

Imposition and Collection of Court Costs in Pennsylvania Criminal Cases: Preliminary Results from an Analysis of 10 Years of Court Data

By: Colin Sharpe, Jon Dilks, and Andrew Christy¹
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There has not been an empirical study of the fines, costs, and restitution imposed by Pennsylvania courts in criminal cases. Among the seemingly basic questions that have remained unanswered are the average amounts imposed in cases, how long it takes defendants to pay that money, and how long court debt remains uncollected.³ This paper is a first attempt to address these questions with respect to court costs, specifically, by looking at ten years of court data from the Common Pleas Case Management System (“CPCMS”) used by Pennsylvania’s courts of common pleas and the Philadelphia Municipal Court.⁴

I. Data Overview and Methodology

The ACLU of Pennsylvania obtained a table of data from all criminal misdemeanor and felony cases in Pennsylvania courts of common pleas and the Philadelphia Municipal Court between August 17, 2008 and August 16, 2018. The table included the following data from each case:

- Disposition year
- Docket number
- Case Caption
- Representation Type for Defendant (public defender, private, other)
- Race
- Gender
- Amount of outstanding fines (if any)
- Amount of fines assessed (if any)
- Amount of outstanding costs (if any)
- Amount of costs assessed (if any)

¹ Colin Sharpe is an Economics PhD candidate at Vanderbilt University. Jon Dilks is a data analyst and database manager for the ACLU of Pennsylvania. Andrew Christy is an attorney at the ACLU of Pennsylvania whose practice focuses on fines, costs, and restitution.

² Please note that the tables in Appendix C were updated on March 1, 2019 to reflect *both* the average and median costs imposed and collected per county. Otherwise, no figures have changed.

³ Out of the 98,713 public defender cases in our dataset from 2013 that had costs assessed, 70,908 (71.83%) still have costs outstanding as of 2018. Out of 54,647 cases from that year with private representation, 24,701 (45.20%) have costs outstanding as of 2018. Of the 49,602 public defender cases from 2008 with costs assessed, 29,872 (60.22%) still have costs outstanding as of 2018, while of 35,781 private cases from 2008 with costs assessed, 12,256 (34.25%) have costs outstanding as of 2018.

⁴ Unlike a fine, costs are not intended to be punishment—they are not part of the sentence, and are automatically imposed by statutes unless the court determines otherwise. *Commonwealth v. Rivera*, 95 A.3d 913, 916 (Pa. Super. Ct. 2014) (describing the difference between fines, costs, and restitution); 42 Pa. Cons. Stat. § 9728(b.2). Court costs refer to the costs and fees that are assessed against a defendant. They appear in an itemized list on the last page of the docket sheet with names such as “County Court Cost,” “Commonwealth Cost,” “Judicial Computer Project,” “Substance Abuse Education,” and “Sheriff’s Fee,” among others. A list of common court costs and their statutory authorization is available at www.aclupa.org/finesandcosts under the “Court Costs Statutes” link.

- Amount of outstanding restitution (if any)
- Amount of restitution assessed (if any)

Our analysis was focused on the different financial impact of court costs on defendants with means versus those who are indigent. We used type of counsel—public defender or court appointed equivalent versus private counsel—as a rough proxy for defendants’ financial status.⁵ The dataset included a total of 2,339,847 cases. We excluded cases that lacked vital information from that dataset before running our analysis.⁶ We also excluded 66,197 cases with docket numbers from before 2008 that were unlikely to be comparable to more recent cases,⁷ and 291,877 cases from Philadelphia prior to 2013 that were potentially affected by the city’s write off of outstanding bail judgments.⁸

That left us with 1,429,270 cases, representing \$1,889,517,917 in total assessed costs. We do not know the number of individual defendants, as one person may have multiple criminal cases. Of these cases, the public defender or other court appointed counsel provided representation in 906,952 cases, and private counsel provided representation in 522,318 cases.⁹

There are two caveats with respect to the data. First, because we eliminated certain categories of cases (as described above), cases with private counsel are over-represented.¹⁰ The overall data set now reflects that 63% of cases were represented by the public defender, even though the reality was likely closer to 80%.¹¹ This does not impact our analysis, however, because this

⁵ We hope that in a future analysis, we will be able to cross-reference with defendants’ zip code information to further categorize defendants based on their likely income level.

⁶ 263 cases lacked a disposition year or docket number, and another 4,603 cases had a representation type that made no sense, such as “CYS attorney” or “legal aid”—types of attorneys that do not represent criminal defendants. In addition, 547,894 cases lacked any information about type of representation, so we also omitted those cases from our analysis.

⁷ We excluded these cases from this analysis in part because it was not clear why some cases dating back to as far as the 1950s were adjudicated post-2008, and it was not clear from the data that some of these were not errors. In addition, a random review of six of these cases showed that some cases included the assessment of costs against the defendant even though the charges were dismissed, suggesting a larger problem with this cohort.

⁸ In the available data, it is impossible to distinguish between defendants in Philadelphia during this time period who paid their court costs and defendants whose outstanding bail judgment was written off, as the bail judgments appeared as “costs” on the docket sheet and the CPCMS data. Inclusion of these cases would potentially overstate the extent to which court costs were actually paid, as opposed to forgiven. *See* Dylan Purcell, “Nearly \$1 billion owed by bail jumpers wiped off books,” *Philadelphia Inquirer* (Oct. 11, 2014), http://www.philly.com/philly/news/20141011_Nearly__1billion_owed_by_thousands_of_bail_jumpers_wiped_off_the_books.html. We believe we will be able to accurately account for this problem in the future, but it will require additional information from CPCMS that was unfortunately not part of our data request.

