

2022 RESOLUTION NO. IGA - 02

TITLE: Court Fees Paid to State Treasurer

SPONSOR: Kristina Glascock

STATUTES AFFECTED: 31-3201A (There might be other statutes)

COUNTY OFFICES or DEPARTMENTS AFFECTED (*Must Affect at least 2*):

County Clerk and County Treasurer

COUNTIES AFFECTED (*Must Affect at least 2*): 44

ISSUE/PROBLEM: Explain what the problem is.

The current statute says "fees shall be paid to the county treasurer who shall, within five (5) days after the end of the month, pay such fees to the state treasurer...."

BACKGROUND & DATA: Provide a history of the issue and any prior proposals that have been put forth, successfully or otherwise. Also, because legislation often requires data and supporting research to become law, attach any relevant data and research (e.g., surveys, qualitative studies, costs).

Counties are unable to comply with this statute and remit court fees to the state treasurer within five days after month end. At the end of each month, court fees collected must be reconciled between Odyssey Case Manager, Odyssey Financial Manager and county accounts. This process can be time consuming and doesn't allow counties enough time to reconcile and submit the funds to the state treasurer within five days. For other fees collected by counties such as driver's license and auto license, the counties have until the 15th of the following month to remit the funds to the state.

PROPOSED POLICY: Explain your suggested solution to this issue. Attach draft legislation if available.

The proposal is to remove the five-day requirement and allow counties to remit funds to the state treasurer on or before the 2nd Tuesday after the end of the month.

ARGUMENTS & ENTITIES IN SUPPORT: List potential arguments and entities in support of your proposed policy.

The IACRC Judicial Committee has discussed this proposal with Sara Omundson, Administrative Director of the Courts, and Michelle Crist-Aguiar, Director, Finance & Operations, Administrative Office of the Courts. We have their support. A standard financial close typically takes two weeks to complete after the close of the period. It would help support counties in ensuring compliance with the statute and eliminate the need for follow up from the Administrative Office of the Courts

ARGUMENTS & ENTITIES AGAINST: List potential arguments and entities against your proposed policy.

Unknown at this time

FEASIBILITY: Simple

OTHER STAKEHOLDERS AFFECTED & NATURE OF IMPACT:

State Controller's office and State Treasurer's office shouldn't see much of an impact with this change because counties are unable to comply with the current statute.

FISCAL IMPACT: In the event the proposed policy becomes law, address 1) whether there will be a fiscal impact on the state or any local governments; 2) if so, the size of the fiscal impact; and 3) whether there will be any cost shifting.

None