

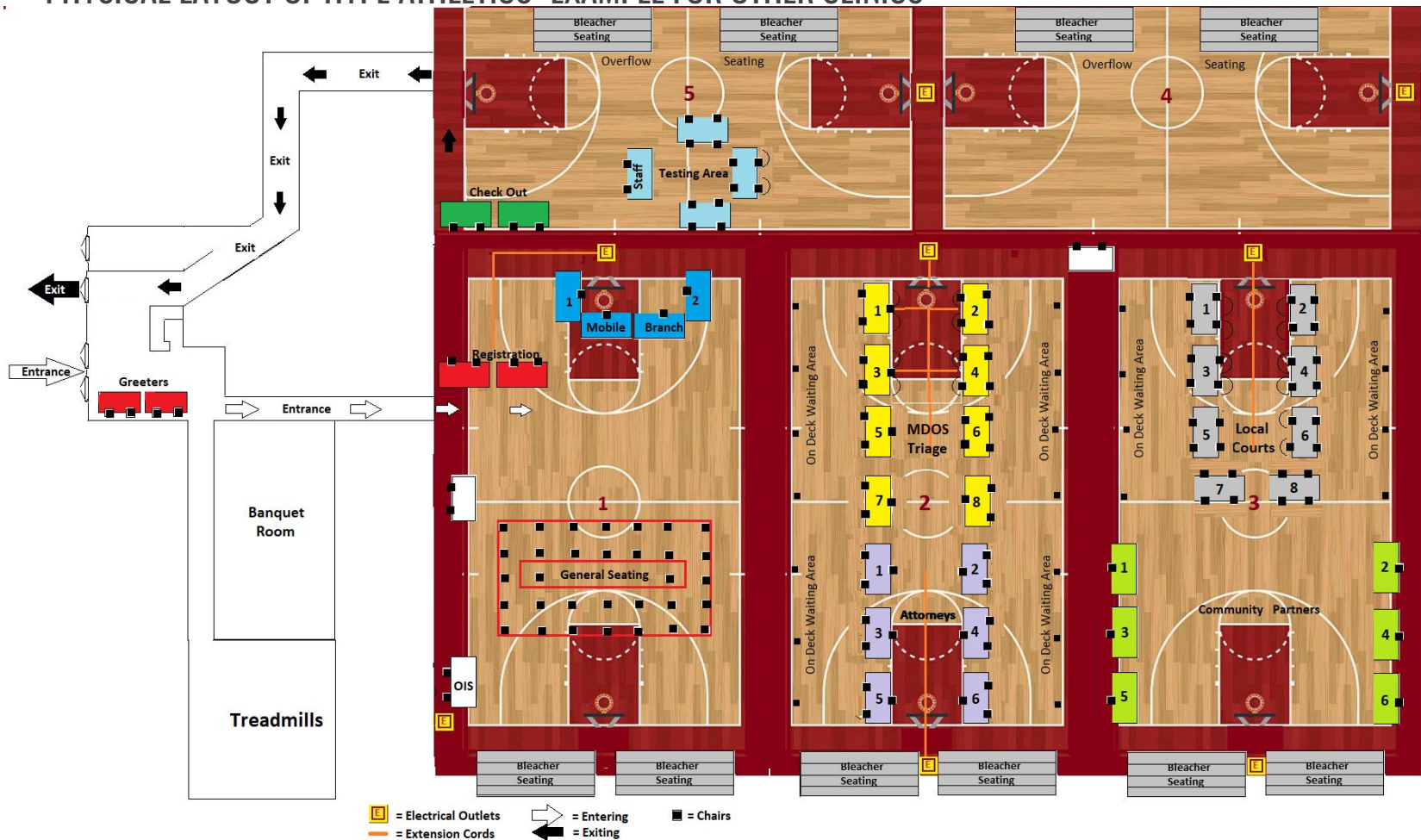
Road to Restoration Clinic Training Part 1

Agenda

— — —

- ❖ Clinic Layout
- ❖ Volunteer Assignments
- ❖ How do the Clinics Help
- ❖ Important Documents
- ❖ Parts of the Michigan Driving Record
- ❖ Definitions of Critical Record Terms
- ❖ Review of Examples
- ❖ Instructions for Completing the Interview

PHYSICAL LAYOUT OF HYPE ATHLETICS- EXAMPLE FOR OTHER CLINICS



Volunteer Assignments

1. Client Consultation - Limited Service Agreement, Clinic Summary Form
2. Case Information - Looking at MICOURTS and/or court's case search and calling specific courts
3. Revocation - discussing Hearing Application, Procedural Requirements, as well as Community Support Letters
4. DJC Surveys - for Non Legal Volunteers

HOW DO THE CLINICS HELP PEOPLE?

