

Supreme Court of Pennsylvania

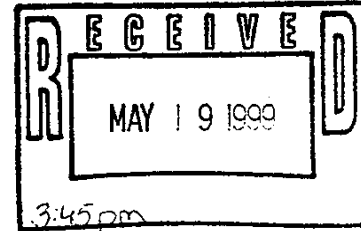


ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS
Post Office Box 719
Mechanicsburg, Pennsylvania 17055-0719
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May 19, 1999

NANCY M. SOBOLEVITCH
COURT ADMINISTRATOR
OF PENNSYLVANIA

Virgil F. Puskarich, Executive Director
Local Government Commission
Senate Box 203078
Main Capitol Building
Harrisburg, PA 17120-3078



Dear Mr. Puskarich:

SUBJECT: HOUSE RESOLUTION 167 TASK FORCE INFORMATION

I am writing in regard to the questions that I was asked at the April 27th meeting of the House Resolution 167 Task Force and later questions that were asked by your staff on May 5th and May 7th. I have attempted to place the information in a format that you will find useful. Where appropriate I have referenced attached tables or statistical information in our answers. Unless otherwise identified, the information I am providing comes from our automated District Justice System (DJS) database.

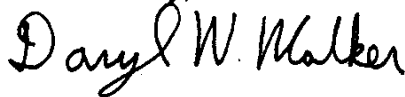
Some of the questions asked for statutory interpretations. While I have provided these interpretations, I must emphasize that the Administrative Office of Pennsylvania Courts' views are only reflective of the AOPC's administrative practice in light of our interpretation of statute and caselaw. Quite obviously, we neither do nor can represent our views to be authoritative in any other context. You may wish to see what interpretations other relevant organizations such as the Attorney General, Pennsylvania State Police or the Department of Revenue have of the provisions in question.

Two additional points are noteworthy, first while we can efficiently track revenue collected at the District Justice level through the DJS, as of yet we do not have an integrated automation system at the trial court level. Therefore the data contained in the answer to "Additional Question 2c", concerning the amount of money that was distributed to local governments under Title 42, Section 3573(c), of necessity does not reflect any monetary amounts that may be forwarded to municipal corporations by the Courts of Common Pleas. Second, though not specifically requested, I have included data on monetary amounts flowing from the District Justices to the municipal

corporations from traffic cases under Title 75 since the aggregate number of traffic cases is so much higher than non-traffic cases.

I hope the information we have provided is responsive and proves helpful in the continuing endeavors of the House Resolution 167 Task Force.

Sincerely,

A handwritten signature in black ink that reads "Daryl W. Walker". The signature is written in a cursive style with a large initial "D".

Daryl W. Walker
Administrative Attorney

Enclosure

cc: Nancy M. Sobolevich
Thomas B. Darr
Zygmunt Pines, Esq.

**QUESTIONS DIRECTED AT AOPC BY TASK FORCE MEMBERS ON
APRIL 27th:**

1. **QUESTION:** When discussing whether a fee should be applied to certain criminal convictions in order to fund municipal/regional police, Rep. Ross asked whether court costs/fees in Pennsylvania were comparable to other states?

ANSWER: No definitive answer can be made to this question due to the lack of authoritative data and the fact that not all states choose the same revenue vehicle (fees, taxes, etc.) to accomplish the same task. We obtained several tables and statistical abstracts that may prove of some use to the Task Force members in their work. Note however that since the compilers of the data rely on the various states to *self-report* their fees and court costs, gaps in the data (particularly for the larger states) do exist.

The National Center for State Courts provided us with the draft table of state criminal and traffic surcharges for 1997 (Attachment 1). It is the latest (and probably the only) national data set, but is still incomplete in a few areas (e.g., some states not included yet, and some surcharges not listed yet).

2. **QUESTION:** Rep. Ross was given a partial list of fees in criminal cases (provided by PCCD). He asked whether all fees were applied in every case. Mr. Spangenberg from PCCD gave a partial answer by stating that he was aware that some fees were applied only in specific types of cases. For instance, the DNA detection cost only applied in sex cases. He was unsure whether such fees as the *Judicial* Computer Project (JCP) fee and the Probation and Parole Officer's Firearm Education fee applied in every case. The AOPC representative responded that he was unsure about the Probation fee but believed the JCP fee applied in every case that comes before a DJ.

ANSWER: A revised list of Pennsylvania Fees in Criminal Cases is at Attachment 2. As explained by Mr. Spangenberg, not all fees apply in every case or in the same amount at every level of the judiciary. For instance, the Crime Laboratory Users Fee and DNA Detection Cost are only applicable in cases where those services were utilized. On the other hand, the *Judicial Computer Project* fee - which is only \$1.50 at the district justice level - applies in every case but it is \$5.00 at the Common Pleas Court level. Attachment 3 entitled "Specific Costs/Fees" was prepared by our staff to reflect every cost or fee, to our knowledge, that could be imposed at the District Justice level. Note that individual counties could have separate and distinct costs or fees in addition to those listed in our document but these added costs/fines would not apply only at the Common Pleas or higher level.

Attachment 4 is the section of the District Justices Automated Office Clerical Procedures Manual (currently undergoing revision by the AOPC) that discusses the fines to be charged and how the money is to be distributed at the minor court level.

The automated DJS distributes the money according to the AOPC's interpretation of the relevant statutes. The distribution is driven by codes identifying the statute, arresting officer, and municipality. The DJ sends the payment directly to the municipalities involved by means of a check every month. At the Court of Common Pleas level, the Clerk of Court has responsibility to distribute the money to the municipalities. The sixty judicial districts vary widely as to the extent of automation of their Clerk of Court's offices. To our knowledge, there is no mandatory method for the Clerk of Court to accomplish this distribution.

This office has created tables listing the possible fines and costs that can be imposed by district justices. Attachment 5 is the table (with explanation of the codes used) outlining all possible fines and how the money is distributed. Likewise, Attachment 6 is the table outlining all possible court costs. The cost table also provides a historical perspective of costs of the cost change over the last four years.

3. **QUESTION:** a. Annmarie Kaiser (from the PA District Attorney's Assoc.) was concerned that any additional fee, especially a large one, would impact on collection of victim's restitution. She asked whether more court costs or fees would in some way jeopardize the payment of victim restitution.

ANSWER: It is unknown what effect, if any, more court costs or fees would have on the payment of victim restitution. There is relatively little statutory law on victim restitution. 18 Pa.C.S. §1106 deals with the issue of restitution and allows the offender to be sentenced to make restitution in certain, but not all, cases. The statute also contains a provision on priority of payments but that provision only relates to cases where the offender has to pay restitution to more than one person and/or entity. These cases have been relatively rare at the district justice level in our experience. It is logical to assume that many if not most offenders would lack the financial means to pay a new fee if it was set at a very high level. We believe that more cases involving restitution would be found at the Court of Common Pleas level and the impact of any new may be greater there.

b. Follow-up questions were what was the priority of payments and whether the judge had any flexibility in what fees had priority and when payment was made (was it a one-shot deal or could payments stretch out?). The AOPC representative told Ms. Kaiser that he thought some fees had statutory priority and that some fees or costs could be collected from prisoner pay.

ANSWER: There is no statute, to our knowledge, that establishes an overall priority of payments for all levels of the judiciary. The automated District Justice System was fully implemented in 1992, the following payment priority schedule was established, consistent with the provisions of 18 Pa.C.S. §1106:

The payments priority schedule for the DJS, is as follows:

1. JCP Fee. (\$1.50 at District Justice level)

2. **Server Fees. (Variable)**
3. **Costs, Fines, and Restitution. (Specifically, the DJS will total these three items [Costs, Fines, and Restitution], then the percentage that each of these items receives is determined by dividing the combined total of these three items into the total for each individual item. Thus for example, if a defendant owes 90.00 in fines, 5.00 in costs, and 5.00 in restitution, then for each dollar of payment that a defendant makes after he/she has paid the JCP and servers fees, will be distributed as follows: .90 to fines (90 /100), .05 to costs (5/100), and .05 to restitution (5/100).**

In practice two points can be made about the above payments priority schedule. First, the District Justice has the flexibility and discretion to accept time payments in many cases. As a practical matter, most of those convicted make arrangements with the District Justice to make time payments. Second, there is built into the automated DJS system an attempt to make it as much a "pay-as-you-go" operation as is practicable. The small JCP fee, server fees and costs are collected upfront to ensure continued operation of the DJS, to ensure continued process service and to pose as little burden on the taxpayer as possible. One consequence of maintaining the ongoing operation of the automated DJS and of greater certainty of process service is higher overall collection rates of fines, fees and costs assessed by a District Justice upon convictions. Prior to the implementation of the automated DJS, collection rates are thought to have been much lower. Through the level of automation funded by the JCP, the collection rate is currently over 93 percent. Thus a victim is ultimately more likely to receive restitution, due to the implementation of the automated DJS.

18 Pa.C.S. § 1106(c) which went into effect on July 3, 1995, provides that "if restitution to more than one person is set at the same time, the court shall set priorities of payment" amongst those restitution recipients. Therefore, this statute only affects how the restitution monies are distributed when they are collected. It does not affect when restitution is to be paid in relation to JCP fees, server fees, fines, and costs.

This statute provides that a court shall not reduce the amount of the restitution awarded by the amount a victim has received for his/her losses from some third parties (such as the Crime Victim's Compensation Board, insurance company, etc). Rather, the court shall order the defendant to compensate the third party (such as the Crime Victim's Compensation Board, insurance company, etc) for the amount that it has reimbursed/compensated the victim. Therefore, this statute only applies to cases where restitution has been awarded/ordered and the crime victim has already received full or partial compensation/reimbursement from:

1. **The Crime Victim's Compensation Board.**
2. **Any other governmental agency.**
3. **Any insurance company.**

If the above mentioned circumstances exist in a case, then the payment priority schedule in that case, according to 18 Pa.C.S. § 1106(c)(1)(iii), must be as follows:

1. The victim.
2. The Crime Victim's Compensation Board.
3. Any other governmental agency which has provided reimbursement to the victim as a result of the defendant's criminal conduct.
4. Any insurance company which has provided reimbursement to the victim as a result of the defendant's criminal conduct.

In cases at the Court of Common Pleas level where restitution has been ordered, an additional factor is the requirements of Act 84 of 1998. These requirements, found at 42 Pa. C.S.A. § 9728(g.1), provide that no less than 50 percent of all moneys collected by the county probation department, or other agent designated by the county commissioners of the county with the approval of the president judge of the county, shall, until satisfaction of the convicted defendant's restitution obligation, be used to pay restitution to victims. Any remaining moneys shall be used to pay fees, costs, fines, penalties and other court-ordered obligations.

In cases where Act 84 applies, how the judicial district distributes the remaining 50 percent or less of the money is discretionary on their part. Though an equal division between court costs and fines seems reasonable, this distribution scheme is not mandatory for the Clerks of Court.

4. **QUESTION:** Though not directed at AOPC directly, the question was asked whether a part of current fines are returned to local governments. A few comments seemed to support the notion that some part of fees is returned to local governments (even those without police forces).

ANSWER: Yes, a part of current fines are returned to local governments. See response to Additional Question 2c below.

ADDITIONAL QUESTIONS FROM 5 & 7 MAY 1999

1a. QUESTION: Under Title 42, §3573(b) dealing with vehicle offenses, subsections (1), (2) and (3) all refer to ‘local police action’ and the phrase ‘payable to municipal corporation under which the local police are organized.’ Does this require that before the municipal corporation receives money under these sections it must have created a local police force?

ANSWER: We believe the statute does not really address this issue, however it has been AOPC’s practice in the past to allow district justices through the automated DJS to send fine money’s directly to a municipality which does not have a police force but instead contracts with a neighboring municipality to provide police protection if that is what the municipalities involved want.

1b. QUESTION: If Municipal Corporation A has contracted with another municipality (B) for police services will A get the money?

ANSWER: We found no statutory or other authority that answers what legally happens when municipality A (which does not have a police force) pays/contracts to have municipality B’s police force cover its area. We found no authoritative source that states that municipality A is considered to have ‘created a local police force’ by virtue of paying someone else’s police to patrol its streets. However, we understand that it is very common (using the example of Municipality A and B stated in the question) for A and B to agree that A should receive any fine monies for violations that occur within its jurisdiction. Therefore, as I already stated the automated DJS is currently set up so that in this situation when an arrest occurs in Municipality A, the fine monies can go to municipality A or B.

