

242.27

ARTICLE 18

242.28

COURTS

242.29 Section 1. Minnesota Statutes 2018, section 169.99, subdivision 1c, is amended to read:

242.30 Subd. 1c. **Notice of surcharge.** All parts of the uniform traffic ticket must ~~give~~ provide
242.31 conspicuous notice ~~of the fact~~ that, if convicted, the person to whom it was issued ~~must~~ may
243.1 be required to pay a state-imposed surcharge under section 357.021, subdivision 6, and the
243.2 current amount of the required surcharge.

243.3 **EFFECTIVE DATE.** This section is effective August 1, 2019. The changes to the
243.4 uniform traffic ticket described in this section must be reflected on the ticket the next time
243.5 it is revised.

243.6 Sec. 2. Minnesota Statutes 2018, section 169.99, is amended by adding a subdivision to
243.7 read:

243.8 Subd. 1d. **Financial hardship.** The first paragraph on the reverse side of the summons
243.9 on the uniform traffic ticket must include the following, or substantially similar, language:
243.10 "All or part of the cost of this summons may be waived on a showing of indigency or undue
243.11 hardship on you or your family. You may schedule a court appearance to request a waiver
243.12 based on your ability to pay by calling the Minnesota Court Payment Center (CPC) [followed
243.13 by the Court Payment Center telephone number]. For more information, call the CPC or
243.14 visit www.mncourts.gov/fines."

243.15 **EFFECTIVE DATE.** This section is effective August 1, 2019. The changes to the
243.16 uniform traffic ticket described in this section must be reflected on the ticket the next time
243.17 it is revised.

243.18 Sec. 3. Minnesota Statutes 2018, section 357.021, subdivision 2, is amended to read:

243.19 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator
243.20 shall be as follows:

243.21 (1) In every civil action or proceeding in said court, including any case arising under
243.22 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,
243.23 petitioner, or other moving party shall pay, when the first paper is filed for that party in said
243.24 action, a fee of ~~\$285~~ \$335, except in marriage dissolution actions the fee is \$315.

243.25 The defendant or other adverse or intervening party, or any one or more of several
243.26 defendants or other adverse or intervening parties appearing separately from the others,
243.27 shall pay, when the first paper is filed for that party in said action, a fee of ~~\$285~~ \$335, except
243.28 in marriage dissolution actions the fee is \$315. This subdivision does not apply to the filing
243.29 of an Application for Discharge of Judgment. Section 548.181 applies to an Application
243.30 for Discharge of Judgment.

243.31 The party requesting a trial by jury shall pay \$100.

244.1 The fees above stated shall be the full trial fee chargeable to said parties irrespective of
 244.2 whether trial be to the court alone, to the court and jury, or disposed of without trial, and
 244.3 shall include the entry of judgment in the action, but does not include copies or certified
 244.4 copies of any papers so filed or proceedings under chapter 103E, except the provisions
 244.5 therein as to appeals.

244.6 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8
 244.7 for an uncertified copy.

244.8 (3) Issuing a subpoena, \$16 for each name.

244.9 (4) Filing a motion or response to a motion in civil, family, excluding child support, and
 244.10 guardianship cases, \$75.

244.11 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,
 244.12 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically
 244.13 mentioned, \$55.

244.14 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment
 244.15 from another court, \$40.

244.16 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of
 244.17 judgment, \$5.

244.18 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name
 244.19 certified to.

244.20 (9) Filing and indexing trade name; or recording basic science certificate; or recording
 244.21 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,
 244.22 \$5.

244.23 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

244.24 (11) For the deposit of a will, \$27.

244.25 (12) For recording notary commission, \$20.

244.26 (13) Filing a motion or response to a motion for modification of child support, a fee of
 244.27 \$50.

244.28 (14) All other services required by law for which no fee is provided, such fee as compares
 244.29 favorably with those herein provided, or such as may be fixed by rule or order of the court.

245.1 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of
 245.2 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption
 245.3 petition filed in district court to fund the fathers' adoption registry under section 259.52.

245.4 The fees in clauses (3) and (5) need not be paid by a public authority or the party the
 245.5 public authority represents.

245.6 **EFFECTIVE DATE.** This section is effective July 1, 2019.

245.7 Sec. 4. Minnesota Statutes 2018, section 357.021, is amended by adding a subdivision to
245.8 read:

245.9 Subd. 2c. **Court cybersecurity fee.** In addition to any other filing fee under this chapter,
245.10 the court administrator shall collect a \$1 cybersecurity fee on filings made under subdivision
245.11 2, clauses (1) to (13). The court administrator shall transmit the fee monthly to the
245.12 commissioner of management and budget for deposit in the general fund. This subdivision
245.13 expires June 30, 2021.

