

**Trial Court Revenue
Distribution Training
January 2022**



BETTY T. YEE
California State Controller

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Introduction


Trial Court Revenue Distribution Guidelines

- Henry Mathews, Policy Analyst, Local Government Policy Unit

Common Audit Findings

- Chris Ryan, Audit Manager

If you have any questions related to trial court revenue distribution, please email LocalGovPolicy@sco.ca.gov.




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Overview of SCO Guidance

- Key Legislative Updates to *Trial Court Revenue Distribution Guidelines*, to be published in Revision 32
- Listserv Notifications
- SCO Court Revenue Audits



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SCO Trial Court Website

The Trial Court Revenue Distribution Guidelines can be found at:
https://sco.ca.gov/ard_trialcourt_manual_guidelines.html



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SCO Trial Court Website, cont.

The Trial Court Revenue Distribution Guidelines can be found at:
https://sco.ca.gov/ard_trialcourt_manual_guidelines.html

On the Trial Court Website you will also find:

- Urgency Legislation, training materials, FAQs, and other useful resources.
- Link to Revenue Distribution Training Website which contains:
 - Training materials, FAQs, and Judicial Council Distribution Worksheets.
 - Schedules, worksheets, and guides.
 - Presentations, PDFs, and other resources related to Revenue Distribution Training Programs for previous years.

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TC Guidelines - Overview

Trial Court Guidelines:

- ❖ Provide direction on the distribution of fines, fees, forfeitures, penalties, and assessments.
- ❖ Updated at least once a year.
- ❖ Required by California code.
- ❖ Consist of nine distribution tables.
 - Each table is preceded by a narrative, as well as any special rules or background that may apply.
 - Narratives provide guidance on questions.

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TC Guidelines – Overview, cont.

Changes to Trial Court Guidelines

- ❖ Majority of changes to the Guidelines happen through the annual legislation process.
- ❖ After each legislation cycle we add the codes that were added or amended or repealed.
- ❖ At the beginning of every year a new Revision is published.
- ❖ A Summary of Changes to the Guidelines is also published at the beginning of every year.

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Updates due to Legislation

The codes on the following slides have been added or amended in 2021, and most will become effective January 1, 2022.

It must be noted that a few of the items on the list have later effective dates as well.

All of these will be included in the forthcoming Revision 32 of the *Trial Court Revenue Distribution Guidelines*.

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Updates due to Legislation, cont.

Added, Amended Or Removed	Code Section	Description
Removed	PC 1463.07	\$10 citation processing fee is repealed as of September 23, 2021. (AB-177)
Removed	PC 1463.07	\$25 administrative screening fee is repealed as of September 23, 2021. (AB-177)
Amended	GC 77205	PC 1463.07 is repealed as of September 23, 2021. (AB-177)
Removed	VC 40508.5	\$15 per willful violation of the written promise to appear or a lawfully granted continuance of the promise to appear in court or before a person authorized to receive a deposit of bail repealed as of January 1, 2022. (AB-177)
Removed	PC 1203.1c	Cost of incarceration not to exceed the amount determined by the Board of Supervisors repealed as of January 1, 2022. (AB-177)
Amended	GC 76000.10	Effective October 4, 2021, the \$4 EMAT Penalty is reinstated for Vehicle Code violations, and may be imposed until December 31, 2022. Collection and distribution continues until December 31, 2023. Also updated the entry by removing details that have become obsolete. (AB-1104)
Removed	PC 1001.15	Fee to cover actual costs of enrolling in diversion program for defendants accused of felony or misdemeanor not to exceed \$500 or \$300 respectively is repealed as of January 1, 2022. (AB-177)
Removed	PC 1203.1ab	The reasonable fee for substance abuse testing for persons over the age of 21 is removed as of January 1, 2022. (AB-177)
Removed	PC 1203.4a	The \$60 petition filing fee for the dismissal of a charge is removed as of January 1, 2022. (AB-177)

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Updates due to Legislation, cont.

Added, Amended Or Removed	Code Section	Description
Removed	PC 1001.16	Admin fee not to exceed \$300 to cover enrollment in diversion program repealed as of January 1, 2022. (AB-177)
Amended	PC 2085.5(a)(b)	Administrative fee not to exceed 10% of the amount collected to cover actual administrative costs of collection, retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors from moneys collected repealed as of January 1, 2022. (PC 2085.5(a)(b)(e)(f)(g)) (AB-177)
Amended	PC 2085.5(c)	Administrative fee not to exceed 10% of the amount collected to cover actual administrative costs of collection, retained by the Department of Corrections and Rehabilitation from wages and trust account deposits repealed as of January 1, 2022. (PC 2085.5(c)(e)(o)) (AB-177)
Amended	PC 2085.5(a)	Administrative fee not to exceed 10% of the amount collected to cover actual administrative costs of collection retained by the agency designated by the county board of supervisors from wages and trust account deposits repealed as of January 1, 2022. (PC 2085.5(d)(f)(o)) (AB-177)
Amended	PC 2085.5(g)	Administrative fee not to exceed 10% of the amount collected to cover actual administrative costs of collection, retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors from moneys collected repealed as of January 1, 2022. (PC 2085.5(g)(i)(o)) (AB-177)
Amended	PC 2085.5(h)	Administrative fee not to exceed 10% of the amount collected to cover actual administrative costs of collection, retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors from moneys collected repealed as of January 1, 2022. (PC 2085.5(h)(i)(o)) (AB-177)
Amended	PC 2085.6(a)	The admin fee not to exceed 10% of the amount collected imposed by the county board of supervisors to cover actual administrative cost for collecting the restitution fine repealed as of January 1, 2022. (PC 2085.6(a)(d)(i)) (AB-177)
Amended	PC 2085.6(b)	The admin fee not to exceed 10% of the amount collected imposed by the county board of supervisors to cover actual administrative cost for collecting the restitution fine repealed as of January 1, 2022. (PC 2085.6(b)(d)(i)) (AB-177)