1c. QUESTION: The staff of the LGC interprets this section to mean that if the PSP did the arrest in a municipality without its own police force the municipality gets no money under this section, does the AOPC agree?

ANSWER: In order to determine where the fine monies go when the prosecution is the result of PSP action, we need to look to 42 Pa.C.S. § 3571 (Commonwealth portion of fines, etc). This statute provides that:

When the prosecution is for a violation of Chapter 77 (snowmobiles) of Title 75 and is the result of PSP action, then 100% of the fine money goes to the Commonwealth unless Chapter 77 of Title 75 provides otherwise.

When the prosecution is for DUI (75 Pa.C.S. § 3733) and is the result of PSP action, then the fine monies go 50% to the Commonwealth to go to the MLF (Motor License Fund) and 50% shall be payable to the county to be divided equally between (1) the county authority which implements the

county drug and alcohol program and (2) to cover expenditures incurred for county jails, prisons, workhouses, and detention centers.

When the prosecution is for any other violation of Title 75 (relating to vehicles) and is the result of PSP action, then all fines shall be payable to the Commonwealth for credit into the MLF (Motor License Fund). However, 50% of the revenue shall be paid to the municipalities in the same ratio provided for in Section 4 of the act of June 1, 1956 (P.L. 1944 No. 655) relating to partial allocation of liquid fuels and fuel use tax proceeds. Warren Klunk of the Department of Revenue could probably provide the exact ratio.

1d. QUESTION: If the PSP arrests the driver but the municipality either has its own police force or has contracted with another municipal force what is the result?

ANSWER: The deciding factor in who gets the fine money is not whether the municipality has a police force or contracted to use someone else police force, it is who arrested the individual (whose action resulted in the prosecution of the defendant). Thus, if the PSP arrested the defendant, we look to 42 Pa.C.S. § 3571 for guidance as to where the fine monies go. If the municipality police force arrested the defendant, we look to 42 Pa.C.S. § 3573 for guidance as to where the fine monies go.

2a. QUESTION: Under Title 42 §3573(c) dealing with summary offenses, subsections (1) and (2) list numerous offenses. The staff of the LGC interprets this section to NOT require a "local police action" in order for the municipal corporation to receive money, does the AOPC agree?

ANSWER: We agree with this interpretation.

2b. QUESTION: Also the LGC staff interprets the section to NOT require a "local police force" in order for the municipal corporation to receive money, do we agree?

ANSWER: We agree with this interpretation.

2c. QUESTION: The LGC wants to know how much money was distributed to local government under this section in the last year we have records for?

ANSWER:

- 1. Dollar amount distributed to local governments from Traffic (Title 75) offenses docketed for 1998 and paid from January 1998 through January 1999 is as follows:**

| | |
|-----------------------|-----------------|
| TOTAL VALUE | \$14,430,722.63 |
| JAIL Credit | \$358,003.92 |
| Community Service | \$9,258.71 |
| Total Funds Disbursed | \$14,063,460.00 |

- 2. Dollar amount distributed to local governments from the specified summary offenses that were docketed for 1998 and paid from January 1998 through January 1999.**

| | |
|-----------------------|----------------|
| TOTAL VALUE | \$8,855,072.00 |
| JAIL Credit | \$565,811.30 |
| Community Service | \$138,424.70 |
| Total Funds Disbursed | \$8,150,836.00 |

In both tables above, the "Total Funds Disbursed" is the actual cumulative dollar amount that is distributed to local governments directly by the district justice. This distribution occurs on a monthly basis with a check that is generated by the automated DJS after the preparation of the district justice's monthly report.

2d. QUESTION: If we cannot provide information/answers to the above questions do we have any suggestions where the LGC can obtain the needed information?

ANSWER: We would suggest Warren Klunk of the Department of Revenue as a possible source of additional information/clarification.

TABLE OF ATTACHMENTS

1. **DRAFT TABLE OF STATE CRIMINAL AND TRAFFIC SURCHARGES FOR 1997. THOUGH INCOMPLETE IN COVERAGE, IT IS USEFUL IN SHOWING HOW MANY STATES IMPOSE SURCHARGES FOR SIMILAR PURPOSES INCLUDING HELPING VICTIMS AND MODERNIZING THE COURT SYSTEM.**
2. **REVISED LIST OF PENNSYLVANIA FEES IN CRIMINAL CASES. NOT ALL FEES APPLY IN EVERY CASE, OR AT THE SAME AMOUNT AT EVERY LEVEL OF THE JUDICIAL SYSTEM. FOR INSTANCE, THE JUDICIAL COMPUTER PROJECT FEE APPLIES IN EVERY CASE THAT GOES BEFORE A DISTRICT JUSTICE BUT ONLY \$1.50 IS COLLECTED AT THIS LEVEL. IN CASES BEFORE HIGHER COURTS, SUCH AS THE COURTS OF COMMON PLEAS, THE JCP FEE IS \$5.00.**
3. **ATTACHMENT 3 LISTS EVERY COST OR FEE THAT, TO OUR KNOWLEDGE, COULD BE IMPOSED AT THE DISTRICT JUSTICE LEVEL.**
4. **ATTACHMENT 4 IS AN EXCERPT FROM THE DISTRICT JUSTICES AUTOMATED OFFICE CLERICAL PROCEDURES MANUAL THAT DISCUSSES THE FINES TO BE CHARGED AND HOW THE MONEY IS TO BE DISTRIBUTED.**
5. **ATTACHMENT 5 IS THE 1999 DISTRICT JUSTICE FINE TABLE INCLUDING AN EXPLANATION OF THE CODES USED IN THE TABLE. THIS LISTS ALL POSSIBLE FINES AND HOW THE MONEY IS DISTRIBUTED.**
6. **ATTACHEMENT 6 IS THE 1999 DISTRICT JUSTICE COST CODE TABLE INCLUDING LISTING ALL POSSIBLE COURT COSTS. THE TABLE ALSO PROVIDES A HISTORICAL OVERVIEW ON THE CHANGE IN COSTS IN THE LAST FOUR YEARS.**

Criminal and Traffic Surcharges, 1997

| State | Surcharge Imposed On | Amount | Fund Recipient | Annual Revenue | Amount Expended | Other Revenue Source(s) | Other Revenue Amount(s) |
|----------|---|--|---|---|--|-------------------------|-------------------------|
| Alabama | | | | | | | |
| Alaska | DWI--commercial DWI--vehicle/aircraft/watercraft Driving--license suspended/revoked/cancelled Implied consent to chemical test--commercial Refusal to submit to a chemical test Reckless driving Notice of accident / Render assistance Vehicle or Traffic Offense (AS 28) | 25 25 25 25 25 25 25 10 | General Fund ¹ | 185,000 (combined) | Info. not available | | |
| Arizona | | | | | | | |
| Arkansas | Convictions in 1. Circuit court: a) misdemeanor or felony b) DWI 2. Municipal court a) crim. Misdemeanor or felony b) traffic misdemeanor or violation c) DWI d) local ordinance 3. City or police court a) criminal misdemeanor b) traffic misdemeanor or violation c) DWI d) local ordinance | 1. 150 300 2. 75 75 300 25 3. 50 50 300 25 | 1. Pros. Atty; Pros. Atty victim/witness; Co. law library; county jail; Intox. Detect. Fund; Public Defender & public defender investigator; County general admin of justice purposes 2. Mun. judge & clerk retirement fund; police and fire pension fund; intox. Detect. Fund; city general admin of justice purposes 3. Police and fire pension fund; city general admin. Of justice purposes | 1. 743,638 165,984 2. 5,636,937 13,681,636 3. 328,548 1,336,350 175,324 not available | All revenues from fees and surcharges = \$39,125,0006. Of this amount, municipalities received \$22,009,903 for admin. of just. Purposes, exact distribution not reported. By statute, excess received by state was \$17,090,037, apportioned among state agencies. ² | | |

¹ Alaska: The judiciary deposits money collected to the state's general fund. The legislature appropriates funds for the training of police officers.

² State agency distribution of revenues in Arkansas--

| Agency/Fund Recipient | Amount | Agency/Fund Recipient | Amount | Agency/Fund Recipient | Amount |
|-----------------------|--------|-----------------------|--------|-----------------------|--------|
|-----------------------|--------|-----------------------|--------|-----------------------|--------|

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|-----------------------|--------|-----------------------|--------|-----------------------|--------|
|-----------------------|--------|-----------------------|--------|-----------------------|--------|

| | | | | | | | |
|------------|---|--|--|--|--|--|--|
| California | Base Fine (Per Uniform Bail & Penalty Schedule) "State" Penalty "County" Penalty | (Fine amt.) 100% of Fine 70% of Fine | Revenues from fines, penalties, and forfeitures are divided among several state & county funds by state & local formulae. ³ | Not available | | | |
| Colorado | Various criminal offenses and traffic infractions ⁴ Offenses against the person, sexual assault on child, offenses involving family relationships ⁵ Dissolution of marriage petitions ⁶ Offenses related to cruelty to animals Drug offenses Sex offenses | 25-125 ⁷ 1,000 5 up to 400 100-4,500 150-3,000 | Victims assistance fund Victims assistance fund Displaced homemakers fund Animal cruelty prevention fund Drug offender surcharge fund Sex offender surcharge fund | 9,711,367 (included in above amount) 108,544 ?(new) 1,608,062 192,314 | 9,438,041 ? ? 771,279 79,501 | | |

| | | | | | |
|---|------------------------------|--|---------|-------------------------------|-----------|
| Univ. of Ark. Legal Education: UA-Fayetteville UA-Little Rock | 1,282,989.50 1,282,989.50 | Municipal Court Judge/Clerk Education Fund | 19,569 | Court Reporter Fund | 1,610,104 |
| Public Health Fund | 75,000 | Prosecutors Coordinator | 50,012 | Justice Building Fund | 200,000 |
| Highway Safety Special Fund | 994,117 | Code Revision Fund | 137,656 | Cty AI/Dr Ab/CR Prev. | 386,138 |
| State Police Retirement Fund | 1,169,971 | Crime Information System Fund | 49,489 | Trial Court Admin. Asst. Fund | 3,286,000 |
| Ark. State Police Fund | | Judicial Retirement Fund | 836,361 | Drug Abuse Prevention Fund | 312,000 |
| Crime Victims Reparation | 1,669,971 | Public Defender Commission | 505,611 | | |

³ California: With few exceptions (e.g., red traffic light violations and traffic violations to which the Traffic Violator School Fee applies), the allocation of fine, penalty, and forfeiture revenues is as follows: (1) prior to any other distribution, 2% of all such revenues must be transmitted to the Trial Court Improvement Fund (for automating trial court recordkeeping systems); (2) the remainder of the base fine revenue is equally divided between the issuing agency and the county until June 30, 1998, after which the issuing agency will receive 79% and the county 21%; (3) the remainder of the state penalty revenue is allocated as follows:

| Fund/Revenue Recipient | Percentage | Fund/Revenue Recipient | Percentage | Fund/Revenue Recipient | Percentage |
|--------------------------------|----------------|-----------------------------------|---------------|---|---------------|
| County | 30% of Penalty | State Peace Officer Training Fund | 23.99% of 70% | State Victim/Witness Assistance Fund | 8.64 % of 70% |
| State Fish & Game Preservation | .33% of 70% | State Driver Training Fund | 25.7 % of 70% | State Traumatic Brain Injury | .66% of 70% |
| State Restitution Fund | 32.02% of 70% | State Corrections Training Fund | 7.88% of 70% | State Local Pub. Prosec. & Pub. Defender Training | .78% of 70% |

and (4) the remainder of the county penalty is allocated for County Courthouse Construction, County Criminal Justice Facility, County Automated Fingerprint ID Fund, County Forensic Laboratory Fund, County Emergency Medical Services, and Special Purpose Fund on a percentile basis determined by each County Board of Supervisors.