245.14 **EFFECTIVE DATE.** This section is effective July 1, 2019.

245.15 Sec. 5. Minnesota Statutes 2018, section 357.021, subdivision 6, is amended to read:

245.16 Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided in this
245.17 ~~paragraph~~ subdivision, the court shall impose and the court administrator shall collect a \$75
245.18 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or
245.19 petty misdemeanor offense, other than a violation of a law or ordinance relating to vehicle
245.20 parking, for which there shall be a \$12 surcharge. When a defendant is convicted of more
245.21 than one offense in a case, the surcharge shall be imposed only once in that case. In the
245.22 Second Judicial District, the court shall impose, and the court administrator shall collect,
245.23 an additional \$1 surcharge on every person convicted of any felony, gross misdemeanor,
245.24 misdemeanor, or petty misdemeanor offense, including a violation of a law or ordinance
245.25 relating to vehicle parking, if the Ramsey County Board of Commissioners authorizes the
245.26 \$1 surcharge. The surcharge shall be imposed whether or not the person is sentenced to
245.27 imprisonment or the sentence is stayed. The surcharge shall not be imposed when a person
245.28 is convicted of a petty misdemeanor for which no fine is imposed.

245.29 ~~(b) If the court fails to impose a surcharge as required by this subdivision, the court~~
245.30 ~~administrator shall show the imposition of the surcharge, collect the surcharge, and correct~~
245.31 ~~the record.~~

246.1 ~~(e)~~ (b) The court may ~~not~~ reduce the amount or waive payment of the surcharge required
246.2 under this subdivision. ~~Upon~~ on a showing of indigency or undue hardship upon the convicted
246.3 person or the convicted person's immediate family, the sentencing court may authorize
246.4 payment of the surcharge in installments. Additionally, the court may permit the defendant
246.5 to perform community work service in lieu of a surcharge.

246.6 ~~(d)~~ (c) The court administrator or other entity collecting a surcharge shall forward it to
246.7 the commissioner of management and budget.

246.8 ~~(e)~~ (d) If the convicted person is sentenced to imprisonment and has not paid the surcharge
246.9 before the term of imprisonment begins, the chief executive officer of the correctional
246.10 facility in which the convicted person is incarcerated shall collect the surcharge from any
246.11 earnings the inmate accrues from work performed in the facility or while on conditional

246.12 release. The chief executive officer shall forward the amount collected to the court
246.13 administrator or other entity collecting the surcharge imposed by the court.

246.14 ~~(f)~~ (e) A person who enters a diversion program, continuance without prosecution,
246.15 continuance for dismissal, or stay of adjudication for a violation of chapter 169 must pay
246.16 the surcharge described in this subdivision. A surcharge imposed under this paragraph shall
246.17 be imposed only once per case.

246.18 ~~(g)~~ (f) The surcharge does not apply to administrative citations issued pursuant to section
246.19 169.999.

246.20 Sec. 6. Minnesota Statutes 2018, section 484.85, is amended to read:

246.21 **484.85 DISPOSITION OF FINES, FEES, AND OTHER MONEY; ACCOUNTS;**
246.22 **RAMSEY COUNTY DISTRICT COURT.**

246.23 (a) In all cases prosecuted in Ramsey County District Court by an attorney for a
246.24 municipality or subdivision of government within Ramsey County for violation of a statute;
246.25 an ordinance; or a charter provision, rule, or regulation of a city; all fines, penalties, and
246.26 forfeitures collected by the court administrator shall be deposited in the state treasury and
246.27 distributed according to this paragraph. Except where a different disposition is provided by
246.28 section 299D.03, subdivision 5, or other law, on or before the last day of each month, the
246.29 court shall pay over all fines, penalties, and forfeitures collected by the court administrator
246.30 during the previous month as follows:

246.31 ~~(1) for offenses committed within the city of St. Paul, two-thirds paid to the treasurer~~
246.32 ~~of the city of St. Paul municipality or subdivision of government within Ramsey County~~
246.33 ~~and one-third credited to the state general fund; and~~

247.1 ~~(2) for offenses committed within any other municipality or subdivision of government~~
247.2 ~~within Ramsey County, one-half paid to the treasurer of the municipality or subdivision of~~
247.3 ~~government and one-half credited to the state general fund.~~

247.4 All other fines, penalties, and forfeitures collected by the district court shall be distributed
247.5 by the courts as provided by law.