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Updates due to Legislation, cont.

Added, Amended Or Removed	Code Section	Description
Amended	PC 2085.7(a)	The admin fee not to exceed 10% of the amount collected imposed by the county board of supervisors to cover actual administrative cost for collecting the restitution fine repealed as of January 1, 2022. (PC 2085.7(a)(d)(i)) (AB-177)
Amended	PC 2085.7(b)	The admin fee not to exceed 10% of the amount collected imposed by the county board of supervisors to cover actual administrative cost for collecting the restitution order repealed as of January 1, 2022. (PC 2085.7(b)(d)(i)) (AB-177)
Amended	PC 1001.90(g)	The 10% maximum administrative fee which may be authorized by the Board of Supervisors repealed as of January 1, 2022. (AB-177)
Removed	PC 1202.4(i)	The 10% maximum administrative fee which may be authorized by the Board of Supervisors repealed as of January 1, 2022. The reference in the introductory part of the Guidelines is also removed. (AB-177)
Removed	PC 1203.1(i)	The 15% maximum administrative fee which may be authorized by the Board of Supervisors repealed as of January 1, 2022. The reference in the introductory part is also removed. (AB-177)

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Updates due to Legislation, cont.

Added, Amended Or Removed	Code Section	Description
Removed	PC 1205(e)	The reference in the introductory material referencing administrative fees and fees for collecting installment payments removed. (AB-177)
Removed	PC 1205(e)(g)	The admin fee of no more than \$30 for processing accounts receivable and the admin fee for processing installment accounts are removed as of January 1, 2022. (AB-177)
Removed	PC 1214.5	Interest of 10% per year on the unpaid balance of the restitution fee is repealed as of January 1, 2022. (AB-177)
Amended	GC 70658	Effective July 16, 2021, Immediate and Critical Needs Account is abolished and State Court Facilities Construction Fund established pursuant to GC 70371(a)(b) with all distributions being redirected to the latter. \$205 to be distributed to State Court Facilities Construction Fund and the remaining as per GC 68085.3. (AB-143)
Amended	GC 70617(e)	Effective July 16, 2021, \$250 of the \$500 application fee to appear as counsel pro hac vice is distributed to the State Court Facilities Construction Fund, instead of the Immediate and Critical Needs Account. (AB-143)
Amended	B&P 6322.1	Effective July 16, 2021, the Immediate and Critical Needs Account is abolished and State Court Facilities Construction Fund established pursuant to GC 70371(a)(b) with all distributions being redirected to the latter. (AB-143)
Amended	GC 68085.3	Effective July 16, 2021, the Immediate and Critical Needs Account is abolished and State Court Facilities Construction Fund established pursuant to GC 70371(a)(b) with all distributions being redirected to the latter. (AB-143)

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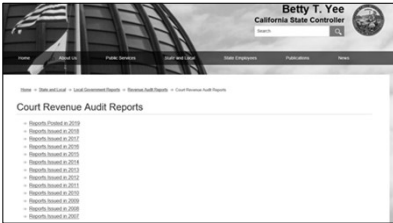
Questions?

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SCO Court Revenue Audits

Court Revenue Audit Reports can be found at:
http://www.sco.ca.gov/aud_court_revenues.html



The screenshot shows the website header for Betty T. Yee, California State Controller. Below the header, there is a search bar and a navigation menu. The main content area is titled "Court Revenue Audit Reports" and contains a list of links for each year from 2010 to 2020.

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Court Revenue Audits Status of Audits

- Final reports issued: 8
- Reports in process: 5
- Audits in progress: 11
- Next in queue:

<input type="radio"/> Yolo County	<input type="radio"/> Santa Barbara County
<input type="radio"/> Mendocino County	<input type="radio"/> Glenn County
<input type="radio"/> Sierra County	<input type="radio"/> Del Norte County

Information as of December 14, 2021

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**Court Revenue Audits
Common Findings**

- Errors in calculation of the 50% excess of qualified revenues
- Incorrect judge-ordered total fine distributions (top down)
- Incorrect priority of installment payments
- Unremitted parking surcharges and penalties

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**SCO Distribution
Contact Information**

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Evaluation

Please provide feedback on this presentation.
Complete the evaluation available here:

<https://www.surveymonkey.com/r/Winter2022RevDistTraining-6>



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