⁴ Colorado: Called Victim's Assistance Surcharge

⁵ Colorado: Called Special Advocate Surcharge

⁶ Colorado: Called Displaced Homemaker Fund Fee

⁷ Colorado: The surcharge varies: 37% of fine or statutory minimum

| | | | | | | | |
|-------------------------|---|---------------------------------------|---|-------------------|----------------|-------------------------------|-----------|
| Connecticut | Motor vehicle violation | 50% | Dept. of transportation (special transportation fund) | 6,049,245 | Unknown | Donations | 5,510 |
| | Motor vehicle violation | 1 of every 8, max of 11 | General fund (for municipal and state police training) | 2,201,617 | Unknown | | |
| | Motor vehicle violation; all misdemeanors | 15 | General fund (Criminal injuries compensation fund) | 1,255,992 | 1,499,979 | | |
| | All felonies Participants in Pretrial Alcohol Education Program | 20 50 | Criminal injuries compensation fund | 302,905 | | | |
| Delaware | Fines (all) | 18% | Victims of violent crimes | 2,440,576 | 1,394,273 | Federal Funds | 180,700 |
| | Fines (DUI) | 15% | Substance abuse rehabilitation, treatment, education and prevention fund | 174,060 | N/A | | |
| | Motor vehicle violation (seat belts) | 40% or 20, whichever is greater | Victims' rights fund | 19,506 | N/A | | |
| | Every violation | 1.00 | Criminal justice council Video phone fund surcharge | 67,454 | N/A | | |
| District of Columbia | Criminal filings which result in conviction | Varies | Crime victims fund | 398,929 | 378,507 | No | |
| Florida | | | | | | | |
| Georgia | | | | | | | |
| Hawaii | Furnishing motor vehicle records (\$7) | 2 | Judiciary computer system special fund | 851,452 | None in FY '97 | (see Judiciary budget) | |
| | Penalties for Traffic infractions DUI | 5 | General fund | | N/A | Special fund appropriation | 1,494,471 |
| | | 7 | Driver educ. & training fund | 646,464 | 1,121,276 | | |
| | | 100 | Driver educ. & training fund | 255,965 | | | |
| Idaho | Convictions: criminal & infraction | 5 | ISTARS technology fund | 50,806 | | | |
| Illinois | | | | | | | |
| Indiana | | | | | | | |
| Iowa | Criminal fine or forfeiture: Criminal penalty surcharge | 30% of fine or forfeit. | 95% to state ct. administrator ⁹ | 7,467,850 | | | |
| | Drug abuse resistance surcharge | 5 | 5% to county or city Thru. gen. fund to law enf. academy for use by drug | 401,666 15,371 | | | |

| | | | | | | | |
|-----------|---|--|--|--|-------------------------------|-------------------------------|--|
| | All other court revenue (civil and criminal) not remitted to municipalities ⁸ | N/A | abuse resistance education program. State court administrator Prison Infrastructure fund ¹⁰ Ct. Tech. & Moderniz. Fund ¹¹ Enhanced Court Collections Fund ¹² | 9,500,000 1,000,000 Remndr. up to stat. max. | | | |
| Kansas | | | | | | | |
| Kentucky | Criminal complaints State jail fee--district County jail fee--district Sheriff security service fee--circuit/district Law library fee (civil & criminal) Circuit Court District Court Convictions--circuit/district (Crime Victim's Fee) Misdemeanors (except DUI)--District Court (Brady Bill Fee) Speeding citations, District Ct. Seat belt violations, District Ct. Child restraint violations, Dist. Ct. DUI fee | 10 5 5 1 .50 10 5 13 25 20 200 | Ky local jail authority County treasurer County Sheriff Local law libraries Office of the public advocate Kentucky State police University research centers (For spinal cord and head injury research—SCHIR) Various state agencies | 4,992,609 2,496,838 2,520,327 832,044 1,007,393 350,695 2,834,406 4,501,473 | | | |
| Louisiana | | | | | | | |
| Maine | All OUI convictions All criminal convictions All fines, forfeitures or penalties | 30 10 or 25 10% | Highway Fund Victims compensation fund Government operations surcharge fund | Unknown 528,641 1,978,586 | Unknown Unknown Unknown | Unknown Unknown Unknown | |

⁸ Iowa: All fines and forfeited bail for violation of county ordinances are remitted to the county. For other violations, the clerk remits 90% of fines and forfeited bail to the city that was the "plaintiff" (prosecutor) and 10% to the state court administrator. Fines, fees, costs, and forfeited bail that are received from a magistrate are submitted to the state court administrator. Iowa Code § 602.8106 (1997). Those revenues not used by the courts, as provided by statute, are remitted to the state general fund.

⁹ Iowa: Of this 95%, the state court administrator shall allocate 18% to the Victim Compensation Fund and 82% to the state general fund. Iowa Code § 602.8108(3)(b) (1997).

¹⁰ Iowa: Beginning July 1, 1997, the first \$9,500,000 of these revenues shall be deposited in the fund. Iowa Code § 602.1808A (1997).

¹¹ Iowa: By statute, the state court administrator must allocate this amount to the fund. Of the \$1 million, 80% must be used to enhance case processing; electronic transmission of information to state and local government, law enforcement agencies, and the public; and to improve public access to the courts. The funds may not be used for the Iowa court information system. Twenty percent must be used in equal amounts to facilitate ADR and methods to resolve domestic abuse cases. The state court administrator must also allocate fines and fees from commercial vehicle citations to the Road Use Tax Fund. Iowa Code § 602.1808 (1997).

¹² Iowa: On a quarterly basis, after reductions for the prison infrastructure fund, the court technology and modernization fund, and any other required deposits, the remaining revenues must be deposited into the enhanced court collections fund up to the maximum annual deposit, after which any remainder must be deposited in the general fund. The initial maximum annual deposit for a fiscal year was \$4 million. The monies in the collection fund must be used by the judiciary for the Iowa court information system; resources for records management and electronic legal research; and the study, development, and implementation of other technological improvements. Iowa Code § 602.1304 (1997).

| | | | | | | | |
|---------------|--|---|---|---|------------------------|-------------------------------------|--|
| | All fines, forfeitures or penalties | 1% | AOC- computer fund | 142,823 | (first incurred in 98) | Unknown State of Maine general fund | |
| | All fines, forfeitures or penalties | 1% | Department of public safety | 142,823 | Unknown | | |
| Maryland | Appearance fees | 10 22.50 1.50 20.00 1.50 2.50 | Local County Victim of crime fund Criminal injury Victim and witness pro & rel | Unreported 13 123,793 129,065 New ¹⁴ | None | | |
| Massachusetts | Felony complaints/ Misdemeanor complaints/ Delinquency adjudications/ Motor vehicle infractions ¹⁵ Felony drug convictions/ Misdemeanor drug convictions DUI fines DUI convictions for which defendant is placed in a driver alcohol education program | 60 35 30 30 ¹⁶ 150 35 100 250 | Victim/witness assistance fund Drug analysis fund Head injury program Alcohol fee | 3,887,051 136,492 217,641 2,046,132 | | | |
| Michigan | | | | | | | |
| Minnesota | Traffic Cases Controlled substance fine DNR assessment Highway patrol fines Law library fee Seat belt fine Sheriffs contingency fund | 15% of fine 70% of fine 20% of fine 5/8 of fine varies \$25 25% of fine | Peace officer training Local drug abuse prevention programs Conservation officer training Truck highway fund Criminal/Traffic fine Emergency medical services Sheriff | 3,800,000 ? 100,000 (DNR) ? ? 7,996,933 ? | | | |
| Mississippi | | | | | | | |
| Missouri | Ordinance violations | 1 30 3 10 5 | Domestic violence shelter Drug commissioner Sheriff's retirement fund Courthouse Operation Crime victims compensation | Unavail. ¹⁷ ? | | | |

¹³ Maryland: The annual revenues are totaled with other local revenues and tracked at the local level for disbursement to the appropriate jurisdiction. These revenues are accumulated with other local revenues at the state level and are not easily segregated from the other local revenues.

¹⁴ Maryland: The victim and witness pro & rel fund surcharge was recently enacted as of July 1, 1997. Annual revenues are not available for this surcharge.

¹⁵ Massachusetts: If violator fails to pay or to request a hearing within 20 days.

¹⁶ Massachusetts: If multiple infractions arise from a single incident, total assessment not to exceed \$50. Total assessments against violators under 17 not to exceed \$30.

¹⁷ Missouri: The surcharge is collected and retained by each applicable county court. Information on total receipts and disbursements is not collected by the state.

| | | | | | | | |
|----------|---|--|---|---|--|--|--|
| | | .50 up to 10 up to 2 1 1 | fund Independent living center fund Juvenile detention facility Law enforcement training fund Peace officers standards and training fund Prosecuting attorney training fund | 3,825,823 170,204 418,625 | | | |
| Montana | Upon conviction | 5 | Court information technology | 900,000 (civil & criminal) | | | |
| Nebraska | Probation service fee: Drug testing Electronic monitoring Screening test | 1; 2 2 3-9/mo 309/day 10 | Judges retirement fund and legal aid service fund Law-enforcement improvement fund Probation cash fund | 454,353 549,362 312,022 65,217 41,966 | | | |
| Nevada | Misdemeanor fine up to \$1000 in municipal and justices' courts Misdemeanor fines in municipal of justices' courts (only by county or city ordinance) | 15-105, depending on amount of fine 10 ¹⁸ | For each assessment: \$2 to county's juvenile court or for services to juvenile offenders ¹⁹ \$7 to a special revenue fund for use of the respective court type (municipal or justices') Remainder to a special account in the state general fund ²⁰ Local court facility fund | Not available Not available 8,791,006 Not available | | | |
| New | | | | | | | |

¹⁸ Nevada: Assessment may not be imposed for longer than 25 years.

¹⁹ Nevada: Money apportioned to a juvenile court, a justices' court, or a municipal court must be used, in addition to providing services to juvenile offenders in the juvenile court, to improve the operations of the court, or to acquire appropriate advanced technology or the use of such technology, or both. Operational improvements may include training and education of personnel; acquisition of capital goods; management and operational studies; or audits.

²⁰ Nevada: Fifty-one percent of funds deposited to the special general fund account must be distributed to the office of the court administrator. From this 51%, 18.5% are for the administration of the courts; 9% are for the development of a uniform system for judicial records; 9% are for continuing judicial education; 60% are for the Supreme Court; and 3.5% are for the payment for the services of retired justices and retired district judges. The remaining 49% must be used for the support of the central repository for Nevada records of criminal history; the peace officers' standards and training committee of the Dept. of Motor Vehicles and Public Safety for the continuing education of law enforcement personnel; the highway patrol's operation of a computerized switching system for information related to law enforcement; and the fund for crime victims' compensation.

| | | | | | | | |
|----------------|-------------------------------------|-------------|---|-----------|---------|------|---|
| Hampshire | | | | | | | |
| New Jersey | All fines except parking | 20% of fine | 15% Police standards and training council | 2,245,000 | N/A | ? | ? |
| | | | 2% Victims assistance fund | 299,000 | N/A | ? | ? |
| | | | 3% Court modernization fund | 449,000 | 522,000 | | |
| | Defaults in appearance | 50 | Judicial branch fund | 80,000 | 117,500 | None | |
| New Mexico | | | | | | | |
| New York | | | | | | | |
| North Carolina | | | | | | | |
| North Dakota | Certain criminal cases | 25 (max) | County or city general fund ²¹ | ? | ? | ? | |
| Ohio | | | | | | | |
| Oklahoma | | | | | | | |
| Oregon | Regular Traffic Citations | 1-2 | Law Enf. Medical Liab. Acct. | 303,066 | | | |
| | | 10-22 | County Jail Assessm't Srchg. | (LEMLA) | | | |
| | Major Traffic Citations | 5 | LEMLA | | | | |
| | | 57 | CJAS | 1,974,687 | | | |
| | Overweight Vehicle Offenses | 0-5 | LEMLA | (CJAS) | | | |
| | | 3-58 | CJAS | | | | |
| | Aeronautic Offenses | 2 | LEMLA | | | | |
| | | 22 | CJAS | | | | |
| | Other Infractions and Violations | 1-2 | LEMLA | | | | |
| | | 10-22 | CJAS | | | | |
| | Felony | 100 | Criminal Fines & Assessment Account ²² | 7,788,355 | | | |
| | Misdemeanor | 60 | | | | | |
| | DUII Conviction | 90 | | | | | |
| | Offense punishable only by fine | 30 | | | | | |
| | Domestic Violence Assessment | N/A | CFAA | 442,580 | | | |
| | Crime Victims Assessment | N/A | CFAA | 65,480 | | | |
| | Bur. Of Police Standards & Training | N/A | CFAA | 75,534 | | | |

²¹ North Dakota: County or city general fund disburses to local domestic or sexual assault programs, or local victim & witness advocate programs. Imposition of fee must be authorized by local governing body before court can impose.

