

Status Report to the General Assembly

Administrative Fee for Appointed Counsel

Calendar Year 2016

**Presented by: The Administrative Office of the Courts
Information Systems Division**



Administrative Office of the Courts

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DEBORAH TAYLOR TATE
Director

M E M O R A N D U M

TO: Members of the House Judiciary Committee
Members of the Senate Judiciary Committee

CC: Justin Wilson, Comptroller of the Treasury

FROM: Deborah Taylor Tate

DATE: June 6, 2017

RE: Administrative Fee for Appointed Counsel

In 1997 the Tennessee General Assembly enacted Public Chapter 547 (T.C.A. 37-1-126 and 40-14-103) providing for the assessment of an administrative fee on indigent criminal and juvenile delinquent defendants who are provided court appointed counsel. Court appointed counsel includes public defenders and private attorneys. The public chapter authorized an administrative fee between \$50 and \$200 per defendant. Public Chapter 857 requires the AOC to collect additional data when a guardian ad litem is appointed in a juvenile dependency and neglect case.

The law requires court clerks to submit monthly reports to the Administrative Office of the Courts. These reports contain the following information: the number of defendants appointed counsel or guardian ad litem, the number assessed a fee, the number with a waived fee, and the amount collected by the clerk's office and submitted to the Department of Revenue. The attached status report contains information received from the court clerks for calendar year 2016.

I apologize for the delay in sending this report. Due to a change in computer systems, Shelby County Criminal data was not available for November and December 2016. We have contacted them numerous times in February, March, and April to ask for the data in order to complete this report. To date, we have not received the Shelby County data. We will update/amend this report when their data is received.

In the future, we will publish the report by April whether all courts have reported or not and notify you and the Comptroller's office of any jurisdictions whose data is delinquent.

When our office received reports from municipal courts without a judge's name, we searched the Municipal Technical Advisory Service website to obtain a name. Therefore, the municipal judge's names may not be current. Furthermore, the report only lists judges with reported data.

The 2016 reports submitted by the clerks show that 200,339 defendants were appointed counsel. Of those, 89,997 had the fee waived, and 110,342 were ordered to pay the fee. Guardians ad litem were appointed 8,473 times. Of those, 6,930 had the fee waived, and 1,543 were ordered to pay the fee. Overall, the clerks reported collecting \$1,935,788 for the year.

Please let me know if you have questions or would like to discuss.

Thank you.