— — —

- ★ At the record review clinics, individuals meet with Secretary of State staff and/or an attorney to review their driving record.
- ★ If there are any barriers a person must address before their full driving privileges can be restored, these will be identified.
- ★ Attorney consultation is helpful for those who have open court cases.
- ★ Attorneys contact the courts or review the court's online case search to determine if the person has warrants and/or unpaid fines.
- ★ The clinics help the driver learn of all the barriers as well as instructions on how to get additional information after the clinics.

Important Documents


— — —

- ❖ Limited Service Agreement – (Malpractice Form)
- ❖ Clinic Summary Form
- ❖ Court Suspensions – Certified Michigan Driving Record or free FAC/FCJ sheet.
- ❖ Chart of Courts to Contact
- ❖ Instructions for Going to Court
- ❖ Revocations – Administrative Hearing Packet and Community Support Letter (Day 2 Training)

MISTAKES WERE CATEGORIZED AS FAILURES BEFORE REFORM

- ❖ Two of most common reasons for suspension occurred if someone didn't show up for a required court date (FAC) or didn't pay the judgment on the ticket (FCJ).
- ❖ The license was automatically suspended until all the infractions were resolved and usually paid in full.
- ❖ Most traffic violations were listed as indefinite suspensions until 10-1-21. The new law changed what violations would result in a suspension as well as retroactively terminating suspensions from older infractions.
- ❖ The retroactive removal of suspensions for an Failure to Comply sanction changed people's lives for the better, who had suffered for decades with these sanctions. However, the court cases and balances did not go away.
- ❖ At the clinic, a person may have a suspended, revoked, or restricted license. The path to license restoration varies with each of these.

Sample FAC/FCJ Sheet


STATE OF MICHIGAN
DEPARTMENT OF STATE
LANSING

Open FACs / FCJs / FCPVs

Driver's Name	Driver's Birthdate	Driver's License	Source
[REDACTED]	[REDACTED]	[REDACTED]	Branch Transaction
Previous Name	Previous ID	Time Stamp	
[REDACTED]	P2 [REDACTED]	023 5:10:55 PM	

Your driving privilege is suspended in Michigan because you did not appear in court or comply with a court judgment by the date specified for the following traffic citation(s).


The following traffic citation(s) must be cleared with the corresponding court(s) before your driving privilege can be reinstated. This is not a driving record. If you have other open action on your driving record, clearing the suspension(s) below will not be enough to restore your driving privilege.

Fraser 39th District Court				
Citation Type	Citation Date	Citation #	Suspension Date	Underlying Offense
Failure To Comply	02-15-2016	[REDACTED]	06-22-2016	3100 - No Proof of Insurance

Highland Park 30th District Court				
Citation Type	Citation Date	Citation #	Suspension Date	Underlying Offense
Failure To Comply	01-08-2010	[REDACTED]	05-21-2010	3100 - No Proof of Insurance

MICHIGAN DRIVING RECORD SECTIONS - (1st) HEADER

❖ *Includes Identity information, similar to License or State ID*



DEPARTMENT OF STATE
LANSING

Michigan Driving Record - Certified | W [REDACTED]

03-15-2022 [REDACTED]

Demographics

Full Name	Date of Birth	Sex
[REDACTED]	[REDACTED]	Female
Eye Color	Height	Weight
Brown	[REDACTED]	

Addresses

Residence
[REDACTED]

Previous/AKA DLNs

[REDACTED]