⁹ We included the following types of representation in the “public defender” category: Conflict Counsel, Court Appointed, Court Appointed - Co-Counsel, Court Appointed - Conflicts Counsel, Court Appointed – Pending, Court Appointed – Private, Court Appointed – Public, Court Appointed - Public Defender, Court Appointed – Vendor, Court Appointed/Public Defender, and Public Defender. The CPCMS category “private” was the only category we included for private counsel.

¹⁰ The main reason for this is that we have excluded a significant number of cases from Philadelphia, and because of the concentrated poverty in Philadelphia, many more defendants in that city are represented by the public defender.

¹¹ Two studies by the United States Department of Justice suggest that 60-90% of defendants nationwide are represented by public defenders. *See* “Contracting for Indigent Defense Services: A Special Report,” U.S. Dep’t. of Justice Bureau of Justice Assistance (April 2000) at 3, available at <https://www.ncjrs.gov/pdffiles1/bja/181160.pdf>;

paper separately analyzes public defender cases and cases with private counsel; one category of analysis does not depend on the other. By contrast, had we not eliminated those cases from our dataset, we would have significantly overestimated the amount of money that public defender clients had paid.

Second, in reviewing and thinking through the figures from CPCMS, we realized that the data only tells us the amount of costs assessed at sentencing and how much money is currently owed. That certainly captures money that has been paid. However, it *also* captures debt that is forgiven. For example, some judges will waive court costs after sentencing if the defendant has been unable to afford to pay them off. Waiving \$500 in such a manner would show up in our data as if the defendant had *paid* that money. In a future analysis, with additional CPCMS data, we will be able to account for this. We expect that those results will show that public defender clients are paying even less than our current analysis suggests.

We initially analyzed the data in Microsoft Access by writing a series of queries. We then verified the results in Stata and used that program to examine relationships in the data through linear regression analyses. For the sake of clarity, additional detail is provided in Appendix A.

Performing these analyses showed that the median—rather than average—reflects a more accurate picture of what most defendants experience. The reason for this is that more than 15% of cases have exceedingly high costs assessed: 166,658 cases have costs over \$25,000; 3,059 cases have costs over \$100,000; and 195 cases have costs over \$500,000, including some over \$1 million. We are unsure why some cases have exceptionally high costs assessed. The median costs, which are much less sensitive to outliers, are more representative of what a typical defendant could expect, and so we have based our primary analysis on median figures.¹² All averages are reported in Appendix B.

Appendix A contains details on the construction and results of the linear regression. Appendix B contains the complete analysis of data used in this report. Appendix C contains a breakdown per county that shows the percentage of costs paid by public defender clients and defendants with private counsel.

II. Results and Discussion

A. Complete Results from 2008 – 2018

The courts in our survey assessed costs in 89% of cases with public defender (“PD”) representation, compared to 93% of cases with private counsel. Costs assessed against PD clients also tend to be lower. In cases where costs were assessed, the median amount assessed is \$1,072

“Defense Counsel in Criminal Cases,” U.S. Dep’t of Justice Bureau of Justice Statistics (Nov. 2000), available at <https://www.bjs.gov/content/pub/ascii/dccc.txt>.

¹² The skewness of the observed distribution of assessed costs for public defender cases is 103. For reference, if costs were distributed evenly around the average the skewness would be 0, and a skewness of 1 is often sufficiently high to reject the assumption the data are normally distributed. What this means in practice is that the average will incorporate more information from outlying cases and less from more common cases. While not a problem in and of itself, in the present study we are primarily interested in how costs affect the typical defendant, and lack sufficient information to properly contextualize extreme outlying observations.

for PD cases versus \$1,306 for private counsel cases. These figures suggest that some judges are considering defendants’ ability to pay at sentencing and are either reducing or eliminating court costs for poorer defendants.¹³

Our analysis shows that defendants in PD cases are paying significantly less toward the costs they owe than defendants with private counsel. For all cases over the ten-year span, the median PD client has paid only \$441 and still owes \$631, whereas the median defendant with private counsel has paid \$1,306 and owes \$0, having completely paid their balances. This is a significant distinction.

Across the state, collections rates for court costs are rather low. According to AOPC, in 2008 the courts of common pleas¹⁴ in criminal cases assessed \$191,047,186 in court costs alone. Ten years later, they have collected only 62% of that money.¹⁵ That is not to say that defendants are not making an effort to pay their court costs. Our analysis shows that across our ten-year data set, 24% of PD cases are paid in full, as are 54% of cases with private counsel. How does that square with the data above? Almost all defendants who receive smaller amounts of court costs pay them in full. As the table below shows, the percentage of defendants—particularly PD clients—who have paid their court costs drops dramatically as the amount of the costs increases:

Costs imposed ¹⁶	\$0-99.99	\$100-199.99	\$200-299.99	\$300-399.99	\$400-499.99	\$500-599.99	\$600-699.99	\$700-799.99	\$800-899.99	\$900-999.99	\$1000-1099.99
PD cases paid in full	83.51%	73.00%	70.51%	53.62%	50.56%	32.77%	33.30%	36.53%	33.74%	37.07%	37.90%
Private cases paid in full	90.41%	83.65%	80.83%	73.37%	68.20%	60.24%	60.09%	62.87%	59.43%	64.35%	65.74%

What these figures suggest is that defendants of all types are far more likely to pay off their court costs if the amounts are tailored to their financial ability to pay. PD clients in particular face significant hurdles to pay if the amount they owe exceeds \$300. A linear regression, a statistical technique designed to quantify relationships between variables, provides more evidence for the extra burden that higher costs impose on PD clients. On average, a \$100 increase in costs imposed is associated with a \$28 increase in unpaid costs for defendants with private counsel, and a \$47 increase in unpaid costs for PD clients. In other words, nearly 50% of every dollar in costs assessed on a PD client has not been paid.