**2016 Amount of Fees Collected, Retained, and Deposited to
Department of Revenue by County**

	Amount Collected	Amount Retained	Amount Revenue		Amount Collected	Amount Retained	Amount Revenue
Anderson	\$ 10,518.40	\$ 524.15	\$ 9,994.25	Lauderdale	\$ 6,525.33	\$ 326.37	\$ 6,198.96
Bedford	\$ 17,739.27	\$ 886.97	\$ 16,852.30	Lawrence	\$ 10,243.00	\$ 512.16	\$ 9,730.84
Benton	\$ 6,484.00	\$ 324.22	\$ 6,159.78	Lewis	\$ 7,218.20	\$ 360.93	\$ 6,857.27
Bledsoe	\$ 4,056.00	\$ 202.81	\$ 3,853.19	Lincoln	\$ 12,030.89	\$ 601.56	\$ 11,429.33
Blount	\$ 73,292.27	\$ 3,664.62	\$ 69,627.65	Loudon	\$ 27,951.60	\$ 1,290.11	\$ 26,661.49
Bradley	\$ 24,096.12	\$ 1,204.82	\$ 22,891.30	Macon	\$ 31,512.50	\$ 1,575.66	\$ 29,936.84
Campbell	\$ 19,404.10	\$ 970.21	\$ 18,433.89	Madison	\$ 6,971.94	\$ 348.37	\$ 6,623.57
Cannon	\$ 9,904.00	\$ 495.25	\$ 9,408.75	Marion	\$ 10,904.70	\$ 545.20	\$ 10,359.50
Carroll	\$ 2,211.00	\$ 110.56	\$ 2,100.44	Marshall	\$ 33,807.00	\$ 1,690.43	\$ 32,116.57
Carter	\$ 2,524.48	\$ 126.44	\$ 2,398.04	Maury	\$ 54,943.25	\$ 2,747.20	\$ 52,196.05
Cheatham	\$ 22,707.70	\$ 1,135.42	\$ 21,572.28	Mcminn	\$ 20,459.75	\$ 1,023.01	\$ 19,436.74
Chester	\$ 19,097.25	\$ 954.90	\$ 18,142.35	Mcnairy	\$ 801.00	\$ 40.05	\$ 760.95
Claiborne	\$ 17,546.30	\$ 877.32	\$ 16,668.98	Meigs	\$ 2,130.00	\$ 106.52	\$ 2,023.48
Clay	\$ -	\$ -	\$ -	Monroe	\$ 15,535.49	\$ 776.83	\$ 14,758.66
Cocke	\$ 30,789.33	\$ 1,539.49	\$ 29,249.84	Montgomery	\$ 138,437.02	\$ 6,921.88	\$ 131,515.14
Coffee	\$ 28,245.25	\$ 6,551.34	\$ 21,693.91	Moore	\$ 333.50	\$ 16.68	\$ 316.82
Crockett	\$ 100.00	\$ 5.00	\$ 95.00	Morgan	\$ 2,206.25	\$ 107.81	\$ 2,098.44
Cumberland	\$ 10,232.42	\$ 511.67	\$ 9,720.75	Obion	\$ 10,973.52	\$ 548.70	\$ 10,424.82
Davidson	\$ 33,880.00	\$ 1,694.01	\$ 32,185.99	Overton	\$ 16,257.75	\$ 812.92	\$ 15,444.83
Decatur	\$ 542.00	\$ 27.10	\$ 514.90	Perry	\$ 3,333.50	\$ 166.68	\$ 3,166.82
Dekalb	\$ 22,980.72	\$ 1,149.16	\$ 21,831.56	Pickett	\$ -	\$ -	\$ -
Dickson	\$ 18,848.86	\$ 942.45	\$ 17,906.41	Polk	\$ 8,010.10	\$ 400.51	\$ 7,609.59
Dyer	\$ 22,772.45	\$ 1,138.68	\$ 21,633.77	Putnam	\$ 38,936.06	\$ 1,946.86	\$ 36,989.20
Fayette	\$ 100.00	\$ 10.00	\$ 90.00	Rhea	\$ 18,878.15	\$ 943.95	\$ 17,934.20
Fentress	\$ 8,389.50	\$ 419.52	\$ 7,969.98	Roane	\$ 19,919.77	\$ 996.01	\$ 18,923.76
Franklin	\$ 21,618.76	\$ 1,080.97	\$ 20,537.79	Robertson	\$ 13,157.08	\$ 657.87	\$ 12,499.21
Gibson	\$ 23,382.56	\$ 1,169.24	\$ 22,213.32	Rutherford	\$ 87,138.22	\$ 4,356.91	\$ 82,781.31
Giles	\$ 13,365.04	\$ 668.27	\$ 12,696.77	Scott	\$ 11,055.00	\$ 552.77	\$ 10,502.23
Grainger	\$ 5,281.50	\$ 264.10	\$ 5,017.40	Sequatchie	\$ 575.00	\$ 28.75	\$ 546.25
Greene	\$ 63,959.99	\$ 3,198.02	\$ 60,761.97	Sevier	\$ 54,776.29	\$ 2,738.84	\$ 52,037.45
Grundy	\$ 7,126.50	\$ 356.35	\$ 6,770.15	Shelby*	\$ 133,373.16	\$ 27,115.23	\$ 106,257.93
Hamblen	\$ 30,261.54	\$ 1,513.11	\$ 28,748.43	Smith	\$ 1,275.00	\$ 63.75	\$ 1,211.25
Hamilton	\$ 46,320.21	\$ 2,313.51	\$ 44,006.70	Stewart	\$ 2,284.00	\$ 114.20	\$ 2,169.80
Hancock	\$ 6,407.50	\$ 320.42	\$ 6,087.08	Sullivan	\$ 25,814.23	\$ 1,290.73	\$ 24,523.50
Hardeman	\$ -	\$ -	\$ -	Sumner	\$ 29,737.07	\$ 1,486.87	\$ 28,250.20
Hardin	\$ 3,875.50	\$ 193.79	\$ 3,681.71	Tipton	\$ 14,065.50	\$ 703.30	\$ 13,362.20
Hawkins	\$ 7,324.22	\$ 366.24	\$ 6,957.98	Trousdale	\$ -	\$ -	\$ -
Haywood	\$ 425.00	\$ 21.25	\$ 403.75	Unicoi	\$ 2,903.63	\$ 145.20	\$ 2,758.43
Henderson	\$ -	\$ -	\$ -	Union	\$ 18,894.00	\$ 944.74	\$ 17,949.26
Henry	\$ 5,663.50	\$ 283.19	\$ 5,380.31	Van Buren	\$ 3,300.50	\$ 165.04	\$ 3,135.46
Hickman	\$ 9,499.00	\$ 489.95	\$ 9,009.05	Warren	\$ 12,559.05	\$ 627.99	\$ 11,931.06
Houston	\$ 8,400.00	\$ 420.00	\$ 7,980.00	Washington	\$ 13,238.42	\$ 661.95	\$ 12,576.47
Humphreys	\$ 8,111.65	\$ 405.59	\$ 7,706.06	Wayne	\$ 10,994.55	\$ 549.74	\$ 10,444.81
Jackson	\$ 1,601.00	\$ 80.07	\$ 1,520.93	Weakley	\$ 27,895.37	\$ 1,394.82	\$ 26,500.55
Jefferson	\$ 26,243.70	\$ 1,312.21	\$ 24,931.49	White	\$ 27,224.19	\$ 1,361.25	\$ 25,862.94
Johnson	\$ -	\$ -	\$ -	Williamson	\$ 66,260.74	\$ 3,313.08	\$ 62,947.66
Knox	\$ 106,017.49	\$ 5,302.89	\$ 100,714.60	Wilson	\$ 77,498.50	\$ 3,874.97	\$ 73,623.53
Lake	\$ 2,102.50	\$ 105.17	\$ 1,997.33				

*Nov. and Dec. 2016 Data Unavailable

Total Amount of Fees Collected	\$1,935,788.35
Total Amount of Fees Retained by Counties	\$122,284.85
Total Amount of Fees Deposited to Department of Revenue	\$1,813,503.50

