

STATE OF MINNESOTA  
THIRD JUDICIAL DISTRICT  
SCREENER-COLLECTOR BEST PRACTICES AND REFERENCE GUIDE

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## Executive Summary

Court spending is increasing at an alarming rate. Case filings continue to rise, while funding is not provided for the proportionate increase in staff. Legislatures continue to adopt new legislation that requires court systems to initiate new programs-many of which are not funded.

As a result, courts are ordering more reimbursement for restitution and imposing a larger numbers of fines. This continues to put more stress on court administration and staff in the collections and monitoring of collection of these monies owed the courts.

State and National findings show that most defendants, at sentencing, are able to pay all or a portion of their court obligation. They also show that if defendants can delay that payment, they will. Local culture and judicial sentencing practices contribute to this mind set. Delaying payment of court-ordered monies requires court administration to spend valuable time setting uptime payment accounts and monitoring those defendants for payment. Studies have shown that deferred payment results in additional post-sentencing hearings and absorbs premium court calendar time.

Victims of crime have a right to be paid for their loss. Defendants must be held accountable for their actions.

As criminal case filings rise, so does the need for court appointed counsel or public defense. These programs are typically operating under budgetary constraints. Screening of applicants is critical to the integrity of the public defender system and to the respectability of the courts. Deserving defendants should have appointed counsel. Reimbursement, to some degree, for defense services is also vital. It increases the defendant's accountability to the courts. In some states, Minnesota being one of them, public defender reimbursement monies are returned directly to the public defender budget to allow the office to hire much needed additional attorneys.

Public perception and increased budgetary constraints make it critical that court administration offices develop and maintain an efficient, effective method of screening public defense applications and collecting monies due the court.

An effectual screener-collector program requires several factors:

- Program structure and organization

- Judicial support, endorsement and cooperation
- Adequate training for the screener-collector, judges and court staff involved with court funds.
- Specific policies, procedures and forms.
- Consistency in practices and policy application in and between jurisdictions.
- General legal knowledge of state statutes and rules relating to the screening of defendants and collection of court funds.

The Screener-Collector Best Practices and Reference Guide has been created to assist courts in the development, organization and maintenance of a comprehensive screener-collector program in court administration offices.

Innumerable valuable resources were used in the development of this manual. State and National websites were perused. The National Center for State Court's library provided excellent materials. . In addition, several national publications contained research, evaluation, conclusions and recommendations which proved to be extremely supportive information relative to screener or collection program development. Minnesota also conducted an intense study of court collections; their findings and final report provided concrete data for the manual.

It is my intention to distribute this general resource manual to each of the eleven counties in my judicial district for use in either establishing a screener-collector program, or in re-vamping or maintaining the existing program. The judicial district also maintains a Screener-Collector team, comprised of a representative from each county. This group meets at least quarterly to exchange information, develop forms, review law changes and the like. It is anticipated the manual will be regularly updated and revised through this group.

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This [research paper](#) is available in its entirety in portable document format. To access, you must first obtain and install the Adobe Acrobat Reader.



To obtain a copy of this research paper, please contact:

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