

Department	Fee Name	Fee Description Include service or product provided or regulatory function performed, who pays the fee, and fee assessment frequency.	Statutory Reference	Fee Setting Authority	Termination Date (if any)	Fund Number Receiving Fee Revenue	Fund Name Receiving Fee Revenue	% of Fund, based on total fund revenue	Current Fee	Last Year Changed (Leg. Session)	FY 2019 Actual Receipts	FY 2020 Actual Receipts
ODG	Public Defense - Recovery from Defendant	Public Defense Services - "Reimbursement from each person who has received legal assistance or other benefit under this chapter to which the person was not entitled, to which respect the person was not a needy person when the person received it, or the person has failed to make the certification required by section 5236(b) of this title, and for which the person refuses to reimburse." To recover fees a lawsuit must be brought by the Defender General or Commissioner of Taxes within 6 years. (Dec.5255(a)) "The Defender General or the Commissioner of Taxes may recover reimbursement from each person, other than a person covered by subsection (a), who has received legal assistance under this chapter and who, on the date of which suit is brought is financially able to reimburse the State for it according to the standards of ability to pay applicable under subdivision 5201(3), section 5231 and subsection 5238(b) of this title, but refused to do so" Suit must be brought within 3 years. (Sec. 5255(b)) Within the history of the ODG, we are not aware of this occurring.	13 V.S.A Chapter 163 § 5255	Legislature	N/A	21050	Public Defense Special Fund	0.0%	Varies - calculated based on the annual cost per case to which the court will apply the Federal Poverty Guidelines. The minimum fee amount is \$50. Fee would be determined by the Defender General based upon type of case and income levels.	1991	\$ -	\$ -
ODG	Public Defense - Recoveries - DefGen Rep (tax)	Public Defense Services - Section 5238 - The court shall require any person assigned counsel pursuant to section 5236 of this title to pay for all or part of the cost of representation based upon his or her ability to pay. Unless the person and cohabiting family members are found to be financially unable to pay, in all cases the court shall order a minimum payment of \$50.00. If the person's income equals or exceeds 125% of the federal poverty guidelines, the court orders the person to pay an additional co-payment (immediate payment) and/or reimbursement based on the annual Cost per Case analysis completed by the ODG. Sec. 5239 creates the Public Defender Special Fund. Section 5240 authorizes the Court Administrator to refer the uncollected reimbursement orders to the Commissioner of Taxes who is authorized to collect the debt.	13 V.S.A Chapter 163 § 5238, 5239 & 5240	Legislature	N/A	21050	Public Defense Special Fund - Receipt Account 417830	35.0%	Varies - calculated based on the annual cost per case to which the court will apply the Federal Poverty Guidelines.	2011	\$ 384,336.74	\$ 197,115.74
ODG	Public Defense - DUI License Reinstatement	Persons suspended for a DUI refusal shall be assessed a surcharge of \$50.00 that shall be collected by the DMV prior to reinstatement of the person's driving privileges. The yearly receipt cap for the ODG is \$40,000 - receipts above this amount are credited to the Governor's Highway Safety Commission.	23 V.S.A Chapter 13 §1205 (r)	Legislature	N/A	21050	Public Defense Special Fund - Receipt Account 417830	3.0%	\$50.00	1997	\$ 14,450.00	\$ 14,050.00
ODG	Public Defense - Reimbursement	Public Defense Services - Section 5238 - The court shall require any person assigned counsel pursuant to section 5236 of this title to pay for all or part of the cost of representation based upon his or her ability to pay. Unless the person and cohabiting family members are found to be financially unable to pay, in all cases the court shall order a minimum payment of \$50.00. If the person's income equals or exceeds 125% of the federal poverty guidelines, the court orders the person to pay an additional co-payment (immediate payment) and/or reimbursement based on the annual Cost per Case analysis completed by the ODG. Sec. 5239 creates the Public Defender Special Fund. Section 5240 authorizes the Court Administrator to refer the uncollected reimbursement orders to the Commissioner of Taxes who is authorized to collect the debt.	13 V.S.A Chapter 163 § 5238, 5239 & 5240	Legislature	N/A	21050	Public Defense Special Fund - Receipt Account 417210	53.0%	Varies - calculated based on the annual cost per case to which the court will apply the Federal Poverty Guidelines.	2011	\$ 144,113.26	\$ 220,145.86
ODG	Public Defense - Surcharge Fines - DWI	Persons convicted of violating section 1201 of this title shall be assessed a surcharge of \$50.00.	23 V.S.A Chapter 13 §1210(j)	Legislature	N/A	21050	Public Defense Special Fund - Receipt Account 427324	9.0%	\$50.00	1997	\$ 60,244.21	\$ 41,112.01

FY 2021 Actual Receipts	FY 2022 Instances of Fee Payments	FY 2022 Actual Receipts	FY 2023 Instances of Fee Payments	FY 2023 Actual Receipts	FY 2024 Actual Receipts	FY 2025 Projected Receipts	FY 2026 Budget for Service/Product Provided or Regulatory Function Performed	Fee if adjusted for inflation since last change date (PCE Index)	Fee if adjusted for inflation since last change date (NIPA Index)	Description and amounts of comparable fees in other jurisdictions	Policies affecting the fee amount	Other relevant considerations for setting the fee amount
\$ -	0	\$ -	0	\$ -	\$ -	\$ -	\$ -	N	N	N	N	N