Credential

Original License Issued	Original CDL Issued	GDL Level
02-06-2009		
Credential	License	CDL
Standard	Operator	
Issued	Expire	Cancelled
04-20-2018	[REDACTED]	[REDACTED]
Endorsements		Restrictions
		[REDACTED] S

Issue Type	Real ID
Duplicate	False
Cancel Reason	

MICHIGAN DRIVING RECORD SECTIONS - (2ND) STATUS PAGE

❖ Status

- *“Standings” - whether the license is valid, not valid, suspended, or revoked - Only Non-Commercial driving will be discussed at the clinic*
- *“Active Sanctions” are also listed in this section, if any*

STATUS			
Standings			
Non-Commercial License	:	Suspended	← SHOWS CURRENT STATUS
Non-Commercial License Permit	:	Not Eligible	
State ID	:	Valid	
Commercial License	:	Disqualified	
Commercial License Permit	:	Not Eligible	Sanctions which have impacted this person's privileges
Active Sanctions			
Record ID	Source	Type	Posted
36522170	36522163	Failure to Comply	03-Apr-2020
Description			
Suspension			
Citation: 20C167625B			
Suspended from 06-Apr-2020 through Indefinite			

MICHIGAN DRIVING RECORD SECTIONS - (3RD) DRIVING HISTORY

❖ *Driving History*

➤ *Multiple entries noted by “Record Id”, “Source” and “Type” and Description”*

Michigan Driving Record - Certified

Record ID	Source	Type	Points	Posted
28731020		Failure to Comply		13-Oct-1999

Description

Offense Code: 9402 - Failure to Comply with Judgment
ACD Code: D53 - Failed to pay fine and costs
Underlying Offense Code: 2000 - Speeding
Underlying ACD Code: S92 - Speeding with Detail
Violation Date: 17-Jun-1999
Court: Allen Park 24th District Court
Citation: 99CA30132

These three record entries all relate to the same incident because they all have the same citation number

Record ID	Source	Type	Points	Posted
28731134	28731020	Failure to Comply		13-Oct-1999

Description

Suspension

Citation: 99CA30132
Suspended from 13-Oct-1999 through 28-Mar-2000

Record ID	Source	Type	Points	Posted
28731093	28731134	FAC / FCJ Termination		28-Mar-2000

Description

Termination Date: 28-Mar-2000
Citation: 99CA30132

MICHIGAN DRIVING RECORD - DRIVING HISTORY

❖ *Sample of a record entries impacted by the new law*

Record ID	Source	Type	Points	Posted
36522161		Failure to Comply		05-Mar-2020
Description	Offense Code: 9402 - Failure to Comply with Judgment ACD Code: D53 - Failed to pay fine and costs Underlying Offense Code: 3400 - Equip Viol - Defective/ Missing Underlying ACD Code: N/A Violation Date: 02-Jan-2020 Court: Oak Park 45B District Court Citation: 20OP00022B		These two record entries have the same citation number. The suspension was terminated on 10-1-21 under the new law.	

Record ID	Source	Type	Points	Posted
36522169	36522161	Failure to Comply		05-Mar-2020
Description				
Suspension				
Citation: 20OP00022B Suspended from 06-Mar-2020 through 01-Oct-2021				

Record ID	Source	Type	Points	Posted
227114488	36522174	FAC / FCJ Termination		14-Nov-2021
Description				
Termination Date: 01-Oct-2021 Citation: 20OP00022A		This related entry appears at the end of the record.		

A DRIVER'S HISTORY TELLS A STORY

— — —

STATUS

1. VALID
2. INVALID
3. CANCELLED
4. RESTRICTED
5. SUSPENDED - Most common
6. REVOKED - Second Most Common

COURT BASED SUSPENSION - SHOW ON SCREEN

— — —



STATE OF MICHIGAN
DEPARTMENT OF STATE
LANSING

Open FACs / FCJs

Driver's Name	Driver's Birthdate	Driver's License	Source Driver Report
Previous Name None	Previous ID None	Time Stamp 4-7-2022 12:38:33 PM	

Your driving privilege is suspended in Michigan because you did not appear in court or comply with a court judgment by the date specified for the following traffic citation(s).