¹³ For example, in Philadelphia it is routine for judges to waive supervision fees at sentencing for PD clients because of their poverty.

¹⁴ AOPC includes Philadelphia Municipal Court non-summary cases in this tabulation, as does our data.

¹⁵ The \$191 million figure and the 62% collections rate is reported by AOPC. “Collection Rates Over Time,” Administrative Office of Pennsylvania Courts, available at <http://www.pacourts.us/news-and-statistics/research-and-statistics/dashboard-table-of-contents/collection-rate-of-payments-ordered-by-common-pleas-courts> (select criminal cases from the drop-down menu). Because we have removed what appears to be unreliable data, the total 2008 assessment figure for our data set is only \$118,217,724.

¹⁶ Note that this group does not include cases in which no costs were assessed.

During this ten-year time period, PD clients paid a total of \$419,782,733 in court costs, compared to \$494,629,922 by private counsel. Thus, defendants with private counsel paid more overall despite there being twice as many PD cases as private counsel cases in our data (approximately 900,000 PD cases versus 500,000 private counsel cases). Also, when compared against the total amount of money that was assessed at sentencing—\$1,109,292,186 for PD cases and \$780,225,731 for private cases—it is clear that the average PD client could have his costs reduced by more than 50% without any impact on overall revenue collection.

B. Results from 2013

While the above figures are all aggregates from 2008 – 2018, drilling down on 2013 data (which gives five years of collections) is illuminating. In 2013, courts of common pleas imposed \$250,680,544 in court costs, and they have collected only 49% of those costs.¹⁷ Our data analyzed 98,713 PD cases and 54,647 cases with private counsel that year:

Median Amounts

	PD Cases	Private Cases
Median assessed	\$1,013	\$1,273
Median paid	\$418	\$1,273
Median outstanding	\$595	\$0

The typical PD client is paying a significantly smaller portion of their assessed costs than those who are represented by private counsel, and are left with much higher outstanding costs after five years. Once again, defendants represented by private counsel are more likely than not to have paid off all of their court costs.

Costs imposed ¹⁸	\$0-99.99	\$100-199.99	\$200-299.99	\$300-399.99	\$400-499.99	\$500-599.99	\$600-699.99	\$700-799.99	\$800-899.99	\$900-999.99	\$1000-1099.99
PD cases paid in full	92.14%	79.02%	55.42%	55.33%	45.82%	27.10%	25.42%	36.87%	28.81%	35.12%	40.33%
Private cases paid in full	94.52%	85.55%	83.43%	77.40%	70.33%	54.06%	53.60%	65.27%	50.51%	58.62%	66.33%

Defendants represented by the PD who owe only a small amount of court costs are far more likely to pay it off than those who owe a large amount, over \$200. What this shows is that, by imposing large amounts of court costs, courts make it unlikely that an indigent defendant will be

¹⁷ “Collection Rates Over Time,” Administrative Office of Pennsylvania Courts, available at <http://www.pacourts.us/news-and-statistics/research-and-statistics/dashboard-table-of-contents/collection-rate-of-payments-ordered-by-common-pleas-courts>.

¹⁸ Note that this group does not include cases in which no costs were assessed.

able to pay that amount off within five years. Indeed, keeping the figure to under \$200 will allow three out of four defendants to pay in full and satisfy their obligations to the court.

Here, too, we see that PD clients could have their costs reduced by over 50% without any impact on the overall revenue brought in by courts. PD clients were assessed \$134,790,816 yet only paid 40%, compared with \$87,692,981 assessed against clients with private counsel, who have paid 65%. Significantly reducing the amount defendants owe should not have any impact on the amount actually collected by courts.

C. Results from 2008

Analysis of data from 2008—which allows us to check on defendants’ progress now that 10 years have passed—presents a similar picture. The total amount of costs imposed by courts of common pleas in the 88,606 cases we analyzed for that year was \$118,217,715. These cases comprise 51,659 PD cases and 36,947 private cases. As was noted above, AOPC reports that the overall collection rate for costs imposed in 2008 is 62%.

Median Amounts

	PD Cases	Private Cases
Median assessed	\$960	\$1,123
Median paid	\$744	\$1,123
Median outstanding	\$216	\$0

Both types of defendants are more likely to have paid off more of their court costs over a 10-year period than the 5-year period reflected by the 2013 data. But more than half of PD clients still owe court costs 10 years later. While the median amount they owe has dropped from \$595 to \$216, it is evident that their situation has not significantly changed.

In total, 2008 private cases have paid 75.12% of their \$53,504,044 in total costs, while 2008 PD cases have paid only 52.31% of their \$64,713,695 in total costs assessed. This debt continues to follow PD clients into at least a second decade.

Costs imposed ¹⁹	\$0-99.99	\$100-199.99	\$200-299.99	\$300-399.99	\$400-499.99	\$500-599.99	\$600-699.99	\$700-799.99	\$800-899.99	\$900-999.99	\$1000-1099.99
PD cases paid in full	74.27%	59.38%	56.37%	44.54%	47.45%	42.40%	37.23%	41.66%	38.07%	39.22%	36.42%
Private cases paid in full	80.83%	76.44%	72.63%	67.21%	62.80%	61.09%	60.79%	63.75%	63.93%	68.40%	67.58%

As with data for other date ranges, the gap between payment rates in private and PD cases rises with the amount owed; fewer than half of PD defendants were able to pay off costs higher than

¹⁹ Note that this group does not include cases in which no costs were assessed.

