

RE: HB 288 – CORRECTIONS TO COLLECT SUPERVISORY FEES INSTEAD
OF CLERKS OF COURT

HEARING BEFORE SENATE FINANCE AND CLAIMS COMMITTEE, April 11, 2005.

TESTIMONY IN SUPPORT OF HB 288

PRESENTED BY: MARY "MARTY" PHIPPEN, LOBBYIST

THE MONTANA ASSOCIATION OF CLERKS OF DISTRICT COURT

Mr. Chair and Members of the Committee:

For the record, my name is Mary Phippen. I represent the Montana Association of Clerks of District Court. This Bill was brought forth at the request of the Association.

Because probationers are under the supervision of the Department of Corrections, and since the Department of Corrections currently collects court-ordered restitution from felony offenders, it was the general consensus of the members of Association that counties would be best served by transferring the collection of these fees to them.

Prior to July 1, 2003, Clerks of District Court were allowed to retain 20% of the Supervisory Fees collected, at the county level, to help defray the costs, of staff time, and supplies to collect these fees. After July 1, 2003, the counties were no longer allowed to retain 20% of the Supervisory fees. Currently, 100% of those fees is being deposited into the state special revenue account. For almost two years, Clerks of District Court for every county in the state have been incurring costs in staff time and supplies to collect these fees, for a state agency, without receiving any compensation for these services and administrative costs. We, therefore, respectfully request your favorable consideration of HB 288.



Mary "Marty" Phippen, Lobbyist
Mt. Assn. of Clerks of District Court

**MONTANA ASSOCIATION OF CLERKS OF DISTRICT COURT
MARY "MARTY" PHIPPEN, LOBBYIST**

**FACT SHEET: HB 288
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CLERKS OF DISTRICT COURT**

This proposal is brought forth to transfer a non-funded county function to the Department of Corrections, the State Agency that benefits from the collection of the Probationer's Supervisory Fees.

Since Probationers report to their Probation Officers and pay their restitution to their Probation Officers, it only makes sense in time and fiscal efficiency to transfer the responsibility of collection of the Supervisory Fees to the Department of Corrections.

The Department of Corrections does **NOT** object to the transfer of the collection of these fees to their agency.

The Department of Corrections has included the additional expense for staff and other costs for collection of these fees in their budget in HB 2.

The Department of Corrections currently has a system implemented which allows them to accept and receipt payments for restitution. Therefore, the system in place should be capable to be used for the collection of the Probationers' Supervisory Fees.

This Bill passed 2nd and 3rd Readings in the House 93-6. We respectfully request a **YES** vote on HB 288. Thank you.