The following traffic citation(s) must be cleared with the corresponding court(s) before your driving privilege can be reinstated. This is not a driving record. If you have other open action on your driving record, clearing the suspension(s) below will not be enough to restore your driving privilege.

Dearborn 19th District Court

Citation Type	Citation Date	Citation #	Suspension Date	Underlying Offense
Failure To Comply	01-01-2020		03-11-2020	3100 - No Proof of Insurance
Failure To Comply	10-09-2019	19	12-18-2019	3100 - No Proof of Insurance

Dearborn Heights 20th District Court

Citation Type	Citation Date	Citation #	Suspension Date	Underlying Offense
Failure To Comply	04-01-2017	17	08-25-2017	3100 - No Proof of Insurance

Instructions

- ❖ **Getting information** – A script to contact the court will be available to hand out. If the attorney has time, they can contact the court to get more information.
- ❖ **Warrant** – They need instructions from the court on how to set aside the warrant.
 - If a court sets a cash bond amount, usually the court requires the bond to be paid to set aside the warrant, referred to as posting a bond. After the warrant is set aside, the court will give them a hearing notice for the date they need to appear in court.
 - If a person cannot afford to pay bond, ask the court clerk if there are walk-in days to get arraigned on the warrant. Some judges will set a personal bond for someone who walks in, which means no cash is required at first. However, a person should be prepared to have some cash for a bond if they go to the walk-in arraignment in person.
- ❖ **Note** – Warrants are usually only issued for criminal traffic violations, typically a misdemeanor. Civil infractions will generally not have a warrant.

Court Script

— — —

1. I would like to find out what traffic ticket fines and fees, if any, I have owing in your court.
 - a. Do I have any open cases?
 - b. Do I have any warrants? Do I have to pay a bond? If so, how much?
 - c. Are there any walk-in days to be arraigned on the warrant?
2. If there are fines and fees, ask the court how you can make the payments – and if the court allows payment plans.
3. If there are open cases, ask how can I get a court date? And/or what I must do to resolve the cases?
4. Ask If I can have a lawyer from the court and how I get one. [Note: You may not need a lawyer if you only owe money, but you may want to talk to a lawyer if you have a warrant].

Completing the Interview - Instructions

— — —

Each person will leave the clinic with:

1. A copy of their Certified Michigan Driving Record or, a copy of their FAC/FCJ sheet
2. Chart with court phone numbers
3. Instructions for contacting the court unless they are visiting the court at the clinic
4. List of fines and fees that they may owe.
5. If we find out that they have a warrant, we will instruct them on that court's policy regarding how to address the warrant.

Chart for Our Sample Record

- ❖ The chart provides contact information for the court and case numbers.

Record Page(s)	<small>Scale document down</small> District Court (City and Number)	Court Phone Number	Ticket Date	Case # or Citation #	Civil or Criminal	Suspended? - Y/N
p 5	Allen Park - 24th District Court	313-928-0535	2/2/20	20C167625	Civil	N
p 6	Allen Park - 24th District Court	313-928-0535	2/2/20	20C167625B	Civil	Y
p 4	Oak Park - 45th District Court	248-691-7440	1/2/20	20OP00022A	Civil	N
p 5	Oak Park - 45th District Court	248-691-7440	1/2/20	20OP00022A	Civil	N

Dos and Don'ts for Advice

— — —

☐ DO

- ☐ Tell them that they can ask to speak to an attorney if they have questions.
- ☐ Tell them that they should let the court know that they do not have the money and need an alternative, like community service or lower fines and fees.
- ☐ Tell them to stay in contact with the court about their cases.
- ☐ Tell them to try to resolve older cases first or the court that has the most cases.

☐ DON'T

- ☐ Tell them how to plead. It's okay to educate them to ask for help at the court so that a case won't hurt their driving record.
- ☐ Tell them that these are the only warrants. We only know what we can learn from the driving record. We do not know their entire legal history.

Special Situations -Questions to ask in the interview

- ❖ If the person's driving privileges are suspended or not valid, ask if they have ever had a Michigan driver's license.
 - If yes, then addressing the suspensions should clear their path to getting full driving privileges.
 - [APP DENIAL] If no, ask one of the Department of State staff whether they can apply for a license once their suspensions are cleared. If a person has never had a license, they will be denied a licence if they had 2 or more moving violations within the last 3 years.
- ❖ Ask if the person's driving privileges are expired. They can renew their license if it has been expired for less than 4 years. If it has been more than 4 years, they will need to reapply for their license.