\$300, even after 10 years. This is additional evidence that even over the span of a decade, indigent defendants do not have the resources to pay significant court costs.

III. Conclusion

As we have found, over 90% of individuals convicted of felonies and misdemeanors are assessed some amount of court costs, yet court costs—and court debt more broadly—remains an understudied aspect of our criminal justice system. Most defendants represented by the PD, who are by definition indigent, are assessed over \$1,000 in court costs alone. Given that the Federal Reserve estimates that 40% of Americans have insufficient savings to cover a \$400 emergency, it is no surprise that defendants struggle to pay court costs that routinely exceed that amount.²⁰

However, the data also shows that defendants can and will pay off smaller amounts of money: nearly 90% of defendants pay off \$100 or less, and 75% pay off \$200 or less. The consequence of higher amounts is that indigent defendants lack the ability to pay it, and it follows them for years or decades. We know from looking at other data from the court system that courts are still trying to collect debt that is decades old. Even in summary cases handled by the magisterial district courts, data we received from a separate AOPC dataset shows that there are outstanding fines and costs dating back to the 1970s in more than 1 million cases. The data analyzed for this report shows that 38% of the costs assessed in 2008 remains unpaid a decade later.

Do courts and the legislature intend for defendants to pay court costs for 5, 10, 20+ years? The answer is likely no: no actor has thought about the burden that these costs impose and the length of time that they will follow defendants. Nor have the courts or legislature considered the burden imposed on judicial resources attempting to collect this money into perpetuity. The better approach is to tailor costs to the defendant's financial ability at sentencing. Particularly for defendants who are represented by the PD, the court should either eliminate the costs altogether or identify the amount of costs that the defendant can reasonably pay in the near future.

As our analysis shows, this tailored approach is unlikely to have any impact on courts' fiscal bottom line. PD clients could have their costs reduced by 50% and courts will still bring in as much money as they have been for the past decade. The consistent experience of lawyers serving low-income clients, including attorneys at the ACLU, is that individuals who balk at large amounts of money that they cannot hope to afford to pay are nevertheless perfectly able and willing to pay down smaller amounts of debt. Thus, reducing court costs from over \$1,000 to \$500 (or less, in individual cases) may actually encourage more defendants to pay, without any risk of a drop in revenue.

In the coming months, as we obtain new data from CPCMS that can address some of the problems with the dataset, as described in the methodology section of this report, we will update

²⁰ Nicole Pesce, "Why 4 in 10 adults can't cover a \$400 emergency expense," MarketWatch (May 22, 2018), available at <https://www.marketwatch.com/story/why-4-in-10-adults-cant-cover-a-400-emergency-expense-2018-05-22>.

and revise the report accordingly. All findings will be posted on www.aclupa.org/finesandcosts/research.

Appendix A: Linear Regression Model

The purpose of the linear regression discussed in the paper is to assess the effect of changes in assessed costs on costs outstanding, and to describe any differences in this effect between public defender cases and cases where the defendant has private representation. Formally, we estimate the following equation by ordinary least squares (OLS):

$$1. \quad C_i = \alpha + \delta P_i + \beta_1 A_i + \beta_2 P_i A_i + e_i$$

Where C_i is the cost outstanding in case i , A_i is the cost assessed in case i , P_i is an indicator for whether case i has a public defender (i.e., $P_i=1$ if the case has a public defender and 0 otherwise), and e_i is a random error term.

The advantage to this construction is it allows for cost assessed to have a different effect depending on whether a case has public or private representation. To see this, note that if the case has private representation, then $P_i=0$, and the equation is reduced to:

$$2. \quad C_i = \alpha + \beta_1 A_i + e_i$$

Here, an increase of cost assessed increases cost outstanding by β_1 . If the case has private representation, then $P_i=1$, and the equation is reduced to:

$$3. \quad C_i = (\alpha + \delta) + (\beta_1 + \beta_2)A_i + e_i$$

Here, an increase of cost assessed increases cost outstanding by $\beta_1 + \beta_2$. By estimating Equation 1, we can get approximations of β_1 and β_2 , and thus reconstruct the effect that cost assessed has on cost outstanding. Note that additional assumptions are required for these approximations to have a causal interpretation. Instead the results presented should be considered evidence of a correlation.

We estimate Equation 1 in two ways. First, our preferred specification, presented in the primary text, adds to Equation 1 variables indicating the county and year in which the case took place. This lessens the possibility that any correlation documented between costs outstanding and costs assessed is the spurious result of other unobserved demographic trends. The results of this estimation are presented in Table A1.

Table A1	
VARIABLES	(1) amountcostsoutstanding
amountcostsassessed	0.281*** (0.0458)
public	66.27 (63.46)

Public*costassess	0.193*** (0.0493)
Constant	-91.45 (61.29)
Observations	1,429,270
R-squared	0.408

Estimation includes county and year fixed effects.
Standard errors clustered at the county level in parentheses.
*** p<0.01, ** p<0.05, * p<0.1

Based on the results of this regression, our estimate for β_1 is 0.281, while our estimate for β_2 is 0.193. This indicates that the estimated effect of an increase of \$1 in the cost assessed is correlated with an increase of \$0.28 in cases with private representation, and with an increase of \$0.47 (0.281+0.193=0.474) in cases with public representation. Multiplying these numbers by 100 to estimate the effect of a \$100 increase in costs assessed yield the numbers reported in the paper.

