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Clearing out the backlog with contempt court

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Blackwell

About 50 defendants who owe back fines on 81 cases were supposed to appear before Common Pleas Judge Penny Blackwell on Friday for contempt of court hearings.

A few of them haven't made payments on their overdue costs and fines in York County Court cases for 15 or 20 years, according to Clerk of Courts Don O'Shell.

But being found in contempt of court apparently wasn't enough to make most of the scofflaws obey their orders to face the judge.

"About three quarters of them did not show, and the court issued bench warrants on those defendants," O'Shell said.

In most cases, Blackwell set bail for the 31

missing defendants to coincide with what they owe. That means if they pay the amount, they can avoid being locked up in York County



O'Shell

Prison, O'Shell said.

"They can be released immediately, then they have to appear before her the following Wednesday," he said, to explain why they ignored her court order to appear. "If they cannot remit that amount, they are detained at least 72 hours until they can appear before the court."

O'Shell's office and the county's Adult Probation Office provide the names of the scofflaws to Blackwell, who presides over what's known as contempt court.

\$69M owed: York County is owed about \$69 million in unpaid court costs and fines from defendants, and the clerk's office has more than 14,000 cases in which there are no payment plans set up with defendants, O'Shell said.

"This is the second go-round," he said of Friday's contempt court. "The first was in July."

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Of those who appeared in court Friday, the majority were compliant in setting up payment plans, according to O'Shell.

"The majority of them realize, 'I've come to the end of the road on this, and I have to follow through,'" he said.

But not all were philosophical, including one man whose outstanding debt was nearly two decades old.

"His argument was, 'Why have you waited so long to notify me of the debt? Because it's been so long, I shouldn't have to pay,'" O'Shell said. "Judge Blackwell didn't entertain that line of thinking. He was the only person who was angry."

Those facing contempt hearings had already been sent letters by the Clerk of Courts Office that included payment-plan forms, O'Shell said.

"Some were sent three or four letters," he said. "Some only received two."

Letters received? Several defendants in court Friday said they'd never received a letter from O'Shell's office, despite the fact that they received their contempt notices, and some also received license-suspension notices from PennDOT.

"They got those, but then never seem to get our letters," O'Shell said. "Obviously, it's a problem with the postal service. I'm saying that sarcastically."

Those who owe costs or fines on driving-related offenses risk having their driver licenses suspended by PennDOT, he said.

O'Shell said county-mandated budget cuts for each department create "a big question mark" for the new contempt court.

"But I'm determined one way or the other to proceed," he said.

Friday's contempt court generated \$3,342.84 so far, according to O'Shell; the first contempt court, held July 24, has so far netted \$2,672.87. So far for 2009, O'Shell's office has collected \$9.12 million in costs, fines and restitution, he said, and hopes to break the \$10 million mark this month.

"We are almost a million dollars ahead of last year at this point in time," he said.

-- Reach Elizabeth Evans at levans@yorkdispatch.com, 505-5429 or twitter.com/ydcrimetime.

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