



Overview of Fines and Fees

Karen Torline

Municipal Court Judge

Mandatory fees

Mandatory fines

Minimum fines

Required fees

Discretionary fees

Current steps taken to address financial issues with
our defendants

Fine schedule

Mandatory fees

- ▶ State fees: \$23.50 for ALL violations other than parking or non-moving traffic. K.S.A. 12-4116 and 12-4117.
- ▶ State fees: \$1.00 for every non-moving violation. Excludes parking.
- ▶ Community Corrections fees: \$250 of every DUI conviction goes to the state. K.S.A. 8-1567

Mandatory fines

- ▶ Court has no authority to modify these fines, or allow them to be suspended or done by community service.
- ▶ Seat belt: \$30. \$20 goes to the state. K.S.A. 8-2504
- ▶ DUI: K.S.A. 8-1567
 - ▶ First offense: Minimum mandatory fine of \$750. (\$250 goes to the state)
 - ▶ Second offense: Minimum mandatory fine of \$1250. (\$250 goes to the state).

Minimum fines:

- ▶ K.S.A. 8-2118: all fines double in construction zones, and speeding violations double in school zones
- ▶ K.S.A. 8-262: Driving While Suspended
 - ▶ 1st and 2nd conviction: \$100
 - ▶ 3rd conviction: \$1500 minimum IF suspended for refusal of breath test, NPI, causing death with a vehicle or DWH.

- ▶ K.S.A. 40-3104: No proof of insurance
 - ▶ 1st conviction: \$300
 - ▶ 2nd conviction is \$800

Other required fees

- ▶ \$122 reinstatement fee (currently per CHARGE) by statute.
 - ▶ Applies if FTA on a suspendable offense. Def receives notice of the FTA and a new date. If FTA again, DL gets suspended. Once the case is resolved and paid in full, they may be reinstated following the payment of a \$122 reinstatement fee.
 - ▶ \$100 fee by statute, and \$22 fee by Supreme Court order. K.S.A. 8-2110
 - ▶ Pending legislative bill to make this fee per CASE rather than the current per CHARGE.
 - ▶ 2019 law allows for these fees to be waived if defendant can show hardship

Discretionary Fees

- ▶ Jail fees: \$50 per day cost to the city, billed to each city for each defendant
- ▶ Work Release: \$35 per day cost to the city, billed to each city for their defendant
- ▶ Public Defender: \$100 per case. Cost to city is \$150 per docket
- ▶ Warrant fee: \$50 if recalled, \$100 if served
- ▶ Late fee: \$5, K.S.A. 8-2110

K.S.A. 8-2118(d)

- ▶ Requires the municipal judge to establish a schedule of fines for an ordinance traffic infraction.

May also include other offenses in fine schedule

- ▶ Must be set within minimums and maximums allowable
- ▶ Certain offenses are precluded by statute from being included on the fine schedule, such as reckless driving, DUI, Driving While Suspended, Fleeing and Eluding a LEO, and hit and run variations.

Steps taken in Roeland Park Municipal Court to address indigency issues

- ▶ Bond modifications
- ▶ Court appointed attorney
- ▶ Community Service
- ▶ Suspended fines
- ▶ Time to pay
 - ▶ Small monthly payments
 - ▶ Lengthy continuances for payment
 - ▶ Pay online available

COVID-19 Concerns

- ▶ Employment losses
- ▶ Housing losses
- ▶ More needs to fulfill at home
 - ▶ Kids eating every meal at home
 - ▶ Kids needing more technology at home
 - ▶ More dependents moving home