²² Oregon—The Criminal Fines & Assessment Account (CFAA) is a unitary assessment whose revenues are allocated among several other accounts:

| Funds / Accounts | Percentage | Funds / Accounts | Percentage | Funds / Accounts | Percentage |
|--------------------------------------|------------|--|------------|---|------------|
| Bur. of Police Standards & Training | 15.6 | State Police Commercial MV Enf. Pgm. | 0.8 | Children's Trust Endowment Fund | 2.1 |
| Criminal Injury Compensation Account | 8.8 | Child Abuse Multidiscipl. Intervent'n Acct. | 8.8 | DOT Safety Education Fund | 0.5 |
| Intoxicated Driver Program Fund | 4.2 | Domestic Violence Fund | 0.9 | Dom. Viol. Fund (under ORS 108.620) | 1.2 |
| Office of the State Police | 2.8 | St. Police Forensic Lab. Analyses & Forensic Services Implied Consent Unit | 3.5 | State General Fund (for general gov't expenses) | 48.7 |

A reserve of approximately two percent is maintained in the event of fund shortfalls.

| | | | | | | | |
|----------------|--|---|---|---|-----------|---|-----------|
| | Mental Health Court Security Assessment | N/A N/A | Mental Health/CFAA County | 376,508 1,265,284 | | | |
| Pennsylvania | Initiation of any criminal proceeding for which a fee, charge or cost is now authorized and a conviction is obtained or guilty plea entered. Initiation of any criminal proceeding for which a fee charge or cost is now authorized and a conviction is obtained or guilty plea entered in the case of a misdemeanor. Fees collected by the minor judiciary. ²³ | 1.50/5 15 15 10 5 5 25 varies per usage 250 | Judicial Computer system augmentation account (restricted receipt account in the general fund) Crime Victims Compensation Victim Services Domestic Violence Constable's Education and Training Probation & Parole Officers' Firearm Education Offender Supervision Fee Crime Laboratory Users Fee DNA Detection Costs (sex offenses only) | 4,720,459 (civil and criminal) | 4,836,497 | 42 Pa. C.S.A. §3731 et seq. (Act 64 of 1987) | 5,163,503 |
| Puerto Rico | None | | | | | | |
| Rhode Island | | | | | | | |
| South Carolina | | | | | | | |
| South Dakota | Filing charges | 19 | Law enforcement and judicial training | 2,177,115 | 2,177,115 | | |
| Tennessee | | | | | | | |
| Texas | | | | | | | |
| Utah | Fines, penalties, and forfeitures Felony; Class A misdemeanor; DWI; & non-traffic Class B misdemeanor Any other offense | 85% of fine 35% of fine | <i>Percentage allocations</i> ²⁴ Emerg. Med. Svcs. 14% DWI/Intox. Rehab. 7.5% Statewide Warrants 2.5% Crime Victim Rep. 35% Publ. Safety Sup'rt Fund POST 18.5% Prosec. Council 3% Subst. Abuse Prev. Acct. Juvenile Court 2.5% Public Educ. 2.5% Dom. Violence Services Dom. Violence 4% A.G. Training 0.5% | 1,414,000 867,047 287,400 4,046,220 1,631,300 346,819 275,000 289,016 462,425 57,000 | | No additional funds augment the Substance Abuse Prevention Account. The Utah Judiciary did not know whether the executive-controlled accounts received additional funding. | |

²³ Pennsylvania: Minor judiciary = district justices, Philadelphia Municipal Court, Philadelphia Traffic Court, and Pittsburgh Magistrates Court. Judicial Computer Project fee at the minor judiciary level is \$1.50.

²⁴ Utah—Percentage allocations may not exceed legislative appropriations. The Utah State Court system handles funds for the Substance Abuse Prevention; the remaining funds are handled and distributed by executive branch agencies.

| | | | | | | | |
|---------------|---|-----------------------|--|--------------------------------|------------------------|-----------------|------------------------|
| | | | Guardian ad litem 1.75% General Fund (remainder) | 0 1,884,402 | | | |
| Vermont | Traffic Complaints | 12.5 | Victims compensation/ | 770,000 | | | |
| | Criminal convictions | 5 | Victim services & police training | 320,000 | | | |
| | | 12.5 | Victims compensation/ | included above | | | |
| | DWI convictions | 5 | Victim services & police training | included above | | | |
| | | 60 | | 66,000 | | | |
| Virginia | Criminal filings (resulting in conviction) | 2 | Drug enforcement jurisdiction fund fee (140) | 2,566,738 | (Exec. Agency records) | None | N/A |
| | | 3 | Virginia Crime victim-witness fund fee | 3,850,109 | (Exec. Agency records) | None | N/A |
| | | 50 or 200 | Sentencing (sup.) fee (113) | Unknown | (Exec. Agency records) | General funding | (Exec. Agency records) |
| | | 20 or 30 | Criminal injuries Compensation fund fee (132) | 2,453,719 | 41,948,891 | General funding | (Exec. Agency records) |
| | | 1 | Criminal justice training academy fund fee | (1 st year for fee) | (Exec. Agency records) | General funding | (Exec. Agency records) |
| Washington | All Convictions | 90% of base fine | 55% of surcharge goes to the state public safety and education account | | | | |
| | All Convictions | 1.75% of tot. penalty | Crime victims (state and local) | | | | |
| | Drunk driving conviction | 125 | State toxicologist or state patrol | | | | |
| | Prostitution convictions | 50-350 | State prostitution prevention account | | | | |
| | Killing big game convictions | 2,000-20,000 | State public safety education account | | | | |
| | Cruelty to Animals convictions Committed traffic infractions | up to 1,000 5 | Local programs Emergency medical services and trauma care | | | | |
| West Virginia | | | | | | | |
| Wisconsin | Convictions for Felony | 70 (A: 50, B: 20) | State DOJ: Part A to fund payments to victims and | Part A: 1,250,809 | | | |

²⁵ Wisconsin—For all of the listed criminal fine surcharges, there may be a comparable civil forfeiture on which the same surcharge is imposed. The revenue figures given include those for both the civil and criminal assessments. The Office of the Director of State Courts does not track monies collected by municipal courts, which assess many of the same surcharges, nor those collected by probation/parole agents and the Department of Corrections; therefore, many of the revenue totals are not true statewide totals, only those for the circuit courts.

| | | | | | | | |
|---------|--|---|--|--------------------|---------|--------------|---|
| | Misdemeanor | 50 (A: 30, B: 20) | Part B to fund victim & witness services and grants to sexual assault victim services | Part B: 624,452 | | | |
| | Juvenile Delinquency dispositions: | | | | | | |
| | Juv. Del. Victim/Witness Surcharge | 20 | Victim/Offender services (?) | New | | | |
| | Sentence or probation for drug offense or requiring biol. specimen: DNA Analysis Surcharge | 250 | State DOJ to support DNA analysis databank, prosec. training in use of DNA analysis, & related costs | 49,863 | | | |
| | Criminal fines ²⁵ | | | | | | |
| | Natural Res. Restitution Payments | Approval fee amount | DNR Conservation Fund | 31,288 | | | |
| | Natural Resources Assessments | 75% of fine | DNR Conservation Fund | 300,699 | | | |
| | Domestic Abuse Assessments | 50 / offense | Dept. of Hlth. & Fam. Svcs. | 305,852 | | | |
| | Driver Improvement Surcharges | 300 | Alcohol Assessment Svcs. (70.8% county; 29.2% state) | 5,479,756 | | | |
| | Penalty Assessments | 23% of fine | Law Enf. Training Fund | 8,559,779 | | | |
| | County Jail Assessment | Grtr. of 1% of fine or 10 | County Jail Fund | 4,307,919 | | | |
| | Uninsured Employer Assessment | 75% of fine | Uninsured Employers Fund | 27,523 | | | |
| | Environmental Assessment | 10% of fine | Environmental Fund | 5,995 | | | |
| | Wild Animal Protection Assessm't | 8.75 to 875 depending upon type of animal | DNR Conservation Fund | 3,104 | | | |
| | Drug Abuse Surcharge | 50% of fine & penalty assessm't | Dept. of Hlth. & Fam. Svcs. for programs to prevent, intervene & treat | 746,282 | | | |
| | Weapons Assessment | 75% of fine | DNR Conservation Fund for law enforcement | 23,056 | | | |
| | Crime Lab & Drug Enforcement Assessment | 4 | State DOJ for drug enforc., prosec. assistance, & state and regional crime labs | New | | | |
| | WIC Enforcement Assessment | 50% of fine, recoupment | Dept. of Hlth. & Fam. Svcs. for enforcement of suppl. food program for women, infants & children | New | | | |
| Wyoming | Costs | 10 | Automation | 771,453 | 443,280 | None | |
| | Costs | 50 | Crime victims | ? | ? | General fund | ? |

PENNSYLVANIA
FEES IN CRIMINAL CASES
(Per Warren Klunk)

Crime Victims Compensation* - \$15.00

Victims Services* - \$15.00

Domestic Violence - \$10.00

Judicial Computer Project - \$5.00 (\$1.50 at the Minor Judiciary level)

Constables' Education and Training - \$5.00

Probation & Parole Officers' Firearm Education - \$5.00

Offender Supervision Fee - Minimum \$25.00 per month.

Crime Laboratory Users Fee - varies per usage

DNA Detection Cost - \$250.00 (sex offenses)

*Statute provides that the fees must be at least \$30, so a judge may impose larger fees. If fees are larger than minimum, the amount is NOT necessarily split evenly.

Some of the above fees for "convictions" include ARD cases. For example, the Crime Victims Compensation and Victim Services fees include defendants assigned to an ARD program, while Domestic Violence and Judicial Computer Project fees do not apply for those assigned to an ARD program.

ARD/DUI cases - EMS fee \$25.00

Motor Vehicle cases - CAT Fund Surcharge: \$30 and up

Supreme Court of Pennsylvania



ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Central Site
P.O. Box 229
Mechanicsburg, Pennsylvania 17055-0229
(717) 795-2000

NANCY M. SOBOLEVITCH
COURT ADMINISTRATOR
OF PENNSYLVANIA

SPECIFIC COSTS/FEEES

1. CAT (Catastrophic Loss Trust Fund)

75 Pa.C.S.A. § 6506 imposes a surcharge on all traffic violations, except parking violations, traffic cases that involve all-terrain vehicles, mopeds, motorcycles, pedalcycles, and bicycles. The title 75 violation the defendant was convicted of, plead guilty to, or plead nolo contendere to, will determine the amount of this surcharge in that it ranges from \$30.00 to \$300.00.

2. JCP (Judicial Computer Project) Fee

42 Pa.C.S.A. § 3733(a.1) provides that a \$1.50 fee shall be collected (in the Magisterial District Courts) for the initiation of a legal proceeding for which a fee or cost is now authorized, except that in criminal, summary and traffic matters the fee shall be charged only when a conviction is obtained or guilty plea is entered. Please note that a separate and higher JCP fee is collected at the Court of Common Pleas level.

3. Police Crime Lab Fees

42 Pa.C.S.A. § 1725.3 provides that this fee shall be collected in every case where laboratory services were required to prosecute the crime or violation. Please see 42 Pa.C.S.A. § 1725.3(a) for the specific cases in which this fee is collected. The collected fees are either distributed to the Department of Revenue or Allegheny County which ever is applicable.

4. Firearms Education and Training Fund

This \$5.00 fee is established for the Firearm Education and Training Fund for county probation and parole officers and is collected whenever a person who accepts ARD (Alternative Rehabilitative Program) for or pleads guilty to or nolo contendere to or is convicted of a felony or misdemeanor. Thus, this cost should be collected when a district justice accepts a guilty plea to a third degree misdemeanor. Please see 61 P.S. § 332.8

5. Offender Supervisory Program

The supervision of offenders on probation, parole, and ARD (Alternative Rehabilitative Program) involves a monthly supervision fee of at least \$25.00. Of this fee, 50% must be deposited into the Commonwealth Offender Supervision Fund and the other 50% must be deposited into the Count Offender Supervision Fund. Please see 71 Pa.C.S.A. § 180-7.20.

6. Constable Education and Training Fund

If service is performed by a constable or deputy constable, a \$5.00 fee per named defendant in civil cases, and a \$5.00 fee per docket for criminal and summary cases shall be maintained and collected. Please see 42 Pa.C.S.A. § 2949.

