

Compliance Program Unit



**ADMINISTRATIVE OFFICE
CIRCUIT COURT OF LAKE COUNTY, ILLINOIS**

DIVISION OF JUDICIAL OPERATIONS

SMAART Performance Report

October 2015

ADMINISTRATIVE OFFICE OF THE CIRCUIT COURT OF LAKE COUNTY, ILLINOIS
DIVISION OF JUDICIAL OPERATIONS
COMPLIANCE PROGRAM UNIT

MISSION STATEMENT:

The mission of the Circuit Court of Lake County is to serve the public. The Court accomplishes this mission by providing a fair and responsive system of justice, committed to excellence, and fostering public trust, understanding and confidence.

The Division of Judicial Operations supports the mission of the Court by providing legal-related support services to internal and external Court customers in a manner that advances public trust, understanding, and confidence in the justice system.

The goals of the Division of Judicial Operations include the following:

- To provide support services to the judges in order to improve the administration of judicial case processing.
- To provide an educated and well-trained staff to the Court in order to enhance the supportive services available to the judges and the public.
- To provide resources, information, and services to the public in order to improve their access, navigation, and use of the legal system.
- To provide communication and education to the public in order to increase awareness and understanding of Court services and accomplishments.

PROGRAM PURPOSE:

The Compliance Program monitors all non-probationary cases that require a defendant to successfully complete the terms of a court order within a given time frame. These defendants are placed on Court Supervision, Conditional Discharge or Felony Conditional Discharge. If defendants on Court Supervision successfully complete the terms of court order, certain charges can be expunged (legally removed) from the defendants' record. Conditional Discharge and Felony Conditional Discharge are always a conviction that will permanently remain on a defendant's record. The defendants of these cases are often first-time offenders of traffic offenses, domestic battery, theft, possession of cannabis, etc.

PROGRAM DESCRIPTION:

The Compliance Program currently includes four Sworn Probation Officers and is supported on a day to day basis by the administrative staff of Judicial Operations. The Compliance Program was developed in 1995 with three goals:

- 1) To better utilize judicial and prosecution resources.
- 2) To create a safer community by monitoring individuals in the court system to ensure compliance with the Court's orders.
- 3) To increase the collection rate on fines, fees, and costs.

In non-probationary cases, monitoring a defendant's court order includes checking each separate case for the status of payment of all fines, fees, court costs, restitution, and the completion of public / community service and treatment in accordance with his or her deadline dates. If non-compliance is verified, a letter is sent to inform the defendant he or she has a specified number of days to comply; copies of the correspondence are sent to the State's Attorney's Office or prosecuting attorney. Many times a defendant needs extra guidance; therefore additional measures are taken. These may include setting up payment plans or speaking with treatment providers or public service Officers to receive proof of completion.

Although the bulk of the Compliance Program's attention is given to the defendants themselves, the Compliance Officers may also speak with lawyers, other court personnel, and the defendant's family members to get the information needed to achieve a successful outcome. If a defendant does not comply with his or her court order by the given deadline dates, only then is he or she brought back to court. With the Compliance Officers monitoring these cases through court determined deadline dates, cases can be closed successfully without a court ordered status appearance. This reduction of the defendant's time in court matters allows court resources to be utilized more effectively and avoids an additional appearance on the part of the defendant.

It is not the role of the Compliance unit to instruct defendants on legal issues; it is the Compliance unit's role when confronted with legal questions to direct defendants to their attorneys, prosecuting attorneys or the Circuit Clerk's Office to obtain proper paperwork. The Compliance Unit Officers emphasize that they are not the prosecutor or the judge, the only ones who can make the final decision regarding their cases. This is also true in regard to defendants seeking extensions. Compliance informs defendants to speak to an attorney regarding the need for an extension or to motion their case back to court

PERFORMANCE MEASURES:

TREATMENT COMPLETION LETTERS

All faxes and emails from treatment providers and defendants concerning completion and participation of court ordered treatment need to be verified by the Compliance Officer with the counselor or treatment facility. Once verified the Compliance Unit then forwards the stamped documents to the Circuit Clerk's Office.

Since the inception of the program through 2014, the Compliance Unit had received **18,552** Letters of Treatment Completion from providers.

