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# Memorandum

**To:** William Lichter, Village Manager  
**From:** Pat Rollins, Deputy Chief of Police  
**Date:** 12/10/2011  
**Re:** Proposed Administrative Adjudication Hearing Officer Program

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Tom Bayer on our request and behalf has prepared for non-home rule communities an ordinance regarding Administrative Adjudication of Vehicular Regulation Violations. Municipalities are looking at avenues to provide a fair hearing process for violators, as well as, a mechanism to go after scofflaws who do not pay fines owed on violations.

The Lombard Police Department currently has a small percentage of violators who fail or refuse to pay fines for Village violations. The proposed adjudication hearing process has been discussed and approved during the budget process. The police department budgeted \$17,300 this year to operate the hearing officer program. Fines and collections from violations will far exceed the cost to run this program. Thousand of citations are written each year. If only 70 tickets out of the thousands written reach the maximum fine amount, it will pay for the budgeted amount. This new program will work in concert with the current collection program already in place. It will help alleviate sending all violators to the Circuit Court for allowable village offenses. However, this current process of sending current violators to the Circuit Court will remain as an option if chosen by the officer.

Violators will have an opportunity to be heard/contest their violation in a timely fashion with this new process. In addition, a "Request for Hearing- Non Appearance" violators who are not residents of the village will now have a mechanism to contest their violations without appearance.

This proposed ordinance will be available to be implemented after we do a Request for Proposal (RFP) for the hearing officer and than select that hearing officer. Administering this program will streamline, help keep current, and allow for

a notice of final determination of vehicular regulation violation liability to be assessed against those who do not comply with the liability decision. The police department will now be able to send to the Illinois Secretary of State, violators that go through this hearing process who owe on ten or more vehicular standing or parking regulation citations. The Illinois Secretary of State will suspend the violator's driver's license until their fines are paid along with a re-instatement fee to S.O.S.

In addition, the same hearing officer would be able to hear building and code enforcement violations. Another Village Ordinance would be forthcoming for this action to take place.

Staff recommends that we adopt this amended ordinance.