7. Emergency Medical Services Fine

35 Pa.C.S.A. § 6934 provides that a \$10.00 fine shall be levied on all traffic violations (Title 75) except parking violations. However, a fee of \$25.00 shall be imposed as costs upon persons admitted to programs for ARD (Accelerated Rehabilitative Disposition) for DUI offenses (75 Pa.C.S.A. § 3731).

8. Crime Victim Compensation Cost.

71 P.S. § 180-7.15(b) provides that for any person who is placed in a diversionary program or pleads guilty to or nolo contendere to or who is convicted of any crime shall pay at least a \$15.00 (Judge's discretion to increase the amount) Crime Victim Compensation cost. For the definition of a diversionary program and a crime, please see 71 P.S. § 180-7.

9. Commission on Crime and Delinquency Cost.

71 P.S. § 180-7.15(c) provides that for any person who is placed in a diversionary program or plead guilty to or nolo contendere to or who is convicted of any crime shall pay at least \$15.00 (Judge's discretion to increase the amount) to the Commission on Crime and Delinquency to be used for non victim compensation related areas. For the definition of a diversionary program and a crime, please see 71 P.S. § 180-7.

10. Domestic Violence Cost.

71 P.S. § 611.13 provides that any person who pleads guilty or nolo contendere to or is convicted of any crime shall pay a \$10.00 Domestic Violence Cost. Please note that for a definition of crime see 71 P.S. § 611.13(e).

11. Commonwealth and County Costs.

42 Pa.C.S.A. § 1725.1 sets forth the Commonwealth and County costs (often referred to as Court Costs) that are charged to a defendant when he/she pleads guilty to, nolo contendere to, is accepts ARD (Alternative Rehabilitative Program) for, is convicted of, or etc., a crime or violation of a Pennsylvania Statute.



4. Disposition of Fines - Vehicle Code (Fines will automatically be disbursed by the system.)

| | | |
|--|--------------|---|
| All Codes Except Driving Under the Influence and Parking | Local Police | 50% to Commonwealth of Pennsylvania |
| | | 50% to Political Subdivision |
| | State Police | 100% to Commonwealth of Pennsylvania |
| Driving Under the Influence | Local Police | 50% to County 50% to Political Subdivision |
| | State Police | 50% to Commonwealth of Pennsylvania 50% to County |
| All Parking | Local Police | 100% to Political Subdivision |
| Any Ordinance | State Police | 100% to Political Subdivision |
| | Local Police | |

* An additional \$10.00 in fines for the Emergency Medical Services Act, 35 P.S. 6934, is to be levied on all traffic violations, except parking. This additional fine is payable to the Commonwealth.

Note that Chapter 99 of the Vehicle Code, Section 9906, "Axle Tax For Highway Bridge Improvement" was repealed.

For violations of 75 Pa. C.S. Chapter 77, relating to snowmobiles and ATV's, the total fine is to be paid to the Commonwealth of Pennsylvania under the authority of 42 Section 3571 (b) (1), regardless of who issues the citation.

For violations of Section 4581 (a) (1) of the Motor Vehicle Code (Child Passenger Restraint System), the total fine is to be paid to the Commonwealth of Pennsylvania, regardless of who issues the citation.



Fines collected for violations of 75 Pa. C.S. 4903, c.1 (Load of Loose Garbage) and c.2 (Load of Baled Garbage) must be distributed as follows:

- If the county where the offense was committed does not have an "approved" litter control program, the entire fine collected must be paid to the Commonwealth.
- If the county where the offense was committed has an "approved" litter control program, one-half of the fine collected must be paid to the county and one-half must be paid to the Commonwealth.

Presently, there is only one county, Monroe County, with a litter control program that has been approved by the Department of Transportation. Program guidelines have been developed and have been distributed to appropriate county officials. If and when such a program is approved for your county, your office will be notified; thereafter, one-half of the applicable fines collected will be paid to the county. Until then, the total amount of all fines collected for violations of Section 4903 (c.1) and (c.2) must be paid to the Commonwealth. You must contact the A.O.P.C. as soon as a litter control program is approved for your county.

5. Disposition of Fines Other Than Vehicle Code

The general rule for the disposition of fines imposed for summary offenses other than the Vehicle Code is that fines collected shall be paid into the county treasury for the use of the county.

Disposition of fines imposed under a local ordinance shall be paid to the municipality that issued the ordinance, to be used by the local municipality.

6. J.C.P. Fees

CRIMINAL CASES: A statutory fee of \$1.50 shall be imposed under 42 Pa.C.S. 3733 (a.1) (J.C.P. Fee) upon a conviction or guilty plea based upon the filing of a criminal complaint, traffic citation, or non-traffic citation charging an offense classified as misdemeanor or summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

MULTIPLE CITATIONS: When more than one summary offense is alleged to have been committed by one person arising from the same incident, the statutory fee of \$1.50 shall be imposed under Act 59 of 1990 (J.C.P. Fee) on each citation filed. Accordingly, the fee is to be assessed and collected upon the conviction or guilty plea recorded on each citation.

CIVIL CASES: A statutory fee of \$1.50 shall be imposed under 42 Pa.C.S. 3733 (a.1) (J.C.P. Fee) in connection with the filing of a complaint in any civil action or for the Recovery of Possession of Real Property (Landlord and Tenant Proceeding). (Note: For the definition of a civil action, refer to *Glossary of Terms*, section 2.0.)



Note that the J.C.P. Fee should not be charged on any type of subsequent civil proceeding such as Orders of Execution, Orders For Possession, and Objections to Levy.

The J.C.P. Fee should be charged on cross-complaints filed in response to a Civil Action complaint and a Landlord-Tenant complaint.

SPECIFIC DISPOSITIONS:

Crimes Code - Pursuant to 42 Pa.C.S. 3573(c), fines collected as a result of proceedings under the following sections of Title 18 of the Pennsylvania Consolidated Statutes, when committed in a municipal corporation, shall be paid to the municipal corporation.

- Section 2709 (relating to harassment)
- Section 3304 (relating to criminal mischief)
- Section 3503 (relating to criminal trespass)
- Section 3929 (relating to retail theft)
- Section 4105 (relating to bad checks)
- Section 5503 (relating to disorderly conduct)
- Section 5505 (relating to public drunkenness)
- Section 5511 (relating to cruelty to animals)
(c), (d), and (f)
- Section 6308 (relating to purchase, consumption,
possession, or transportation or intoxicating
beverages)
- Section 6501 (relating to scattering rubbish)

ALSO: Title 35
Section 750.13 (PA sewage facilities act)

Exception for Pittsburgh: Except as otherwise provided, all fines forfeited, recognizances, and other forfeitures imposed, lost, or forfeited in the Pittsburgh Magistrates Court or the Pittsburgh Traffic Court shall be payable to the City of Pittsburgh.

Such fines must be paid monthly to the municipal corporation entitled to the fine.

Dog Law Violations - Under Title 3 Section 459-905 if the citation is issued by a local police officer or local animal control officer, the total fine is paid to the political subdivision that employs that officer. If the citation is issued by a state police officer or a state dog warden, the total fine is paid to the state and will be reported on line 11 (Dog Law Fines) on the Summary Report (REV-728 EX).

EXPLANATION OF CODES USED IN DISTRIBUTION TABLES

Fine Table - (F)

Column 1: Fine Type

This is a code established by AOPC to be assigned to statutes to indicate where the primary fine money imposed on a charge is to be distributed. It does not distribute fines for Emergency Medical Services (see Additional Fine Type).

Column 2: Agency Code

If the distribution of a fine is dependent on which police agency wrote the citation, this code indicated that distribution. "MP" stands for municipal police, "CP" stands for county police, and "SP" stands for state police.

Column 3: Account Code

These are the codes established by the AOPC to indicate to whom the fines should be paid. "MC" stands for municipality, "CTY" stands for county, and "COMM" with a three or four code extension indicates that the Commonwealth receives the fines. The three or four code extension represents the different accounts within the Commonwealth account.

Column 4: Origin

This letter defines the county and municipal account codes. An "A" in this column indicates that the fine money is to be paid to the municipal corporation (or county) under which the police are organized. A "D" in this column indicates that the fine money is to be paid to the county in which the district justice is located. An "O" in this column indicates that the fine money is to be paid to the municipality that passed the local ordinance charged as a violation. An "M" in this column indicated that the fine money is to be paid to the municipality where the violation occurred.

Column 5: Percentage

This number represents the percentage amount of the fine that is payable to each account in the fine type.

Column 6: Description

This is a short description of the types of offenses that use this fine type. It is not inclusive of everything that could use the fine type.

DISTRICT JUSTICE FINE TABLE

5/17/99

| | | | | | |
|----|----|----------|---|-----|----------------------|
| | | | | | |
| FA | MP | COMM-MLF | | 50 | 75, 1234 |
| | MP | MC | A | 50 | MOTOR VEHICLE |
| | CP | COMM-MLF | | 50 | |
| | CP | CTY | A | 50 | |
| | SP | COMM-MLF | | 100 | |
| FD | MP | MC | A | 50 | 75, DUI |
| | MP | CTY | D | 50 | |
| | CP | CTY | D | 50 | |
| | CP | CTY | D | 50 | |
| | SP | COMM-MLF | | 50 | |
| | SP | CTY | D | 50 | |
| FB | MP | COMM-MLF | | 100 | SNOW/LIQUID FUELS |
| | CP | COMM-MLF | | 100 | |
| | SP | COMM-MLF | | 100 | |
| FC | MP | MC | A | 100 | PARKING OFFENSES, 75 |
| | CP | CTY | A | 100 | |
| | SP | COMM-MLF | | 100 | |
| FE | MP | CTY | D | 100 | CRIME CODE, ETC. |
| | CP | CTY | D | 100 | |
| | SP | CTY | D | 100 | |
| FF | MP | COMM-GMN | | 100 | GENERAL MINES |
| | CP | COMM-GMN | | 100 | |
| | SP | COMM-GMN | | 100 | |
| FG | MP | COMM-FRD | | 100 | FROZEN DESSERTS |
| | CP | COMM-FRD | | 100 | |
| | SP | COMM-FRD | | 100 | |
| FH | MP | COMM-MLK | | 100 | MILK |
| | CP | COMM-MLK | | 100 | |
| | SP | COMM-MLK | | 100 | |

| | | | | | |
|-----|----|-----------|---|-----|---------------------|
| FI | MP | COMM-EGG | | 100 | EGG |
| | CP | COMM-EGG | | 100 | |
| | SP | COMM-EGG | | 100 | |
| | | | | | |
| FJ | MP | COMM-MKG | | 100 | MARKING |
| | CP | COMM-MKG | | 100 | |
| | SP | COMM-MKG | | 100 | |
| FK | MP | COMM-BAK | | 100 | BAKERY |
| | CP | COMM-BAK | | 100 | |
| | SP | COMM-BAK | | 100 | |
| | | | | | |
| FL | MP | COMM-FVG | | 100 | FRUITS & VEGETABLES |
| | CP | COMM-FVG | | 100 | |
| | SP | COMM-FVG | | 100 | |
| | | | | | |
| FM | MP | COMM-MPH | | 100 | MEAT/POULTRY |
| | CP | COMM-MPH | | 100 | |
| | SP | COMM-MPH | | 100 | |
| | | | | | |
| FN | MP | COMM-PEST | | 100 | PESTICIDE |
| | CP | COMM-PEST | | 100 | |
| | SP | COMM-PEST | | 100 | |
| | | | | | |
| FO | MP | MC | A | 100 | DOG |
| | CP | CTY | A | 100 | |
| | SP | COMM-DOG | | 100 | |
| | | | | | |
| FP | MP | MC | A | 100 | DOG LAW (RABIES) |
| | CP | CTY | A | 100 | |
| | SP | COMM-DOG | | 100 | |
| | | | | | |
| FS | MP | COMM-EV1 | | 100 | ER BIT |
| | CP | COMM-EV1 | | 100 | BITUMINOUS MINE |
| | SP | COMM-EV1 | | 100 | |
| | | | | | |
| FS1 | MP | COMM-EV13 | | 100 | BITUMINOUS MINE |
| | CP | COMM-EV13 | | 100 | SUBSIDENCE |
| | SP | COMM-EV13 | | 100 | |
| | | | | | |
| | | | | | |
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|-----|----|-----------|-----|-----------------|
| FT | MP | COMM-EV2 | 100 | ER BLAST |
| | CP | COMM-EV2 | 100 | |
| | SP | COMM-EV2 | 100 | |
| FU | MP | COMM-EV3 | 100 | ER CLEAN AIR |
| | CP | COMM-EV3 | 100 | |
| | SP | COMM-EV3 | 100 | |
| FV | MP | COMM-EV4 | 100 | ER CLEAN STREAM |
| | CP | COMM-EV4 | 100 | |
| | SP | COMM-EV4 | 100 | |
| FW | MP | COMM-EV5 | 100 | SOLID WASTE |
| | CP | COMM-EV5 | 100 | |
| | SP | COMM-EV5 | 100 | |
| FX | MP | COMM-EV6 | 100 | SURFACE MINING |
| | CP | COMM-EV6 | 100 | |
| | SP | COMM-EV6 | 100 | |
| FY | MP | COMM-EV7 | 100 | SAFE DRINKING |
| | CP | COMM-EV7 | 100 | |
| | SP | COMM-EV7 | 100 | |
| FZ | MP | COMM-EV8 | 100 | MISCELLANEOUS |
| | CP | COMM-EV8 | 100 | ENVIRONMENTAL |
| | SP | COMM-EV8 | 100 | |
| FAA | MP | COMM-EV9 | 100 | COAL REFUSE |
| | CP | COMM-EV9 | 100 | |
| | SP | COMM-EV9 | 100 | |
| FBB | MP | COMM-EV10 | 100 | DAMS |
| | CP | COMM-EV10 | 100 | |
| | SP | COMM-EV10 | 100 | |
| FCC | MP | COMM-EV11 | 100 | MIGRANT LABOR |
| | CP | COMM-EV11 | 100 | |
| | SP | COMM-EV11 | 100 | |
| | | | | |
| | | | | |