PUBLIC SERVICE COMPLETION LETTERS

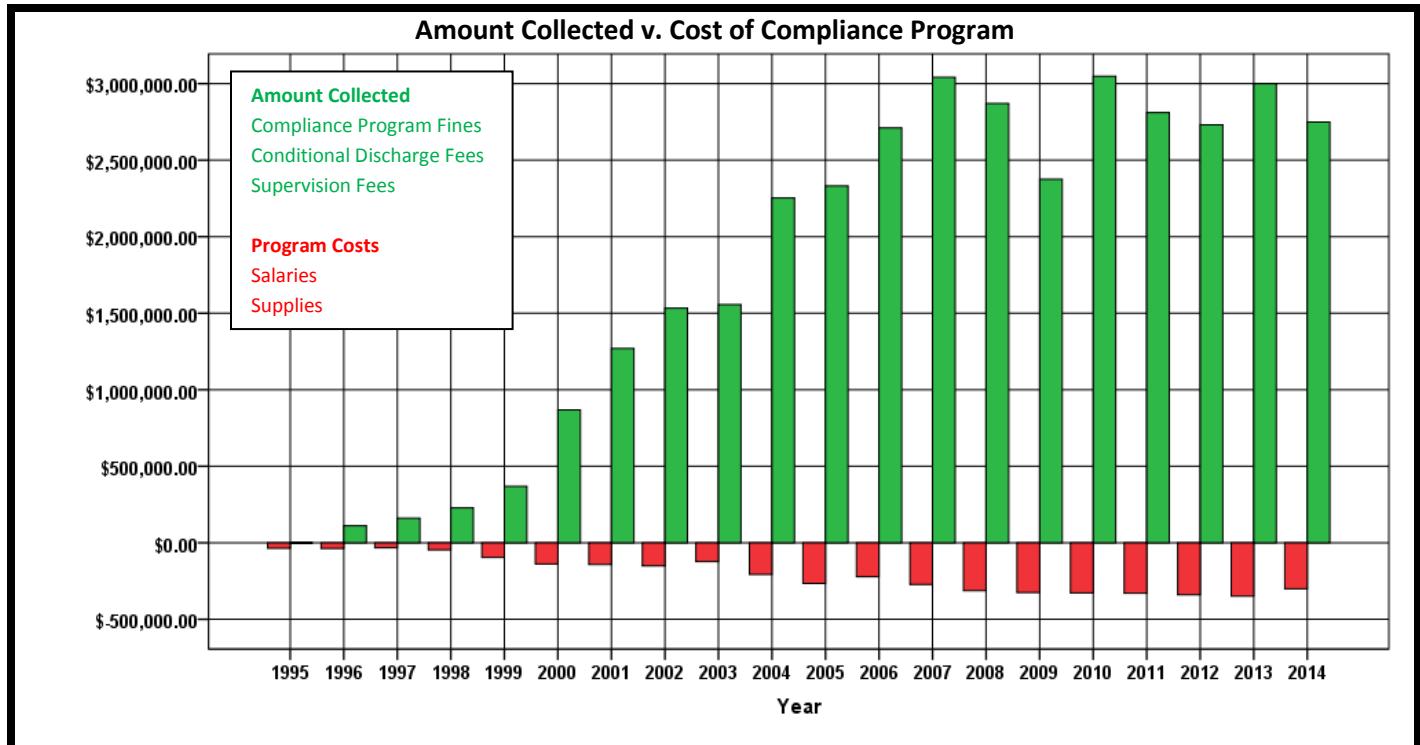
Defendants that are ordered to do public service are informed to speak directly to the Public Service Unit of Adult Probation in order to verify hours of public service completed or to be assigned to a work-site where the defendant can complete the ordered public service hours. The Public Service Unit then calls the Compliance Office with verification of hours and turns the completion letter into the Circuit Clerk's Office.