Our second approach was to estimate Equation 1 directly, without accounting for county and year effects. This specification is potentially less robust, but in this instance the results are remarkably similar, and yield virtually identical interpretations, suggesting that the relationship is not especially sensitive to particular modeling choices. These results are presented in Table A2.

Table A2

VARIABLES	(1) amountcostsoutstanding
amountcostsassessed	0.287*** (0.000564)
public	46.64*** (2.025)
Public*costassess	0.200*** (0.000849)
Constant	118.7*** (1.574)
Observations	1,429,270
R-squared	0.376

Standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Appendix B: Raw Data

There are a negligible number of records (263) for which there is no data for Year or Docket Number. Without the Docket information, county is undefined. These records are excluded from all analysis.

The data regarding Representation Type is inconsistent. 547,894 specify no form of representation at all. Of the remaining 1,791,953, some of the categories appear to be garbage data; we are omitting others (“CYS Attorney,” “Legal Aide” and so on) because they do not appear relevant. There are 1787350 records with relevant Type specified, 6 of which have no Year or Docket Number specified.

Of the remaining 1,787,344 records, 66,197 have docket numbers dated from before 2008. An additional 291,877 records are from Philadelphia between the years 2008 and 2012. Each of these groups is omitted, due to our concern that these records are not comparable to the rest of the data without further information. This leaves 1,429,270 records analyzed.

We considering the following Representation Type categories to constitute the public defender:

- Conflict Counsel
- Court Appointed
- Court Appointed - Co-Counsel
- Court Appointed - Conflicts Counsel
- Court Appointed - Pending
- Court Appointed - Private
- Court Appointed - Public
- Court Appointed - Public Defender
- Court Appointed - Vendor
- Court Appointed/Public Defender
- Public Defender

We consider Representation Type “Private” to be the only category that denotes private counsel.

Analysis of full data set (1,429,270 records):

- 906,952 Public Defender cases
- 522,318 Private Defender cases

- 1,242,062 CP cases
 - 764,332 Public
 - 477,730 Private
- 187,208 MC cases
 - 142,620 Public
 - 44,588 Private

COSTS ANALYSIS

1293641 instances of costs assessed
807398 Public
486243 Private

\$1460.62 average costs assessed / \$1156.68 median
\$1373.91 average for Public / \$1072.44 median
\$1604.60 average for Private / \$1305.50 median

\$753.76 average costs still owed (\$706.86 paid) / \$445.50 median
\$853.99 average for Public (\$519.92 paid) / \$630.99 median
\$587.35 average for Private (\$1017.25 paid) / \$0 median

\$1,889,517,917.42 total costs assessed (\$975,094,840.16 outstanding: 48.39% paid)
\$1,109,292,186.18 total for Public: 58.71% (\$689,509,818.02 outstanding: 37.84% paid)
\$780,225,731.24 total for Private: 41.29% (\$285,585,022.14 outstanding: 64.40% paid)

Analysis of 2013 data set (153360 records):

98713 Public Defender cases
54647 Private Defender cases

129619 CP cases
81247 Public
48372 Private

23741 MC cases
17466 Public
6275 Private

2013 COSTS

153360 instances of costs assessed (95609 outstanding: 62.34%)
98713 Public (70908 outstanding: 71.83%)
54647 Private (24701 outstanding: 45.20%)

\$1450.72 costs assessed / \$1095.05 median
\$1365.48 average for Public / \$1013.23 median
\$1604.72 average for Private / \$1273.50 median

\$723.20 average costs still owed (\$727.52 paid) / \$433.50 median (\$842 where > \$0)
\$817.64 average for Public (\$547.84 paid) / \$595.37 median (\$834 where > \$0)
\$552.60 average for Private (\$1052.12 paid) / \$0 median (\$859.94 where > \$0)

\$222,483,798.36 total costs assessed (110,910,667.79 outstanding: 50.15% paid)
\$134,790,816.67 total for Public: 60.58% (\$80,712,223.74 outstanding: 40.12% paid)

\$87,692,981.69 total for Private: 39.42% (\$30,198,444.05 outstanding: 65.56% paid)

Analysis of 2008 data set (88,606 records):

51,659 Public Defender cases
36,947 Private Defender cases

Note – as explained in the Methodology section, data from this year excludes cases from Philadelphia.

2008 COSTS

85,383 instances of costs assessed (42,128 outstanding: 49.34%)
49,602 Public (29,872 outstanding: 60.22%)
35,781 Private (12,256 outstanding: 34.25%)

\$1334.20 costs assessed / \$1095.05 median
\$1252.71 average for Public / \$960.10 median
\$1448.13 average for Private / \$1123 median

\$498.51 average costs still owed (\$835.69 paid) / \$433.50 median
\$597.38 average for Public (\$655.33 paid) / \$215.99 median
\$360.26 average for Private (\$1087.87 paid) / \$0 median

\$118,217,715.71 total costs assessed (44,170,709.25 outstanding: 62.64% paid)
\$64,713,695.72 total for Public: 54.74% (\$30,860,152.15 outstanding: 52.31% paid)
\$53,504,044.92 total for Private: 45.26% (\$13,310,560.62 outstanding: 75.12% paid)

