



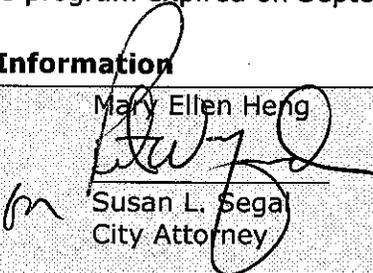
Request for City Council Committee Action from the City Attorney's Office

Date: September 14, 2011
To: Ways & Means/Budget Committee
Subject: Worthless Check Diversion Agreement

Recommendation: That the City Council authorize the Minneapolis City Attorney's Office to enter into a contractual agreement with Check Diversion Program, LLC, to implement a Worthless Check Diversion Program pursuant to the Financial Service Regulatory Relief Act of 2006 and Minnesota Statutes Section 628.69, 609.535 and 604.113.

Previous Directives: Check Diversion Program, LLC has administered the Worthless Check Diversion Program for the City of Minneapolis for the past ten years. The existing contract authorizing this program expired on September 1, 2011.

Department Information

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Approved by:	 Susan L. Segal City Attorney	
Presenters in Committee:	Susan L. Segal, City Attorney	

Reviews

- Permanent Review Committee (PRC): Approval __ Date
- Civil Rights Approval Approval ___ Date _____
- Policy Review Group (PRG): Approval ___ Date _____

Financial Impact:

No financial impact on the City. All fees and costs associated with the program are to be paid by the offender.

Supporting Information:

Pursuant to both federal and state law, a prosecutorial agency may establish a pretrial diversion program for offenders who issue worthless check(s). This program may be conducted by a private entity under contract with the prosecutor. The City of Minneapolis has had such a program in place for the last ten years; however the existing contract expired as of September 1, 2011, effectively ending this program. The proposed agreement intends to continue the Worthless Check Diversion Program on behalf of the City of Minneapolis. The program will be administered by Check Diversion Program, LLC out of Red Wing, Minnesota. This program

provides an alternative to the criminal prosecution of individuals who issue worthless check(s) to citizens, merchants and businesses. In order to participate in the program, the prosecutor must screen each case to determine eligibility. Once determined to be eligible, the offender must voluntarily agree to participate in the program. By enrolling in the program offenders will be diverted from both criminal and civil prosecution provided they comply with all program requirements, which include attending an appropriate educational class, make restitution in full to the victim(s) and paying a service charge as required by law. This contract will be in force for five (5) years.