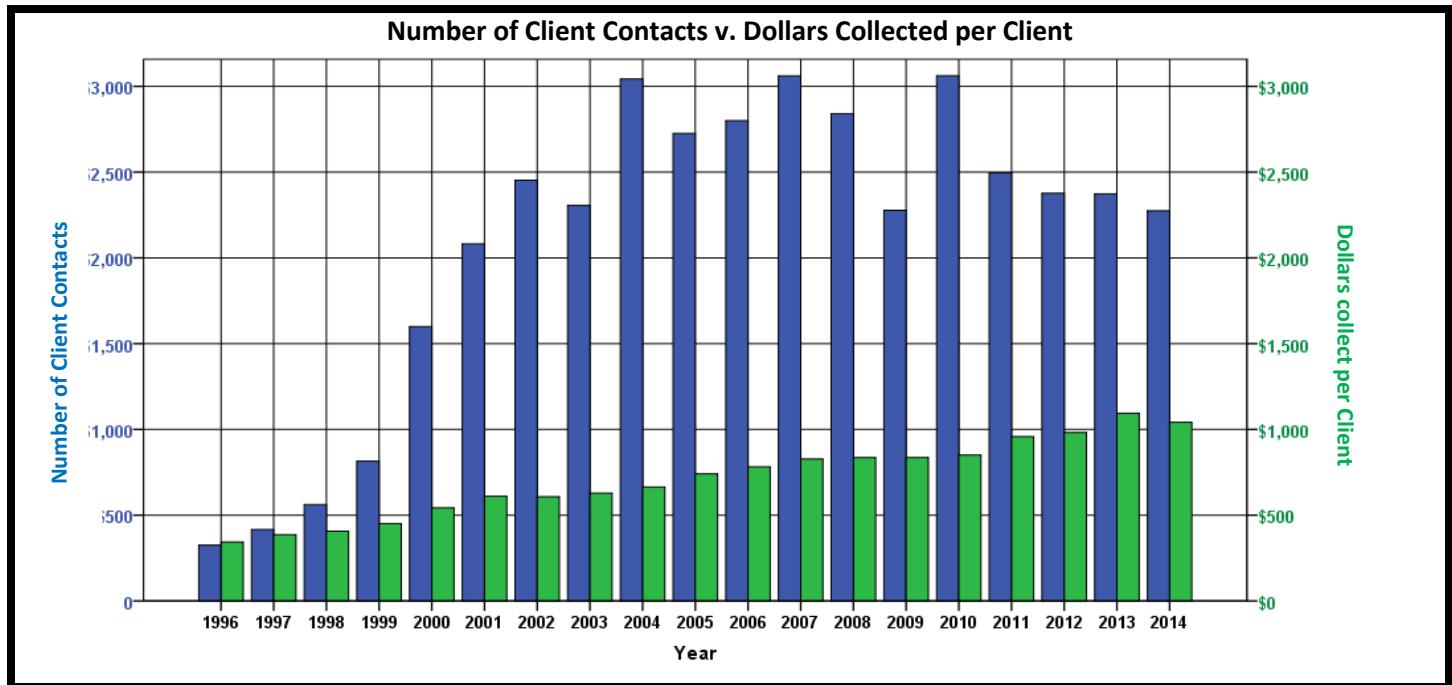
Since 2002 through 2014, the Compliance Unit had received **6,253** Letter of Public Service Completion.

MONETARY COSTS

Monitoring a defendant's court order includes checking each separate case for the status of payment of all fines, fees, court costs and/or restitution. Additionally, in December of 2002, Administrative Order No. 02-30 ordered all defendants sentenced in Lake County to a period of Conditional Discharge or Felony Conditional Discharge, to be monitored by the Compliance Unit; and in February of 2005, Administrative Order No. 04-21 ordered all defendants sentenced in Lake County to a period of Court Supervision, to be monitored by the Compliance Unit. Defendants are required to meet with a Compliance Officer once, and will be assessed a \$25.00 per month Conditional Discharge Service fee for each month they are on Conditional Discharge or a \$50.00 flat fee for Court Supervision cases.

Over the past twenty years the collection of fines, court costs and fees attributable to the unit was **\$36,016,835**. This amount only applies to monies collected after a second deadline letter is sent. It does not include monies collected by defendants who paid-in-full at the beginning of their term of supervision or conditional discharge. The chart below demonstrates the amount collected compared to the relative costs of maintaining the program. This amount is based on **39,891** contacts with defendants prior to the termination of their case.





CONCLUSIONS:

The Compliance Program has met or exceeded the goals set since its inception including eliminating status calls in misdemeanor / traffic courtrooms. In 1995 the program started with one part-time and has today expanded to four Officers. With additional Officers the Compliance Unit is able to meet with defendants sentenced to Court Supervision and Conditional Discharge. The unit is able to go over the court orders with them and make sure they have the appropriate tools to complete their period of supervision successfully. This includes giving the defendant a print out of their court fees and how to pay those fees as well as giving them referrals to appropriate treatment providers. The Compliance program has also been successful in collecting court fees; over the past 20 years the program collected over 36 million dollars.