| | | | | |
|-----|----|-----------|-----|-----------------|
| FDD | MP | COMM-EV12 | 100 | SNOWMOBILE/ATV |
| | CP | COMM-EV12 | 100 | |
| | SP | COMM-EV12 | 100 | |
| | | | | |
| FEE | MP | COMM-FC1 | 100 | FISH (FISH) |
| | CP | COMM-FC1 | 100 | |
| | SP | COMM-FC1 | 100 | |
| | | | | |
| FFF | MP | COMM-FC2 | 100 | FISH (BOAT) |
| | CP | COMM-FC2 | 100 | |
| | SP | COMM-FC2 | 100 | |
| | | | | |
| FGG | MP | COMM-EM1 | 100 | ARSON |
| | CP | COMM-EM1 | 100 | |
| | SP | COMM-EM1 | 100 | |
| | | | | |
| FHH | MP | COMM-GC | 100 | GAME COMMISSION |
| | CP | COMM-GC | 100 | |
| | SP | COMM-GC | 100 | |
| | | | | |
| FII | MP | COMM-JCV | 100 | JUSTICE |
| | CP | COMM-JCV | 100 | |
| | SP | COMM-JCV | 100 | |
| | | | | |
| FLL | MP | COMM-LI3 | 100 | ELEVATOR |
| | CP | COMM-LI3 | 100 | |
| | SP | COMM-LI3 | 100 | |
| | | | | |
| FMM | MP | COMM-LI4 | 100 | FIRE AND PANIC |
| | CP | COMM-LI4 | 100 | |
| | SP | COMM-LI4 | 100 | |
| | | | | |
| FNN | MP | COMM-LI5 | 100 | MINIMUM WAGE |
| | CP | COMM-LI5 | 100 | |
| | SP | COMM-LI5 | 100 | |
| | | | | |
| FOO | MP | COMM-LI6 | 100 | WAGE PAYMENT |
| | CP | COMM-LI6 | 100 | |
| | SP | COMM-LI6 | 100 | |
| | | | | |
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|-----|----|-----------|---|-----|---------------------|
| FPP | MP | COMM-LI7 | | 100 | MINOR LABOR |
| | CP | COMM-LI7 | | 100 | |
| | SP | COMM-LI7 | | 100 | |
| | | | | | |
| FQQ | MP | COMM-LI8 | | 100 | FARM LABOR |
| | CP | COMM-LI8 | | 100 | |
| | SP | COMM-LI8 | | 100 | |
| | | | | | |
| FRR | MP | COMM-LI9 | | 100 | MISCELLANEOUS |
| | CP | COMM-LI9 | | 100 | LABOR & INDUSTRY |
| | SP | COMM-LI9 | | 100 | |
| | | | | | |
| FSS | MP | COMM-LC1 | | 100 | COMPROMISE PENALTY |
| | CP | COMM-LC1 | | 100 | |
| | SP | COMM-LC1 | | 100 | |
| | | | | | |
| FTT | MP | COMM-LC2 | | 100 | LIQUOR CONTROL |
| | CP | COMM-LC2 | | 100 | |
| | SP | COMM-LC2 | | 100 | |
| | | | | | |
| FUU | MP | COMM-PUC | | 100 | PUBLIC UTILITY COMM |
| | CP | COMM-PUC | | 100 | |
| | SP | COMM-PUC | | 100 | |
| | | | | | |
| FVW | MP | CTY | A | 100 | SEWAGE FACILITIES |
| | CP | MC | A | 100 | |
| | SP | COMM-SEW | | 100 | |
| | | | | | |
| FXX | MP | MC | A | 100 | TRADE & COMMERCE |
| | CP | CTY | A | 100 | ONE CALL ACT |
| | SP | COMM-T&C | | 100 | |
| | | | | | |
| FYY | MP | COMM-REV1 | | 100 | AERONAUTICS |
| | CP | COMM-REV1 | | 100 | |
| | SP | COMM-REV1 | | 100 | |
| | | | | | |
| FZZ | MP | COMM-REV2 | | 100 | CIGARETTE TAX |
| | CP | COMM-REV2 | | 100 | |
| | SP | COMM-REV2 | | 100 | |
| | | | | | |
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|-----|----|-----------|---|-----|----------------------------|
| F0 | | | | | ZERO FINES |
| F01 | MP | MC | O | 100 | LOCAL ORDINANCE |
| | CP | MC | O | 100 | |
| | SP | MC | O | 100 | |
| F1 | MP | COMM-REV3 | | 100 | LIQUID FUELS |
| | CP | COMM-REV3 | | 100 | |
| | SP | COMM-REV3 | | 100 | |
| F2 | MP | COMM-REV4 | | 100 | MALT BEVERAGE |
| | CP | COMM-REV4 | | 100 | |
| | SP | COMM-REV4 | | 100 | |
| F3 | MP | COMM-REV6 | | 100 | MV FINES OLD |
| | CP | COMM-REV6 | | 100 | |
| | SP | COMM-REV6 | | 100 | |
| F5 | MP | COMM-ST1 | | 100 | PROFESSIONAL LICENSE AUGME |
| | CP | COMM-ST1 | | 100 | |
| | SP | COMM-ST1 | | 100 | |
| F6 | MP | COMM-ST2 | | 100 | PROFESSIONAL LICENSE |
| | CP | COMM-ST2 | | 100 | |
| | SP | COMM-ST2 | | 100 | |
| F7 | MP | COMM-ST3 | | 100 | BOARD OF VEHICLE |
| | CP | COMM-ST3 | | 100 | |
| | SP | COMM-ST3 | | 100 | |
| F8 | MP | COMM-SP1 | | 100 | MISC. STATE POLICE |
| | CP | COMM-SP1 | | 100 | |
| | SP | COMM-SP1 | | 100 | |
| F9 | MP | COMM-SP2 | | 100 | LOST PROPERTY REIMBURSE |
| | CP | COMM-SP2 | | 100 | |
| | SP | COMM-SP2 | | 100 | |
| F10 | MP | COMM-TR1 | | 100 | JUNK YARD |
| | CP | COMM-TR1 | | 100 | |
| | SP | COMM-TR1 | | 100 | |

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|-----|----|-----------|---|-----|------------------------|
| F11 | MP | COMM-TR2 | | 100 | OUTDOOR ADVERTISING |
| | CP | COMM-TR2 | | 100 | HIGHWAY BEAUTIFICATION |
| | SP | COMM-TR2 | | 100 | |
| F12 | MP | COMM-TR3 | | 100 | MISCELLANEOUS |
| | CP | COMM-TR3 | | 100 | TRANSPORTATION |
| | SP | COMM-TR3 | | 100 | |
| F15 | MP | COMM-TY | | 100 | TREASURY MISCELLANEOUS |
| | CP | COMM-TY | | 100 | |
| | SP | COMM-TY | | 100 | |
| F17 | MP | COMM-GF | | 100 | GENERAL FUND |
| | CP | COMM-GF | | 100 | |
| | SP | COMM-GF | | 100 | |
| F18 | MP | COMM-SB | | 100 | SEAT BELT |
| | CP | COMM-SB | | 100 | |
| | SP | COMM-SB | | 100 | |
| F19 | MP | MC | M | 100 | TITLE 18 OFF |
| | CP | MC | M | 100 | REMOVE BARRICADE |
| | SP | MC | M | 100 | |
| F20 | MP | COMM-GA | | 100 | GENERAL AGRICULTURE |
| | CP | COMM-GA | | 100 | |
| | SP | COMM-GA | | 100 | |
| F21 | MP | COMM-AC | | 100 | ATHLETIC CODE |
| | CP | COMM-AC | | 100 | |
| | SP | COMM-AC | | 100 | |
| F22 | MP | COMM-AMU | | 100 | AMUSEMENT |
| | CP | COMM-AMU | | 100 | |
| | SP | COMM-AMU | | 100 | |
| F23 | MP | COMM-FOOD | | 100 | GENERAL FOOD |
| | CP | COMM-FOOD | | 100 | |
| | SP | COMM-FOOD | | 100 | |
| | | | | | |
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|-----|----|-----------|---|-----|---------------------|
| F24 | MP | CTY | D | 50 | FOOD |
| | MP | COMM-FOOD | | 50 | |
| | CP | CTY | D | 50 | |
| | CP | COMM-FOOD | | 50 | |
| | SP | CTY | D | 50 | |
| | SP | COMM-FOOD | | 50 | |
| | | | | | |
| F25 | MP | SELECT | S | 100 | TRUANCY/TAX |
| | CP | SELECT | S | 100 | |
| | SP | SELECT | S | 100 | |
| | | | | | |
| F26 | MP | COMM-FWKS | | 100 | FIREWORKS |
| | CP | COMM-FWKS | | 100 | |
| | SP | COMM-FWKS | | 100 | |
| | | | | | |
| F27 | MP | COMM-PW4 | | 100 | PUBLIC WELFARE FINE |
| | CP | COMM-PW4 | | 100 | |
| | SP | COMM-PW4 | | 100 | |
| | | | | | |
| F28 | MP | COMM-LI10 | | 100 | UNEMPLOYMENT |
| | CP | COMM-LI10 | | 100 | COMPENSATION FINE |
| | SP | COMM-LI10 | | 100 | |
| | | | | | |
| F29 | MP | COMM-CIG | | 100 | CIGARETTE TAX FINE |
| | CP | COMM-CIG | | 100 | |
| | SP | COMM-CIG | | 100 | |
| | | | | | |
| F30 | MP | COMM-MLF | | 50 | LOCAL GARBAGE |
| | MP | CTY | D | 50 | |
| | CP | COMM-MLF | | 50 | |
| | CP | CTY | D | 50 | |
| | SP | COMM-MLF | | 50 | |
| | SP | CTY | D | 50 | |
| | | | | | |
| F31 | MP | COMM-MLF | | 50 | LITTER |
| | MP | MC | A | 50 | |
| | CP | COMM-MLF | | 50 | |
| | CP | CTY | A | 50 | |
| | SP | COMM-MLF | | 100 | |
| | | | | | |
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|-----|----|-----------|---|-----|----------------------|
| F32 | MP | COMM-MLF | | 100 | GARBAGE |
| | CP | COMM-MLF | | 100 | |
| | SP | COMM-MLF | | 100 | |
| F33 | MP | COMM-MLF | | 50 | MOTOR CARRIER |
| | MP | MC | A | 50 | ROAD TAX |
| | CP | COMM-MLF | | 50 | |
| | CP | CTY | A | 50 | |
| | SP | COMM-MLF | | 100 | |
| F34 | MP | COMM-MLF | | 50 | OVERWEIGHT |
| | MP | MC | A | 50 | |
| | CP | COMM-MLF | | 50 | |
| | CP | CTY | A | 50 | |
| | SP | COMM-MLF | | 100 | |
| F35 | MP | COMM-IWCW | | 100 | INFECTIOUS WASTE |
| | CP | COMM-IWCW | | 100 | |
| | SP | COMM-IWCW | | 100 | |
| F36 | MP | COMM-ENGY | | 100 | ENERGY CONSERVATION |
| | CP | COMM-ENGY | | 100 | |
| | SP | COMM-ENGY | | 100 | |
| F37 | MP | COMM-HAZS | | 100 | HAZARDOUS SITES |
| | CP | COMM-HAZS | | 100 | CLEANUP |
| | SP | COMM-HAZS | | 100 | |
| F38 | MP | COMM-STGT | | 100 | STORAGE TANK |
| | CP | COMM-STGT | | 100 | |
| | SP | COMM-STGT | | 100 | |
| F39 | MP | COMM-RADI | | 100 | RADIATION PROTECTION |
| | CP | COMM-RADI | | 100 | |
| | SP | COMM-RADI | | 100 | |
| F40 | MP | COMM-MLF | | 100 | FUEL USE TAX FINES |
| | CP | COMM-MLF | | 100 | |
| | SP | COMM-MLF | | 100 | |