\$ 122,188.63	The information is not provided via the resources available. From the Vision General Ledger Module, the VT Trial Balance - All BU's report is run which provides a running deposit balance of funds received via each fee. The report does not provide detail as to individual payment amounts. The Judiciary orders persons who qualify for public defense services to pay an assignment fee, copayment and reimbursement amount. The Judiciary is unable to provide information on the number of persons ordered to pay these fees nor the aggregate total of amount ordered. Payments are received by the Courts. When the person ordered to pay these fees has not made payment within 60 days, the Judiciary notifies the Tax Department of the outstanding amount, and the Tax Department uses tax refund offsets to collect the amount. The ODG is not involved in the receipt of funds.	\$ 94,715.63	The information is not provided via the resources available. From the Vision General Ledger Module, the VT Trial Balance - All BU's report is run which provides a running deposit balance of funds received via each fee. The report does not provide detail as to individual payment amounts. The Judiciary orders persons who qualify for public defense services to pay an assignment fee, copayment and reimbursement amount. The Judiciary is unable to provide information on the number of persons ordered to pay these fees nor the aggregate total of amount ordered. Payments are received by the Courts. When the person ordered to pay these fees has not made payment within 60 days, the Judiciary notifies the Tax Department of the outstanding amount, and Tax Department uses tax refund offsets to collect the amount. The ODG is not involved in the receipt of funds.	\$ 46,220.51	\$ 16,143.18	\$ 10,000.00	\$ 50,000.00	Varies	Varies	In reviewing information for CT, MA, ME, NH & NY. VT is the only state that assesses upfront fees. All States have some form of fee with the exception of NY.	There are no policies affecting the fees; only the statutory authority.	The ODG utilizes actual annual expenditures to calculate a Cost per Case for each type of case. The flat \$50.00 fee is required via Statutory Reference 13 V.S.A Chapter 163 § 5238. The Tax Department changed the process for collection of ODG debt in 2017. Receipts have declined substantially since FY 2020 and the COVID pandemic, and have not returned to pre-pandemic levels.
\$ 12,300.00	194	\$ 9,700.00	228	\$ 11,400.00	\$ 10,600.00	\$ 10,800.00	\$ 14,000.00	\$ 87.57	\$ 119.02	N	N	Fee set by Statutory Reference 23 V.S.A Chapter 13 § 1205 (r)
\$ 199,307.08	The information is not provided via the resources available. From the Vision General Ledger Module, the VT Trial Balance - All BU's report is run which provides a running deposit balance of funds received via each fee. The report does not provide detail as to individual payment amounts. The Judiciary orders persons who qualify for public defense services to pay an assignment fee, copayment and reimbursement amount. The Judiciary is unable to provide information on the number of persons ordered to pay these fees nor the aggregate total of amount ordered. Payments are received by the Courts. When the person ordered to pay these fees has not made payment within 60 days, the Judiciary notifies the Tax Department of the outstanding amount, and the Tax Department uses tax refund offsets to collect the amount. The ODG is not involved in the receipt of funds.	\$ 184,319.31	The information is not provided via the resources available. From the Vision General Ledger Module, the VT Trial Balance - All BU's report is run which provides a running deposit balance of funds received via each fee. The report does not provide detail as to individual payment amounts. The Judiciary orders persons who qualify for public defense services to pay an assignment fee, copayment and reimbursement amount. The Judiciary is unable to provide information on the number of persons ordered to pay these fees nor the aggregate total of amount ordered. Payments are received by the Courts. When the person ordered to pay these fees has not made payment within 60 days, the Judiciary notifies the Tax Department of the outstanding amount, and Tax Department uses tax refund offsets to collect the amount. The ODG is not involved in the receipt of funds.	\$ 279,595.11	\$ 269,287.39	\$ 268,500.00	\$ 465,653.00	Varies	Varies	In reviewing information for CT, MA, ME, NH & NY. VT is the only state that assesses upfront fees. All States have some form of fee with the exception of NY.	There are no policies affecting the fees; only the statutory authority.	The ODG utilizes actual annual expenditures to calculate a Cost per Case for each type of case. The flat \$50.00 fee is required via Statutory Reference 13 V.S.A Chapter 163 § 5238. The Tax Department changed the process for collection of ODG debt in 2017. Receipts have declined substantially since FY 2020 and the COVID pandemic, and have not returned to pre-pandemic levels.
\$ 27,649.61	The information is not provided via the resources available. From the Vision General Ledger Module, the VT Trial Balance - All BU's report is run which provides a running deposit balance of funds received via each fee. The report does not provide detail as to individual payment amounts. The Judiciary orders persons who qualify for public defense services to pay an assignment fee, copayment and reimbursement amount. The Judiciary is unable to provide information on the number of persons ordered to pay these fees nor the aggregate total of amount ordered. Payments are received by the Courts. When the person ordered to pay these fees has not made payment within 60 days, the Judiciary notifies the Tax Department of the outstanding amount, and the Tax Department uses tax refund offsets to collect the amount. The ODG is not involved in the receipt of funds.	\$ 29,943.03	The information is not provided via the resources available. From the Vision General Ledger Module, the VT Trial Balance - All BU's report is run which provides a running deposit balance of funds received via each fee. The report does not provide detail as to individual payment amounts. The Judiciary orders persons who qualify for public defense services to pay an assignment fee, copayment and reimbursement amount. The Judiciary is unable to provide information on the number of persons ordered to pay these fees nor the aggregate total of amount ordered. Payments are received by the Courts. When the person ordered to pay these fees has not made payment within 60 days, the Judiciary notifies the Tax Department of the outstanding amount, and Tax Department uses tax refund offsets to collect the amount. The ODG is not involved in the receipt of funds.	\$ 39,319.27	\$ 38,788.64	\$ 44,789.00	\$ 60,000.00	\$ 87.57	\$ 119.02	N	N	Fee set by Statutory Reference 23 V.S.A Chapter 13 § 1210 (j)