Appendix C: County Level Cost Data

County	Number of Records			Number of Records (Cost > \$0)		
	Total	Public	Private	Total	Public	Private
Adams	9724	5818	3906	9631	5764	3867
Allegheny	121525	75098	46427	119230	73693	45537
Armstrong	5184	2326	2858	4214	2349	1865
Beaver	21853	14317	7536	21273	13906	7367
Bedford	5595	3674	1921	5455	3581	1874
Berks	42810	29906	12904	42795	29895	12900
Blair	21551	15512	6039	21009	15143	5866
Bradford	7110	4055	3055	6706	3774	2932
Bucks	59816	30034	29782	58258	29067	29191
Butler	17905	12623	5282	17699	12494	5205
Cambria	20152	14856	5296	20139	14852	5287
Cameron	599	458	141	525	408	117
Carbon	6376	4052	2324	5206	3388	1818
Centre	14209	7842	6367	13677	7467	6210
Chester	41116	22212	18904	39704	21348	18356
Clarion	4816	3117	1699	4469	2868	1601
Clearfield	7276	4695	2581	7065	4586	2479
Clinton	4610	3424	1186	4426	3264	1162
Columbia	7182	4761	2421	6382	4167	2215
Crawford	8666	5691	2975	8439	5525	2914
Cumberland	24676	17291	7385	23939	16706	7233
Dauphin	48138	33812	14326	45481	31791	13690
Delaware	71765	37564	34201	70861	37120	33741
Elk	3471	2558	913	3182	2347	835
Erie	26849	17956	8893	25357	16933	8424
Fayette	19367	12505	6862	18348	11920	6428
Forest	534	336	198	488	301	187
Franklin	19989	14808	5181	19417	14389	5028
Fulton	1865	1282	583	1805	1241	564
Greene	3825	2547	1278	3730	2472	1258
Huntingdon	6326	4523	1803	5904	4206	1698
Indiana	9789	6773	3016	9661	6687	2974
Jefferson	3006	1544	1462	2872	1479	1393
Juniata	2107	1471	636	2066	1440	626
Lackawanna	19387	11133	8254	17984	10245	7739
Lancaster	46583	25977	20606	45136	25065	20071
Lawrence	10692	7686	3006	9742	6949	2793
Lebanon	16083	10569	5514	15509	10147	5362
Lehigh	33273	17485	15788	32775	17183	15592

Luzerne	30950	16948	14002	29380	15990	13390
Lycoming	17141	12013	5128	16732	11759	4973
McKean	3276	2199	1077	2997	2009	988
Mercer	11983	7854	4129	10822	6808	4014
Mifflin	6294	4801	1493	6115	4676	1439
Monroe	18930	10759	8171	18144	10243	7901
Montgomery	77829	38868	38961	74661	36787	37874
Montour	1041	712	329	968	662	306
Northampton	19297	10633	8664	18478	10204	8274
Northumberland	9498	6675	2823	9194	6525	2669
Perry	4849	3212	1637	4753	3142	1611
Philadelphia	252527	187115	65412	158407	114847	43560
Pike	5007	2690	2317	4720	2493	2227
Potter	2088	1403	685	1954	1304	650
Schuylkill	18177	13406	4771	17914	13162	4752
Snyder	3496	2020	1476	3365	1939	1426
Somerset	7229	4677	2552	6639	4241	2398
Sullivan	579	331	248	550	310	240
Susquehanna	3453	2007	1446	3364	1954	1410
Tioga	3589	1920	1669	3165	1681	1484
Union	2975	1952	1023	2819	1839	980
Venango	4380	2231	2149	4267	2170	2097
Warren	3983	2976	1007	3782	2836	946
Washington	20555	11461	9094	20125	11262	8863
Wayne	3980	2461	1519	3648	2237	1411
Westmoreland	34291	20215	14076	31614	18540	13074
Wyoming	3811	2294	1517	3657	2198	1459
York	62262	40296	21966	60484	39420	21064