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|-----|----|-----------|-----|--------------------------|
| F41 | | | | RESERVED |
| F42 | MP | COMM-LLWF | 100 | LOW LEVEL WASTE FUND |
| | CP | COMM-LLWF | 100 | |
| | SP | COMM-LLWF | 100 | |
| F43 | MP | CTY | 100 | COUNTY HEALTH RULES |
| | CP | CTY | 100 | |
| | SP | CTY | 100 | |
| F44 | MP | COMM-EMSA | 100 | EMERGENCY MANAGEMENT |
| | CP | COMM-EMSA | 100 | |
| | SP | COMM-EMSA | 100 | |
| F46 | MP | COMM-WKMN | 100 | WORKMANS COMPENSATION |
| | CP | COMM-WKMN | 100 | FINES |
| | SP | COMM-WKMN | 100 | |
| F47 | MP | COMM-MLF | 100 | COMMERCIAL DRIVERS |
| | CP | COMM-MLF | 100 | FINES |
| | SP | COMM-MLF | 100 | |
| F48 | MP | COMM-MLF | 100 | STATE HIGHWAY FINES |
| | CP | COMM-MLF | 100 | |
| | SP | COMM-MLF | 100 | |
| F49 | MP | COMM-LPG | 100 | LIQUID PETROLEUM GAS |
| | CP | COMM-LPG | 100 | |
| | SP | COMM-LPG | 100 | |
| F50 | MP | COMM-MPA | 100 | MEDICAL PRACTICE ACT |
| | CP | COMM-MPA | 100 | STATE BOARD OF MEDICINE |
| | SP | COMM-MPA | 100 | |
| F53 | MP | COMM-PFA | 100 | STATE POLICE REGISTRY |
| | CP | COMM-PFA | 100 | OF PFA ACTIONS (12/5/94) |
| | SP | COMM-PFA | 100 | |
| F54 | MP | COMM-MBD | 100 | MILK MARKETING BOARD |
| | CP | COMM-MBD | 100 | |
| | SP | COMM-MBD | 100 | |

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|-----|-----|-----------|---|-------|-----------------------------|
| F55 | DPW | COMM-DPW | | 47.50 | ATTENDED CARE |
| | MP | MC | M | 2.50 | |
| F56 | MP | COMM-PED | | 100 | PEDALCYCLE HELMET FUND |
| | CP | COMM-PED | | 100 | |
| | SP | COMM-PED | | 100 | |
| F57 | MP | COMM-TR6 | | 100 | AVIATION FINES |
| | CP | COMM-TR6 | | 100 | |
| | SP | COMM-TR6 | | | |
| F58 | MP | MC | A | 100 | CONSOLIDATED WEIGHTS & |
| | CP | CTY | A | 100 | FINES |
| | SP | COMM-CONS | | 100 | |
| F59 | MP | COMM-WR | | 100 | WILDLIFE RESOURCE |
| | CP | COMM-WR | | 100 | CONSERVATION FUND |
| | SP | COMM-WR | | 100 | |
| F60 | MP | MC | A | 100 | L&I/ALARM DEVICES |
| | CP | CTY | A | 100 | |
| | SP | COMM-ALRM | | 100 | |
| F61 | MP | MC | M | 100 | MUNICIPAL/TOWNSHIP AUDITORS |
| | CP | MC | M | 100 | |
| | SP | MC | M | 100 | |

1999 DISTRICT JUSTICE COST CODE TABLE

As you are aware, Act 167 of 1992 (House Bill 627) provides for annual increases in court costs each January 1st. The increase in fees and costs is based upon the percentage increase in the Consumer Price Index. In addition, the regulation amounts have been rounded to the next fifty cents for purposes of accounting and operational efficiency. Following this modification is the new cost table which includes the cost code amounts for 1996 through 1999.

The system will assign the new costs to all traffic and non-traffic citations ISSUED on or after 1/1/99. The system will assign new costs on all other case types (Civil, Landlord/Tenant, Criminal, Private Summary, Arraignments for Other Courts, Marriages, etc.) FILED on or after 1/1/99. Cases issued or filed before the effective date of 1/1/99 will be assigned the appropriate costs.

After January 1st, you will need to cancel the existing costs on a case before you can change the year of the issue date or file date. If you try to change the date without canceling the existing costs, you will receive an error message "Issue (File) date may not be changed. First cancel cost XX." (XX is the cost type already on the case.)

If an officer writes old costs on a citation that is issued/filed after January 1st, you can use the cost type C0 (C Zero). When you enter the citation, answer the question "Do Statute Descrs. & Amts. Match Initial Charge (Y/N)" with N for No. To enter costs on the case, access the Maintain Costs screen and enter the cost type "C0." You will then receive a screen where you fill in the old costs as they appear on the citation. You can use the cost table at the end of this modification to confirm the correct cost code amounts from 1998.

For example: An officer files a traffic citation on January 2 with the old traffic costs of \$26.00. To enter costs on the case, maintain cost type C0. Because the officer used 1998 costs, look at the 1998 column of the cost sheet. The C1 cost for 1998 is made up of \$5.79 COMM-COST, \$5.79 COMM-COST1, and \$14.42 CTY. Therefore, on the C0 screen enter \$5.79 in the COMM-COST field, \$5.79 in the COMM-COST1 field and \$14.42 in the CTY field. The costs on the case will now match the total cost amount written on the citation.

*****WE STRONGLY SUGGEST THAT YOU IMMEDIATELY CONTACT YOUR POLICE DEPARTMENTS AND FREQUENT CIVIL FILERS TO INFORM THEM OF THE NEW COST AMOUNTS BECOMING EFFECIVE JANUARY 1, 1999.

COST TABLE TO FOLLOW.

1999 DISTRICT JUSTICE COST CODE TABLE

| | | 1996 | 1997 | 1998 | 1999 | DESCRIPTION |
|----|-----------|--------------|--------------|--------------|--------------|-----------------|
| C0 | COMM-COST | \$0.00 | \$0.00 | \$0.00 | \$0.00 | COSTS |
| | COMM-CST1 | 0.00 | 0.00 | 0.00 | 0.00 | INCONSISTENT |
| | CTY | 0.00 | 0.00 | 0.00 | 0.00 | WITH HOUSE |
| | COMM-CVC | 0.00 | 0.00 | 0.00 | 0.00 | BILL 627 |
| | COMM-CCD | 0.00 | 0.00 | 0.00 | 0.00 | |
| | COMM-DVC | 0.00 | 0.00 | 0.00 | 0.00 | |
| C1 | COMM-COST | \$5.44 | \$5.62 | \$5.79 | \$5.88 | SUMMARY CASE, |
| | COMM-CST1 | 5.44 | 5.62 | 5.79 | 5.88 | MOTOR VEHICLE |
| | CTY | <u>13.62</u> | <u>14.26</u> | <u>14.42</u> | <u>14.74</u> | |
| | | 24.50 | 25.50 | 26.00 | 26.50 | |
| C2 | COMM-COST | \$5.44 | \$5.62 | \$5.79 | \$5.88 | SUMMARY CASE, |
| | COMM-CST1 | 5.44 | 5.62 | 5.79 | 5.88 | NOT MOTOR |
| | CTY | <u>20.12</u> | <u>20.76</u> | <u>21.42</u> | <u>21.74</u> | VEHICLE |
| | | 31.00 | 32.00 | 33.00 | 33.50 | |
| C3 | COMM-COST | \$7.65 | \$7.86 | \$8.08 | \$8.29 | MISDEMEANOR |
| | COMM-CST1 | 6.55 | 6.74 | 6.92 | 7.11 | |
| | CTY | <u>21.30</u> | <u>21.90</u> | <u>22.50</u> | <u>23.10</u> | |
| | | 35.50 | 36.50 | 37.50 | 38.50 | |
| C4 | COMM-COST | \$8.74 | \$8.96 | \$9.28 | \$9.39 | FELONY |
| | | 13.12 | 13.44 | 13.92 | 14.08 | |
| | | <u>19.14</u> | <u>19.60</u> | <u>20.30</u> | <u>20.53</u> | |
| | | 41.00 | 42.00 | 43.50 | 44.00 | |
| C5 | COMM-COST | \$5.00 | \$5.00 | \$5.00 | \$5.00 | TITLE 30, FISH |
| | CTY | <u>5.00</u> | <u>5.00</u> | <u>5.00</u> | <u>5.00</u> | (SUMMARY |
| | | 10.00 | 10.00 | 10.00 | 10.00 | CASES) |
| C6 | COMM-COST | \$5.44 | \$5.62 | \$5.79 | \$5.88 | SUMMARY CASE |
| | COMM-CST1 | 5.44 | 5.62 | 5.79 | 5.88 | TITLE 18 OR 35 |
| | CTY | 20.12 | 20.76 | 21.42 | 21.74 | (CONTROLLED |
| | COMM-CVC | 15.00 | 15.00 | 15.00 | 15.00 | SUBSTANCES |
| | COMM-CCD | 15.00 | 15.00 | 15.00 | 15.00 | ACT ONLY) ADULT |
| | COMM-DVC | <u>10.00</u> | <u>10.00</u> | <u>10.00</u> | <u>10.00</u> | ONLY |
| | | 71.00 | 72.00 | 73.00 | 73.50 | |