Special Situations -Questions to ask in the interview

— — —

- ❖ How many points are on the record within the last two years? Points stay on the driving record for 2 years. If a person accumulates 12 or more points in 2 years, then their driving privileges can be sanctioned up to and including being revoked.
- ❖ This should only be discussed confidentially with the attorney.
 - Do you have any other pending tickets that are new and don't appear on your driving record?
 - Do you know what the tickets or violations were for?
 - If yes, then the attorney can look up the violations in the Offense Code Index and let them know if the violations have points and whether there is a risk of suspending or revoking their license.
 - They should address all pending cases as soon as possible. If they go to court, sometimes a city attorney will reduce the violation to a lesser charge so they are not adversely impacted on their driving record.

Sanctions on the Driving Record

❖ MANDATORY ACTIONS

- The Department of State must suspend driving privileges by law for certain criminal convictions. Many of these suspensions have a time limit. See pages 4-7 of the Basic Overview document for additional types of suspensions.

❖ ADDITIONAL ACTIONS

- The Department of State will extend the time that a suspension of revocation is in effect if a person is reported to have a moving violation while their license was suspended or revoked. This delays the time that a person can apply for driving privileges. MCL 257.904(10), (11)
- For example, if a person has their license suspended for one year, their license will be suspended for another year if they have another moving violation while their license is suspended. (10)
- If a person has an indefinite suspension, another moving violation will suspend their license for an additional 30 days. (11)

Sanctions on the Driving Record - Examples

Record ID	Source	Type	Points	Posted
12497655	12497644	Mandatory Action		24-Sep-2014

Description

Suspension Followed By Restricted License

Suspended from 10-Oct-2014 through 11:59 PM of 08-Nov-2014

Restricted from 09-Nov-2014 through 11:59 PM of 07-Apr-2015 and until requirements have been met

Requirement(s): Standard Reinstatement Fee

May drive to and from residence, place of and during employment, treatment and support group meetings, regularly scheduled treatment for serious medical conditions, probation, community service, and school, must carry proof of destinations and hours

Shall not drive a vehicle requiring a commercial driver's license

Record ID	Source	Type	Points	Posted
12497651	12497645	Mandatory Action (Revocation)		20-Nov-2014

Description

2 or more substance abuse convictions in 7 years

Revoked from 06-Dec-2014 and until requirements have been met

Requirement(s): OHAO Approval - eligible to appeal on 06-Dec-2015, Standard Reinstatement Fee

Sanctions on the Driving Record - Examples

Record ID	Source	Type	Points	Posted
28731186	28731059	Additional Action		31-May-2002

Description

Suspension
Suspended from 16-Jun-2002 through 11:59 PM of 16-Jul-2002
Not Valid from 17-Jul-2002 and until requirements have been met
Requirement(s): Standard Reinstatement Fee

Record ID	Source	Type	Points	Posted
28731153	28731060	Additional Action		19-Jul-2002

Description

Suspension
Suspended from 04-Aug-2002 through 11:59 PM of 03-Sep-2002
Not Valid from 04-Sep-2002 and until requirements have been met
Requirement(s): Standard Reinstatement Fee

Record ID	Source	Type	Points	Posted
28731185	28731061	Additional Action		09-Aug-2002

Description

Suspension
Suspended from 25-Aug-2002 through 11:59 PM of 24-Sep-2002
Not Valid from 25-Sep-2002 and until requirements have been met
Requirement(s): Standard Reinstatement Fee

Thank You !!