247.6 (b) Fines, penalties, and forfeitures shall be distributed as provided in paragraph (a)
247.7 when:

247.8 (1) a city contracts with the county attorney for prosecutorial services under section
247.9 484.87, subdivision 3; or

247.10 (2) the attorney general provides assistance to the city attorney under section 484.87,
247.11 subdivision 5.

247.12 **EFFECTIVE DATE.** This section is effective July 1, 2019.

247.13 Sec. 7. Minnesota Statutes 2018, section 609.101, subdivision 5, is amended to read:

247.14 Subd. 5. **Waiver prohibited; reduction and installment payments.** (a) The court may
247.15 not waive payment of the minimum fine required by this section.

247.16 (b) If the defendant qualifies for the services of a public defender or the court finds on
247.17 the record that the convicted person is indigent or that immediate payment of the fine would
247.18 create undue hardship for the convicted person or that person's immediate family, the court
247.19 may reduce the amount of the minimum fine to not less than \$50. Additionally, the court
247.20 may permit the defendant to perform community work service in lieu of a fine.

247.21 (c) The court also may authorize payment of the fine in installments.

247.22 (d) Before sentencing a person convicted of a felony, gross misdemeanor, misdemeanor,
247.23 or petty misdemeanor to pay money for a fine, fee, or surcharge, the court shall make a
247.24 finding on the record as to indigency or the convicted person's ability to comply with an
247.25 order to pay without undue hardship for the convicted person or that person's immediate
247.26 family. In determining indigency or whether the defendant is able to comply with an order
247.27 to pay a fine, fee, or surcharge without undue hardship to the convicted person or that
247.28 person's immediate family, the court shall consider:

247.29 (1) income;

247.30 (2) dependents;

247.31 (3) financial resources, including assets and liabilities;

248.1 (4) basic living expenses;

248.2 (5) receipt of means-tested public assistance program; and

248.3 (6) any special circumstances that may bear on the person's ability to pay.

248.4 (e) Paragraph (d) shall not apply when a conviction for a violation that is included on
248.5 the uniform fine schedule authorized under section 609.101, subdivision 4, is entered without
248.6 a hearing before the court.

248.7 Sec. 8. **EARLY NEUTRAL EVALUATION STUDY AND REPORT.**

248.8 (a) The supreme court is requested to contract with the Board of Regents of the University
248.9 of Minnesota to develop and conduct a survey and report as provided in this section.

248.10 (b) The board, through its Extension Service, is requested to develop and conduct a
248.11 survey of all early neutral evaluation participants from November 1, 2019, to November 1,
248.12 2020. At a minimum, the survey must seek the following information:

248.13 (1) the participant's demographic information, including age, gender, and race;

- 248.14 (2) a participant's satisfaction levels with the early neutral evaluation process and outcome
- 248.15 as it relates to the following:
- 248.16 (i) custody arrangements;
- 248.17 (ii) parenting time;
- 248.18 (iii) property division;
- 248.19 (iv) legal expenses;
- 248.20 (v) length of time of the process;
- 248.21 (vi) level of cooperation of each party; and
- 248.22 (vii) the effectiveness of the neutral or neutrals;
- 248.23 (3) the participant's opinion regarding fairness of the early neutral evaluation process,
- 248.24 whether the participant's expectations were met, whether the participant made decisions
- 248.25 voluntarily, and whether the participant would recommend the early neutral evaluation to
- 248.26 others; and
- 248.27 (4) the participant's recommendations related to the early neutral evaluation process and
- 248.28 outcome.
- 248.29 (c) The Extension Service is requested to aggregate the results of the survey and report
- 248.30 summary data, as defined in Minnesota Statutes, section 13.03, subdivision 19, to the chairs
- 249.1 and ranking minority members of the legislative committees and divisions with jurisdiction
- 249.2 over children, families, and the judiciary by January 15, 2021. The report is requested to
- 249.3 include the following:
- 249.4 (1) the total number of early neutral evaluation participants;
- 249.5 (2) the total number of social-early neutral evaluation participants;
- 249.6 (3) the total number of financial-early neutral evaluation participants;
- 249.7 (4) all disaggregated data, including survey data, collected by judicial district;
- 249.8 (5) a description of the methods used to collect data; and
- 249.9 (6) a description of general trends, findings, and conclusions based on data collected.
- 249.10 (d) Data collected by the Extension Service in individual participant surveys are private
- 249.11 data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12.