County	Average Cost Assessed (When >\$0)			Average Cost Outstanding (When Assessed >\$0)		
	Total	Public	Private	Total	Public	Private
Adams	\$1,904.90	\$1,925.06	\$1,874.85	\$822.77	\$969.11	\$604.64
Allegheny	\$1,555.75	\$1,480.35	\$1,677.78	\$1,043.11	\$1,097.73	\$954.72
Armstrong	\$936.86	\$892.35	\$992.93	\$521.27	\$573.68	\$455.26
Beaver	\$2,036.56	\$1,926.50	\$2,244.30	\$1,105.19	\$1,216.15	\$895.74
Bedford	\$1,488.27	\$1,470.68	\$1,521.87	\$649.68	\$768.01	\$423.55
Berks	\$1,939.50	\$1,855.06	\$2,135.19	\$1,244.11	\$1,352.00	\$994.09
Blair	\$1,240.65	\$1,218.59	\$1,297.61	\$665.35	\$749.93	\$447.00
Bradford	\$1,658.02	\$1,686.06	\$1,621.93	\$924.37	\$1,171.35	\$606.47
Bucks	\$1,250.16	\$1,283.07	\$1,217.38	\$668.84	\$935.31	\$403.51
Butler	\$1,024.38	\$910.87	\$1,296.87	\$294.62	\$324.76	\$222.26
Cambria	\$1,763.41	\$1,678.44	\$2,002.10	\$737.50	\$851.85	\$416.28
Cameron	\$1,023.60	\$1,020.27	\$1,035.20	\$545.54	\$596.57	\$367.61
Carbon	\$1,324.45	\$1,284.85	\$1,398.26	\$677.95	\$834.43	\$386.36
Centre	\$1,617.17	\$1,483.94	\$1,777.37	\$543.97	\$694.57	\$362.89
Chester	\$1,471.22	\$1,525.89	\$1,407.64	\$608.03	\$855.04	\$320.76
Clarion	\$1,166.68	\$1,162.19	\$1,174.73	\$417.75	\$499.57	\$271.16
Clearfield	\$1,196.99	\$1,074.46	\$1,423.65	\$536.49	\$599.41	\$420.11
Clinton	\$1,735.23	\$1,697.67	\$1,840.73	\$547.26	\$625.99	\$326.10
Columbia	\$842.96	\$838.04	\$852.21	\$366.41	\$456.89	\$196.18
Crawford	\$1,343.28	\$1,297.22	\$1,430.60	\$381.75	\$466.90	\$220.29
Cumberland	\$1,374.69	\$1,258.61	\$1,642.82	\$594.34	\$657.23	\$449.08
Dauphin	\$1,268.07	\$1,156.03	\$1,528.26	\$574.01	\$646.21	\$406.35
Delaware	\$1,874.55	\$1,856.80	\$1,894.07	\$1,254.48	\$1,494.21	\$990.75
Elk	\$1,059.98	\$1,013.41	\$1,190.87	\$419.38	\$485.75	\$232.81
Erie	\$1,391.77	\$1,284.99	\$1,606.43	\$726.41	\$778.74	\$621.23
Fayette	\$1,511.57	\$1,450.51	\$1,624.79	\$996.30	\$1,093.73	\$815.64
Forest	\$1,372.91	\$1,292.82	\$1,501.82	\$590.78	\$670.86	\$461.88
Franklin	\$1,228.67	\$1,193.56	\$1,329.15	\$507.11	\$577.05	\$306.96
Fulton	\$911.38	\$879.33	\$981.90	\$362.47	\$421.70	\$232.14
Greene	\$1,581.99	\$1,484.80	\$1,772.99	\$613.18	\$744.98	\$354.19
Huntingdon	\$1,201.97	\$1,205.07	\$1,194.29	\$472.86	\$593.23	\$174.71
Indiana	\$759.12	\$738.33	\$805.84	\$388.37	\$463.49	\$219.44
Jefferson	\$1,549.56	\$1,573.68	\$1,523.96	\$729.78	\$1,019.68	\$421.98
Juniata	\$1,150.37	\$1,121.76	\$1,216.20	\$395.33	\$433.31	\$307.98
Lackawanna	\$1,603.46	\$1,505.56	\$1,733.06	\$693.93	\$811.54	\$538.23
Lancaster	\$1,994.72	\$1,847.46	\$2,178.61	\$1,062.78	\$1,257.21	\$819.98
Lawrence	\$1,601.90	\$1,557.95	\$1,711.25	\$737.46	\$843.83	\$472.80
Lebanon	\$1,861.62	\$1,701.62	\$2,164.41	\$649.71	\$746.80	\$465.98
Lehigh	\$2,041.87	\$1,937.77	\$2,156.58	\$851.42	\$1,096.04	\$581.83
Luzerne	\$1,087.92	\$1,030.06	\$1,157.01	\$590.23	\$717.74	\$437.96

Lycoming	\$1,395.83	\$1,352.59	\$1,498.08	\$681.99	\$759.25	\$499.30
McKean	\$965.19	\$907.81	\$1,081.86	\$355.02	\$434.89	\$192.62
Mercer	\$970.02	\$882.75	\$1,118.04	\$346.38	\$403.32	\$249.80
Mifflin	\$1,266.75	\$1,208.62	\$1,455.63	\$504.29	\$547.60	\$363.54
Monroe	\$1,038.35	\$994.94	\$1,094.62	\$386.39	\$463.36	\$286.60
Montgomery	\$1,982.01	\$1,831.56	\$2,128.15	\$812.17	\$989.09	\$640.32
Montour	\$1,147.28	\$1,044.63	\$1,369.35	\$358.27	\$418.04	\$228.97
Northampton	\$1,367.79	\$1,233.73	\$1,533.11	\$653.90	\$800.16	\$473.52
Northumberland	\$1,320.71	\$1,244.12	\$1,507.94	\$611.44	\$700.19	\$394.47
Perry	\$938.15	\$900.68	\$1,011.23	\$276.61	\$337.56	\$157.73
Philadelphia	\$1,270.61	\$1,252.17	\$1,319.22	\$479.65	\$506.49	\$408.89
Pike	\$1,555.50	\$1,552.09	\$1,559.31	\$477.92	\$657.44	\$276.97
Potter	\$1,102.54	\$1,062.58	\$1,182.70	\$357.16	\$401.26	\$268.69
Schuylkill	\$1,127.46	\$1,083.42	\$1,249.47	\$575.88	\$646.46	\$380.41
Snyder	\$1,761.39	\$1,789.04	\$1,723.80	\$519.68	\$681.98	\$298.99
Somerset	\$995.52	\$923.19	\$1,123.46	\$355.12	\$428.64	\$225.11
Sullivan	\$953.41	\$816.40	\$1,130.38	\$198.01	\$257.37	\$121.33
Susquehanna	\$1,072.20	\$1,032.70	\$1,126.94	\$404.65	\$513.91	\$253.24
Tioga	\$1,642.87	\$1,577.95	\$1,716.39	\$503.50	\$571.50	\$426.47
Union	\$1,722.60	\$1,642.27	\$1,873.36	\$619.03	\$763.11	\$348.65
Venango	\$1,335.90	\$1,383.46	\$1,286.69	\$557.11	\$654.94	\$455.88
Warren	\$1,913.35	\$1,882.92	\$2,004.57	\$582.54	\$666.98	\$329.39
Washington	\$1,653.69	\$1,592.96	\$1,730.87	\$839.19	\$1,019.00	\$610.72
Wayne	\$1,145.38	\$1,092.05	\$1,229.93	\$347.92	\$415.14	\$241.35
Westmoreland	\$1,466.27	\$1,260.65	\$1,757.87	\$844.79	\$908.16	\$754.92
Wyoming	\$1,332.78	\$1,140.93	\$1,621.79	\$360.20	\$393.10	\$310.64
York	\$1,620.30	\$1,635.65	\$1,591.57	\$816.08	\$945.44	\$573.99