Road to Restoration Clinic

Record Review Example - Suspended License

— — —

Start on the “Status” page

STATUS

Standings

Non-Commercial License	: Suspended	★ This driver has a suspended license. The new law did not remove all of the old FAC or FCJ suspensions.
Non-Commercial License Permit	: Not Eligible	
State ID	: Valid	
Commercial License	: Disqualified	For a list of suspensions that were terminated, we can look at the end of the document, on page 6.
Commercial License Permit	: Not Eligible	

Active Sanctions

Record ID	★ Source	Type	Posted
36522170	36522163	Failure to Comply	03-Apr-2020
Description			
Suspension			
Citation: 20C167625B			
Suspended from 06-Apr-2020 through Indefinite			

Note: You can also look for matching citation number

Record Review - Match the Source or Citation Numbers

Record ID Source Type Points Posted

36522163 Failure to Comply 03-Apr-2020

Description

Offense Code: 9402 - Failure to Comply with Judgment
ACD Code: D53 - Failed to pay fine and costs
Underlying Offense Code: 3100 - No Proof of Insurance
Underlying ACD Code: B64 - Failed to file insurance
Violation Date: 02-Feb-2020
Court: Allen Park 24th District Court
Citation: 20C167625B

Record ID Source Type Points Posted

36522170 36522163 Failure to Comply 03-Apr-2020

Description

Suspension
Citation: 20C167625B
Suspended from 06-Apr-2020 through Indefinite

On page 6, we find two entries that match the Source number of the active sanction. We also find a match for the Citation number. Next, we look up the Underlying Offense Code, 3100.

Record Review - Identifying the court and case number

— — —

Record ID	Source	Type	Points	Posted
36522163		Failure to Comply		03-Apr-2020

Description

Offense Code: 9402 - Failure to Comply with Judgment
ACD Code: D53 - Failed to pay fine and costs
Underlying Offense Code: 3100 - No Proof of Insurance
Underlying ACD Code: B64 - Failed to file insurance
Violation Date: 02-Feb-2020
Court: Allen Park 24th District Court
Citation: 20C167625B

Record ID	Source	Type	Points	Posted
36522170	36522163	Failure to Comply		03-Apr-2020

Description

Suspension
Citation: 20C167625B
Suspended from 06-Apr-2020 through Indefinite

On page 6 again, we see the this person did not pay the fines and costs to the 24th District Court in Allen Park for Case No. 20C167625B. On the chart, list the court's phone and case number. Since the person has not paid the fines and costs, the suspension will not be terminated until these are paid in full.

Record Review - Identifying other cases to be addressed

Record ID	Source	Type	Points	Posted
227114477	36522169	FAC / FCJ Termination	This suspension was terminated, but the court may still be owed money.	14-Nov-2021
Description				
Termination Date: 01-Oct-2021				
Citation: 20OP00022B				

Record ID	Source	Type	Points	Posted
227114488	36522174	FAC / FCJ Termination	This suspension was terminated, but the court may still be owed money.	14-Nov-2021
Description				
Termination Date: 01-Oct-2021				
Citation: 20OP00022A				

Record ID	Source	Type	Points	Posted
227114497	36522173	FAC / FCJ Termination	This suspension was terminated, but the court may still be owed money.	14-Nov-2021
Description				
Termination Date: 01-Oct-2021				
Citation: 20C167625				

On page 6 again, we see the this person has a similar case number where the suspension has been terminated. Coincidentally, this was for a case in the same court that had the suspension. Let's look at page 5.

End of Record

Record Review - Identifying other cases to be addressed

Record ID	Source	Type	Points	Posted
36522162		Failure to Comply		03-Apr-2020

Description

Offense Code: 9402 - Failure to Comply with Judgment
ACD Code: D53 - Failed to pay fine and costs
Underlying Offense Code: 3500 - Registration and/ or Plate Violation
Underlying ACD Code: N/A
Violation Date: 02-Feb-2020
Court: Allen Park 24th District Court
Citation: **20C167625**

Record ID	Source	Type	Points	Posted
36522173	36522162	Failure to Comply		03-Apr-2020

Description

Suspension
Citation: **20C167625**
Suspended from 06-Apr-2020 through 01-Oct-2021

**This suspension was terminated,
but this person may still owe
money to the court.**

On page 5 again, we see that the Violation Date, Citation Number (Case), and Court are the same as the case that was suspended. So, this person will need to address this case as well. In some cases, they can ask that the court credit the payments first to the suspended case, and then, pay off this case, which has no suspension.