

OFFICE OF INSPECTOR GENERAL  
**CITY OF NEW ORLEANS**



ED QUATREVAUX  
 INSPECTOR GENERAL

July 17, 2012

Judge Desiree Charbonnet, Chief Administrative Judge  
 New Orleans Municipal Court  
 727 S. Broad Street  
 New Orleans, LA 70119

Judge Charbonnet:

During our field work for the Follow-up Report: "A Performance Audit of the Municipal Court's Remittances to the City," we noted that each fee collected for City Charge Convictions, State Charge Convictions, and Bond Forfeitures were collected and remitted to the respective agency based on a hierarchy. The fees and the hierarchy are noted below.

Fee Type – City Charge Convictions	Amount
Building Fund	\$5.00
Probation	\$15.00
C.D.C. Fund	\$5.00
Victims Rep Fund	\$7.50
L.C.L.E.	\$2.00
C.M.I.S.	\$3.00
Crimestoppers	\$2.00
M.C.E.F.	\$15.00
Indigent Defender	\$35.00
<b>Total</b>	<b>\$89.50</b>

Fee Type – State Charge Convictions	Amount
Building Fund	\$5.00
Probation	\$15.00
C.D.C. Fund	\$5.00
Victims Rep Fund	\$7.50
L.C.L.E.	\$2.00
C.M.I.S.	\$3.00
Crimestoppers	\$2.00
M.C.E.F.	\$15.00
District Attorney	\$20.00
Indigent Defender	\$35.00
<b>Total</b>	<b>\$109.50</b>

Fee Type – City Bond Forfeitures (Cash/Surety)	Amount
Building Fund	\$5.00
Probation	\$15.00
C.D.C. Fund	\$5.00
M.C.E.F.	\$15.00
Indigent Defender	\$35.00
<b>Total</b>	<b>\$75.00</b>

Fee Type – State Bond Forfeitures (Cash/Surety)	Amount
Building Fund	\$5.00
Probation	\$15.00
C.D.C. Fund	\$5.00
M.C.E.F.	\$15.00
Indigent Defender	\$35.00
District Attorney	\$20.00
<b>Total</b>	<b>\$95.00</b>

The hierarchy was determined unilaterally by the Municipal Court Judges and was not based on any law or internal policy, according to discussions with employees of the Municipal Court. If a partial payment was made by a defendant, the entity with the lowest priority within the hierarchy (i.e. Indigent Defender, District Attorney), may not receive any fees.

*The Court should document the rationale for the hierarchies currently in place and consider a more equitable distribution of fees and fines collected so that each entity gets a fair distribution of the fees collected by the Court.*

Also during our testwork we noted that the Municipal Court collected a Building Fund Fee on bond forfeitures. City Code Section 50-149 authorizes this fee to be collected on convictions but not on bond forfeitures.<sup>1</sup>

*The Court should determine the total fee collected from inception of the Building Fund Fee, transfer the funds to the Judicial Expense Fund<sup>2</sup>, and remit one-half of the amount to the City of New Orleans.*

If you have any questions, please contact Eileen Shanklin-Andrus, First Assistant Inspector General of Audit and Review at (504) 681-3200.

Sincerely,



E.R. Quatrevaux  
Inspector General

cc: Andy Kopplin, First Deputy Mayor and Chief Administrative Officer

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<sup>1</sup> The Court estimates 249 cash bonds and/or surety bonds collected for the period October 1 – December 31, 2011 will result in a total reclassification of \$1,245.

<sup>2</sup> City Code Section 50-99 states, "After expiration of two days after the entrance of a decree of forfeiture of a cash bond, the clerk of the municipal court shall remit the amount of the forfeited bond to the municipal court judicial fund..."