| | | 1996 | 1997 | 1998 | 1999 | DESCRIPTION |
|------|-----------|--------------|--------------|--------------|--------------|------------------------------|
| C7 | COMM-COST | \$7.65 | \$7.86 | \$8.08 | \$8.29 | MISDEMEANOR, |
| | COMM-CST1 | 6.55 | 6.74 | 6.92 | 7.11 | TITLE 18 OR 35 |
| | CTY | 21.30 | 21.90 | 22.50 | 23.10 | (CONTROLLED |
| | COMM-CVC | 15.00 | 15.00 | 15.00 | 15.00 | SUBSTANCES |
| | COMM-CCD | 15.00 | 15.00 | 15.00 | 15.00 | ACT ONLY) |
| | COMM-DVC | <u>10.00</u> | <u>10.00</u> | <u>10.00</u> | <u>10.00</u> | ADULT ONLY |
| | | 75.50 | 76.50 | 77.50 | 78.50 | |
| C8 | COMM-COST | \$8.74 | \$8.96 | \$9.28 | \$9.39 | FELONY, TITLE 18 |
| | COMM-CST1 | 13.12 | 13.44 | 13.92 | 14.08 | OR 35 |
| | CTY | 19.14 | 19.60 | 20.30 | 20.53 | (CONTROLLED |
| | COMM-CVC | 15.00 | 15.00 | 15.00 | 15.00 | SUBSTANCES |
| | COMM-CCD | 15.00 | 15.00 | 15.00 | 15.00 | ACT ONLY) |
| | COMM-DVC | <u>10.00</u> | <u>10.00</u> | <u>10.00</u> | <u>10.00</u> | ADULT ONLY |
| | | 81.00 | 82.00 | 83.50 | 84.00 | |
| C10 | COMM-COST | \$2.75 | \$2.79 | \$2.92 | \$2.95 | CIVIL ACTION OF |
| | COMM-CST1 | 11.00 | 11.17 | 11.66 | 11.84 | \$100 OR LESS |
| | CTY | <u>19.25</u> | <u>19.54</u> | <u>20.42</u> | <u>20.71</u> | |
| | | 33.00 | 33.50 | 35.00 | 35.50 | |
| C11 | COMM-COST | \$5.50 | \$5.58 | \$5.83 | \$5.92 | CIVIL ACTION OF |
| | COMM-CST1 | 8.25 | 8.38 | 8.75 | 8.87 | MORE THAN \$100 |
| | CTY | <u>19.25</u> | <u>19.54</u> | <u>20.42</u> | <u>20.71</u> | BUT NOT MORE |
| | | 33.00 | 33.50 | 35.00 | 35.50 | THAN \$300 |
| C12 | COMM-COST | \$8.25 | \$8.38 | \$8.75 | \$8.87 | CIVIL ACTION OF |
| | COMM-CST1 | 5.50 | 5.58 | 5.83 | 5.92 | MORE THAN \$300 |
| | CTY | <u>19.25</u> | <u>19.54</u> | <u>20.42</u> | <u>20.71</u> | BUT NOT MORE |
| | | 33.00 | 33.50 | 35.00 | 35.50 | THAN \$500 |
| C13 | COMM-COST | \$10.88 | \$11.25 | \$11.50 | \$11.75 | CIVIL ACTION OF |
| | COMM-CST1 | 10.88 | 11.25 | 11.50 | 11.75 | MORE THAN \$500 |
| | CTY | <u>21.74</u> | <u>22.50</u> | <u>23.00</u> | <u>23.50</u> | BUT NOT MORE |
| | | 43.50 | 45.00 | 46.00 | 47.00 | THAN \$2,000 |
| C13A | COMM-COST | \$10.90 | \$11.20 | \$11.50 | \$11.70 | CIVIL ACTION OF |
| | COMM-CST1 | 21.80 | 22.40 | 23.00 | 23.40 | MORE THAN \$2,000 |
| | CTY | <u>21.80</u> | <u>22.40</u> | <u>23.00</u> | <u>23.40</u> | BUT NOT MORE |
| | | 54.50 | 56.00 | 57.50 | 58.50 | THAN \$4,000 |
| C13B | COMM-CST1 | \$54.33 | \$55.66 | \$57.67 | \$58.67 | CIVIL ACTION OF |
| | CTY | <u>27.17</u> | <u>27.84</u> | <u>28.83</u> | <u>29.33</u> | MORE THAN \$4,000 |
| | | 81.50 | 83.50 | 86.50 | 88.00 | BUT NOT MORE THAN \$8,000 |

| | | 1996 | 1997 | 1998 | 1999 | DESCRIPTION |
|------|-----------|--------------|--------------|--------------|--------------|-------------------|
| C13C | COMM-COST | \$10.89 | \$11.22 | \$11.56 | \$11.78 | LANDLORD/TENANT |
| | COMM-CST1 | 10.89 | 11.22 | 11.56 | 11.78 | ACTION OF LESS |
| | CTY | <u>27.22</u> | <u>28.06</u> | <u>28.88</u> | <u>29.44</u> | THAN \$2,000 |
| | | 49.00 | 50.50 | 52.00 | 53.00 | |
| C13D | COMM-COST | \$10.91 | \$11.18 | \$11.56 | \$11.73 | LANDLORD/TENANT |
| | COMM-CST1 | 16.36 | 16.78 | 17.31 | 17.59 | ACTION OF MORE |
| | CTY | <u>32.73</u> | <u>33.54</u> | <u>34.63</u> | <u>35.18</u> | THAN \$2,000 BUT |
| | | 60.00 | 61.50 | 63.50 | 64.50 | NOT |
| | | | | | | MORE THAN \$4,000 |
| C13E | COMM-CST1 | \$38.04 | \$38.97 | \$40.37 | \$41.07 | LANDLORD/TENANT |
| | CTY | <u>43.46</u> | <u>44.53</u> | <u>46.13</u> | <u>46.93</u> | ACTION OF MORE |
| | | 81.50 | 83.50 | 86.50 | 88.00 | THAN \$4,000 BUT |
| | | | | | | NOT |
| | | | | | | MORE THAN \$8,000 |
| C14 | CTY | \$27.50 | \$28.00 | \$29.00 | \$29.50 | MARRIAGE |
| C15 | CTY | \$11.00 | \$11.50 | \$11.50 | \$12.00 | PROTECTION FROM |
| | | | | | | ABUSE |
| C16 | CTY | \$2.00 | \$2.00 | \$2.00 | \$2.00 | NOTARY FEES |
| C17 | CTY | \$11.00 | \$11.50 | \$11.50 | \$12.00 | MISCELLANEOUS |
| | | | | | | ISSUANCES |
| C18 | COMM-COST | \$0.00 | \$0.00 | \$0.00 | \$0.00 | SUMMARY CASE |
| | COMM-CST1 | 0.00 | 0.00 | 0.00 | 0.00 | PEDALCYCLE |
| | CTY | 0.00 | 0.00 | 0.00 | 0.00 | |
| C19 | COMM-COST | \$5.44 | \$5.62 | \$5.79 | \$5.88 | SUMMARY CASE, |
| | COMM-CST1 | 5.44 | 5.62 | 5.79 | 5.88 | TITLE 18 OR 35 |
| | CTY | 20.12 | 20.76 | 21.42 | 21.74 | (CONTROLLED |
| | COMM-CVC | 15.00 | 15.00 | 15.00 | 15.00 | SUBSTANCES ACT |
| | COMM-CCD | <u>13.00</u> | <u>15.00</u> | <u>15.00</u> | <u>15.00</u> | ONLY), JUVENILE |
| | | 61.00 | 62.00 | 63.00 | 63.50 | ONLY AND ALL |
| | | | | | | STATUTES LISTED |
| | | | | | | BELOW* |
| C20 | COMM-COST | \$7.65 | \$7.86 | \$8.08 | \$8.29 | MISDEMEANOR, |
| | COMM-CST1 | 6.55 | 6.74 | 6.92 | 7.11 | TITLE 18 OR 35 |
| | CTY | 21.30 | 21.90 | 22.50 | 23.10 | (CONTROLLED |
| | COMM-CVC | 15.00 | 15.00 | 15.00 | 15.00 | SUBSTANCES ACT |
| | COMM-CCD | <u>15.00</u> | <u>15.00</u> | <u>15.00</u> | <u>15.00</u> | ONLY), JUVENILE |
| | | 65.50 | 66.50 | 67.50 | 68.50 | ONLY AND ALL |
| | | | | | | STATUTES LISTED |
| | | | | | | BELOW* |

| | | 1996 | 1997 | 1998 | 1999 | DESCRIPTION |
|------|-----------|--------------|--------------|--------------|--------------|-------------------|
| C21 | COMM-COST | \$8.74 | \$8.96 | \$9.28 | \$9.39 | FELONY, |
| | COMM-CST1 | 13.12 | 13.44 | 13.92 | 14.08 | TITLE 18 OR 35 |
| | CTY | 19.14 | 19.60 | 20.30 | 20.53 | (CONTROLLED |
| | COMM-CVC | 15.00 | 15.00 | 15.00 | 15.00 | SUBSTANCES ACT |
| | COMM-CCD | <u>15.00</u> | <u>15.00</u> | <u>15.00</u> | <u>15.00</u> | ONLY), JUVENILE |
| | | 71.00 | 72.00 | 73.50 | 74.00 | ONLY AND ALL |
| | | | | | | STATUTES LISTED |
| | | | | | | BELOW* |
| CA1 | COMM-COST | \$10.9 | \$11.3 | \$11.55 | \$11.7 | ORDER OF |
| | COMM-CST1 | 5.45 | 5.67 | 5.78 | 5.89 | EXECUTION |
| | CTY | <u>8.16</u> | <u>8.50</u> | <u>8.67</u> | <u>8.83</u> | |
| | | 24.50 | 25.50 | 26.00 | 26.50 | |
| CA2 | COMM-COST | \$5.50 | \$5.75 | \$5.75 | \$6.00 | OBJECTION |
| | CTY | <u>5.50</u> | <u>5.75</u> | <u>5.75</u> | <u>6.00</u> | TO LEVY |
| | | 11.00 | 11.50 | 11.50 | 12.00 | |
| CA3 | CTY | \$5.50 | \$6.00 | \$6.00 | \$6.00 | ENTERING |
| | | | | | | TRANSCRIPT OF |
| | | | | | | JUDGMENT FROM |
| | | | | | | ANOTHER MEMBER |
| | | | | | | OF THE MINOR |
| | | | | | | JUDICIARY |
| CA4 | CTY | \$3.00 | \$3.00 | \$3.00 | \$3.00 | ENTERING |
| | | | | | | TRANSCRIPT ON |
| | | | | | | APPEAL OR |
| | | | | | | CERTIORARI |
| CA5 | CTY | \$5.00 | \$5.00 | \$5.00 | \$5.00 | MOTOR VEHICLE |
| | | | | | | CASE HEARING |
| | | | | | | COST |
| CA6 | CTY | \$0.00 | \$0.00 | \$0.00 | \$0.00 | POSTAGE |
| CA7 | COMM-COST | \$7.70 | \$8.05 | \$8.05 | \$8.40 | SEARCH WARRANT |
| | CTY | <u>3.30</u> | <u>3.45</u> | <u>3.45</u> | <u>3.60</u> | |
| | | 11.00 | 11.50 | 11.50 | 12.00 | |
| CA8 | COMM-CCCV | \$0.00 | \$0.00 | \$0.00 | \$0.00 | VARIABLE CVC/CCD |
| CA9 | CTY | \$0.00 | \$0.00 | \$0.00 | \$0.00 | VARIABLE HEARING |
| | | | | | | COST |
| CA10 | COMM-PROB | \$0.00 | \$0.00 | \$0.00 | \$0.00 | VARIABLE OSP COST |
| | CTY | 0.00 | 0.00 | 0.00 | 0.00 | |
| CA11 | COMM-CLUF | \$0.00 | \$0.00 | \$0.00 | \$0.00 | LAB FEES-STATE |
| | | | | | | POLICE |

| | | 1996 | 1997 | 1998 | 1999 | DESCRIPTION |
|------|-----------|--------------|--------------|--------------|--------------|---|
| CA12 | CTY | \$0.00 | \$0.00 | \$0.00 | \$0.00 | LAB FEES- ALLEGHENY COUNTY |
| CA13 | | | | | | PENDING |
| CA14 | COMM-CETA | \$0.00 | \$0.00 | \$0.00 | \$0.00 | CONSTABLE EDUCATION AND TRAINING |
| CA15 | COMM-CVC | \$15.00 | \$15.00 | \$15.00 | \$15.00 | YOUTH |
| | COMM-CCD | <u>15.00</u> | <u>15.00</u> | <u>15.00</u> | <u>15.00</u> | DIVERSIONARY |
| | | 30.00 | 30.00 | 30.00 | 30.00 | PROGRAM |
| CA16 | CTY | \$5.50 | \$6.00 | \$6.00 | \$6.00 | REINSTATEMENT |
| CA17 | COMM-FETA | \$5.00 | \$5.00 | \$5.00 | \$5.00 | FIREARM EDUCATION AND TRAINING FUND |

COST CODE KEY

| | |
|-----------|---|
| COMM-COST | Commonwealth Cost |
| COMM-CST1 | Commonwealth Cost HB 627 |
| CTY | County Cost |
| COMM-CVC | Crime Victims Compensation |
| COMM-CCD | Commission on Crime and Delinquency |
| COMM-DVC | Domestic Violence |
| COMM-CCCV | Variable Amount to be Distributed CVC/CCD |
| COMM-PROB | Offender Supervisory Programs (OSP) |
| COMM-CETA | Constable Education Training Act |
| COMM-CLUF | Crime Lab User Fee - State Police |
| COMM-FETA | Firearm Education & Training Fund |

LOCAL ORDINANCE

| | |
|------------------------------------|-----|
| FINE TYPE | F01 |
| MISCELLANEOUS FINE TYPE | AA8 |
| LOCAL TAX TO TAX COLLECTION AGENCY | F25 |
| LOCAL GARBAGE PROGRAM | F30 |

*STATUTES FOR ACT 35 OF 1991

30 Pa.C.S. Section 5502
30 Pa.C.S. Section 5502.1
75 Pa.C.S. Section 3731
75 Pa.C.S. Section 3735