

State of Wisconsin



GARY R. GEORGE
SENATOR

March 21, 2000

Representative Suzanne Jeskewitz
Room 109 West
State Capitol
P.O. Box 8952
Madison, WI. 53708

Dear Representative Jeskewitz,

Thank you for your letter requesting that the Senate Judiciary and Consumer Affairs Committee schedule Senate Bill 436, relating to providing greater flexibility to poor individuals when paying court ordered forfeitures and penalty assessments. As it is our practice, we have asked our Legislative Council Attorney to draft a memo concerning this bill. When we receive that memo we will make a determination on scheduling that bill.

Please feel free to contact me if you have any questions or if you would like to provide additional information.

Sincerely,

A handwritten signature in cursive script that reads "Gary R. George".

GARY R. GEORGE
State Senator
Sixth Senate District
Chair, Senate Committee on Judiciary and Consumer Affairs.

State of Wisconsin



GARY R. GEORGE
SENATOR

March 21, 2000

Senator Gwendolynne Moore
Room 409 South
State Capitol
P.O. Box 7882
Madison, WI. 53707

Dear Senator Moore,

Thank you for your letter requesting that the Senate Judiciary and Consumer Affairs Committee schedule Senate Bill 436, relating to providing greater flexibility to poor individuals when paying court ordered forfeitures and penalty assessments. As it is our practice, we have asked our Legislative Council Attorney to draft a memo concerning this bill. When we receive that memo we will make a determination on scheduling that bill.

Please feel free to contact me if you have any questions or if you would like to provide additional information.

Sincerely,

A handwritten signature in cursive script that reads "Gary R. George".

GARY R. GEORGE
State Senator
Sixth Senate District
Chair, Senate Committee on Judiciary and Consumer Affairs.

State Senator GWENDOLYNNE MOORE



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Member: Joint Finance Committee
Board Member: Wisconsin Housing and
Economic Development Authority

MEMORANDUM

TO: Members of the Assembly Committee on Judiciary and Personal Privacy
FROM: Senator Gwendolynne S. Moore
DATE: March 16, 2000
SUBJECT: Registering support for AB 846 relating to payment of judgments in traffic cases and in municipal court and the suspension of operating privileges

Due to a scheduling conflict, I am unable to appear before the Assembly Committee on Judiciary and Personal Privacy to express my support for AB 846. I am the author of the Senate companion bill to AB 846, and I want to thank the Committee for scheduling such a prompt hearing.

AB 846 would provide greater flexibility to poor individuals when paying court ordered forfeitures and penalty assessments. The bill would change current law in the following ways:

- AB 846 requires the court to inform the defendant that they must notify the court if they cannot pay a judgement due to poverty.
- If the court determines that the defendant is unable to pay the judgement because of poverty, the court may not suspend the defendant's license or imprison them without first providing the option of paying the judgement through an installment plan.
- However, if the defendant defaults on the payment schedule, the judge may impose the sentence for the initial offense.
- The defendant may use this installment option once. If a payment is not received, the option to pay the remaining balance through installments is no longer available.

In drafting this bill, Representative Jeskewitz and I consulted with municipal and circuit court judges as well as attorneys with Legal Action of Wisconsin. We believe this legislation will better encourage individuals to pay their fines while preventing them from having their license suspended unnecessarily.

I encourage Committee members to support this bill and pass it on to the full Assembly.



SUE JESKEWITZ

State Representative • 24th Assembly District

TESTIMONY ON INSTALLMENT PAYMENT PLANS
REPRESENTATIVE SUE JESKEWITZ
MARCH 16, 2000

Thank you Representative Huebsch and members of the Judiciary and Personal Privacy Committee for giving this bill such a prompt hearing and for allowing me to testify.

Assembly Bill 846 requires that judges offer a payment plan to a defendant who has proven to the court that he/she is unable to pay. The court already has established procedures to determine this. The payment amounts and schedule will be based on the defendant's income and ability to pay.

In the drafting of this bill, we consulted with both the municipal judges and the circuit judges associations. The municipal judge that we worked with said that many of their judges are offering installment plans **if a defendant asks for it.**

Currently if someone gets a large fine and knows that they can not pay the fine, they see no reason to go to court. The option of payment plans should persuade more people to come to court to work out a way to get the citation cleared. Being able to pay a large sum in smaller amounts will encourage more people to pay their fines.

Assembly Bill 846 is a common sense bill that is profitable for every party involved. The court gets the fine paid and the defendant gets to honestly work on clearing his/her record. I encourage you to support this bill in committee and quickly get it to the floor.

Thank you again for this opportunity to show my support for Assembly Bill 846.

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Assembly Committee Assignments:

Financial Institutions, Chair; Children and Families, Vice-Chair; Criminal Justice; Consumer Affairs; Ways and Means; Government Operations



WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

March 20, 2000

Senator Gary George
State Capitol; Suite 118 South
Madison, WI 53707

Dear Senator George,

We are the authors of companion bills SB 436 and AB 846 which would provide greater flexibility to poor individuals when paying court ordered forfeitures and penalty assessments. AB 846 was heard and unanimously passed out of the Assembly Judiciary and Personal Privacy Committee on March 16, 2000 and is scheduled for an Assembly floor vote on Wednesday, March 22, 2000.

Due to the time crunch faced at the end the legislative session, we are inquiring as to whether it may be possible for the Senate Judiciary Committee to hold a public hearing on SB 436 for the purpose of expediency. Once AB 846 is messaged to the Senate late this week, however, it would be in the best interests of the legislation if the Judiciary Committee were to hold an executive session (or paper ballot) on AB 846. In this way, we may be able to get this legislation passed by the Senate and on to the Governor before the end of session.

Any help that you could provide in passing this legislation through committee would be most appreciated. For your benefit, we have attached copies of the testimony we provided during the Assembly's hearing on this legislation if you have any questions.

Thank you for your attention to this matter.

Sincerely,

Representative Suzanne Jeskewitz

Senator Gwendolynne S. Moore