentencing Data

- Problems reporting more than just case counts
 - Prison Sentences
 - Sentenced by ranges:
 - Freeform text entry
 - 0-5, 1 to 20, 10-Life, etc.
 - Jail Sentences
 - Units can be in Days, Months, or Years
 - 120 D, 0 – 6 M, 0 to 364 D, 0-5 Y
 - Probation Sentences
 - 36 M, 3 Y, 180 D
- Total Fines Sentenced could be reported

Track Utilization of Payment Plans

- Report by District, Quarterly
- Report to PJs, District & Justice Court Administrators
- Counts of Cases Sentenced with Fine
- Counts of Cases with Payment Schedule
- Exclude Traffic and Parking Case Types
- Compute Percentage Sentenced with Payment Plan

Track Utilization of Payment Plans

- Sample Report of Payment Plans Sentenced

Payment Plans Sentenced 6/1/2021 to 8/31/2021 *			
District	Cases Sentenced with Accounts	Cases with Payment Plans as Part of Sentencing	Percentage
1	196	6	3.1
2	863	453	52.5
3	897	121	13.5
4	743	235	31.6
5	538	228	42.4
6	159	98	61.6
7	126	76	60.3
8	174	102	58.6
* excludes Traffic and Parking			