County	Median Cost Assessed (When >\$0)		Median Cost Outstanding (When Assessed >\$0)	
	Public	Private	Public	Private
Adams	\$1,621.99	\$1,649.40	\$672.75	\$0.00
Allegheny	\$1,203.00	\$1,422.28	\$803.70	\$278.82
Armstrong	\$684.00	\$787.00	\$413.00	\$132.00
Beaver	\$1,692.00	\$1,921.50	\$918.83	\$29.00
Bedford	\$1,126.50	\$1,192.58	\$300.00	\$0.00
Berks	\$1,525.10	\$1,756.56	\$1,143.75	\$492.79
Blair	\$1,023.00	\$1,182.25	\$628.50	\$12.24
Bradford	\$1,293.12	\$1,407.02	\$629.00	\$12.40
Bucks	\$1,196.62	\$1,168.46	\$917.76	\$0.00
Butler	\$695.00	\$918.75	\$80.38	\$0.00
Cambria	\$1,445.10	\$2,004.37	\$395.66	\$0.00
Cameron	\$858.53	\$1,172.50	\$504.00	\$0.00
Carbon	\$1,106.81	\$1,233.55	\$721.21	\$0.00
Centre	\$1,207.50	\$1,402.43	\$518.00	\$0.00
Chester	\$1,163.00	\$1,173.00	\$509.63	\$0.00
Clarion	\$1,039.87	\$1,109.65	\$36.63	\$0.00
Clearfield	\$863.00	\$1,289.00	\$440.58	\$0.00
Clinton	\$1,428.99	\$1,586.50	\$0.00	\$0.00
Columbia	\$732.50	\$862.50	\$372.50	\$0.00
Crawford	\$923.48	\$1,217.00	\$45.04	\$0.00
Cumberland	\$1,073.27	\$1,408.15	\$542.65	\$0.00
Dauphin	\$969.55	\$1,315.75	\$445.50	\$0.00
Delaware	\$1,652.00	\$1,649.05	\$1,329.03	\$645.00
Elk	\$844.25	\$1,213.25	\$348.75	\$0.00
Erie	\$996.50	\$1,379.00	\$528.50	\$226.22
Fayette	\$1,339.85	\$1,462.25	\$1,011.50	\$662.97
Forest	\$1,095.79	\$1,327.00	\$465.66	\$0.00
Franklin	\$973.00	\$1,071.75	\$307.00	\$0.00
Fulton	\$771.60	\$890.74	\$264.46	\$0.00
Greene	\$1,216.00	\$1,549.71	\$347.54	\$0.00
Huntingdon	\$1,009.38	\$1,075.75	\$237.18	\$0.00
Indiana	\$607.17	\$730.25	\$303.50	\$0.00
Jefferson	\$1,200.48	\$1,206.00	\$718.75	\$0.00
Juniata	\$921.06	\$1,085.57	\$118.72	\$0.00
Lackawanna	\$1,283.50	\$1,523.50	\$572.00	\$0.00
Lancaster	\$1,320.29	\$1,946.70	\$899.43	\$0.00
Lawrence	\$953.98	\$1,093.00	\$562.00	\$0.00
Lebanon	\$1,488.00	\$1,881.50	\$557.00	\$0.00
Lehigh	\$1,381.20	\$1,703.23	\$851.60	\$0.00
Luzerne	\$852.00	\$1,058.00	\$593.22	\$162.14

Lycoming	\$1,061.75	\$1,214.78	\$594.50	\$0.00
McKean	\$697.75	\$887.75	\$215.41	\$0.00
Mercer	\$725.50	\$1,040.00	\$126.04	\$0.00
Mifflin	\$1,090.00	\$1,306.00	\$380.00	\$0.00
Monroe	\$956.00	\$1,029.50	\$210.00	\$0.00
Montgomery	\$1,390.50	\$1,727.50	\$775.94	\$0.00
Montour	\$916.27	\$1,103.25	\$358.83	\$0.00
Northampton	\$1,069.39	\$1,224.90	\$674.98	\$0.00
Northumberland	\$921.22	\$1,219.50	\$412.00	\$0.00
Perry	\$763.80	\$877.30	\$20.00	\$0.00
Philadelphia	\$536.94	\$610.00	\$328.50	\$0.00
Pike	\$1,243.50	\$1,339.50	\$258.62	\$0.00
Potter	\$805.10	\$950.52	\$54.36	\$0.00
Schuylkill	\$927.01	\$1,061.75	\$495.75	\$38.00
Snyder	\$1,386.14	\$1,446.62	\$461.87	\$0.00
Somerset	\$748.00	\$1,030.50	\$224.50	\$0.00
Sullivan	\$682.00	\$1,076.00	\$15.25	\$0.00
Susquehanna	\$957.50	\$1,053.25	\$348.00	\$0.00
Tioga	\$1,233.50	\$1,438.25	\$237.78	\$0.00
Union	\$1,228.64	\$1,522.25	\$432.00	\$0.00
Venango	\$919.27	\$1,015.22	\$144.88	\$0.00
Warren	\$1,622.75	\$1,862.54	\$145.50	\$0.00
Washington	\$1,454.45	\$1,578.45	\$949.00	\$37.10
Wayne	\$914.50	\$884.50	\$201.50	\$0.00
Westmoreland	\$945.75	\$1,250.33	\$696.80	\$305.63
Wyoming	\$926.75	\$1,447.50	\$53.22	\$0.00
York	\$1,399.00	\$1,374.00	\$776.94	\$0.00