# Revenue Distribution Breakout Session "Hands On"

#### Basic Review

#### Presented by:

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#### **Instruction Goals and Expectations**

- Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.
- Using distribution worksheets attendees will on a hands-on basis:
  - Work through actual case studies of basic distributions.
  - Change information on the cases (priors, different base fines, etc.) to see their effect on the distributions.



# BASIC CONCEPTS AND TERMS

1926

# Standard Criminal/Traffic Fine Equation

Base Fine + Base Fine Enhancements

**Total Base Fine** 

+

State and Local Penalties

=

**Initial Penalty** 

+

Surcharge, Fees, and Assessments

=

**Total Bail or Fine** 



#### **Base Fine or Base Bail**

- The amount from which the additional penalties and surcharge required by PC 1465.7 are calculated.
- Total bail shall not exceed statutory limits and minimum statutory amounts must be imposed.
- The 'fine' amount of the total bail shall not exceed the limitations specified by statute.

UB&PS Section IV, pg. vii



#### **Base Fine Enhancements**

- Enhancement for Prior VC Convictions UBPS section VII, pg. viii
  - \$10 is added to the base fine for each "prior" conviction within 36 months of the new offense. Both the current and "prior" offense must be a moving violation where a "point" was assigned per VC 12810 or 12810.2. The \$10 prior enhancements are assessed for each prior violation on a single count (assessed only once per case). Prior enhancements do not apply to traffic school cases. (Distinguished from VC 40508.6)
- HS 11372.5 Criminal Lab Fee Trial Court Revenue Distribution Guidelines (Guidelines)
  - Base fine enhancement of \$50 for each violation of the HS code under subdivision (b).
- HS 11372.7 County Drug Program Fee Guidelines
  - Base fine enhancement of up to \$150 for each violation of the HS codes
     11350 through 11392 except HS 11357(b).



#### 2% State Court Automation

- GC 68090.8 2% State Court Automation Guidelines
  - Transferred from all fines, penalties, and forfeitures (not on surcharges or fees) collected in criminal cases.
  - So, referring to our equation, 2% applies to the:
    - Base fine
    - Base fine enhancement
    - State and local penalties



## State Surcharge

- PC 1465.7 20% State Surcharge Guidelines
  - 20% state surcharge is calculated on total base fines.
  - The state surcharge is NOT calculated on State and local penalties (PC 1464, GC 70372, and GC 76000.)
  - The GC 68090.8 2% state court automation is NOT applicable to the state surcharge.



#### **State and Local Penalties**

- These penalties are calculated using the "Per 10, or part of 10" factor from a ROUNDED UP base fine.
- State and Local Penalties UB&PS Section III A, pg. iii
  - PC 1464 State penalty = \$10 per 10
  - GC 76104.6 County DNA Identification Fund penalty = \$1 per 10
  - GC 76104.7 state DNA Identification Fund additional penalty = \$4 per 10
  - GC 70372(a) state court facilities construction penalty = \$5 per 10
  - GC 76000(a) county penalty per board of supervisors resolution = \$7 per
     10
  - GC 76000.5 emergency medical services (EMS) additional penalty per board of supervisors resolution = \$2 per 10



#### **Board of Supervisors Resolution**

- Is there a list of assessments requiring a BOS resolution?
- If I do not have one, should I assess?
- How to obtain a BOS Resolution



#### **State and Local Penalties**

- PC 1464 State Penalty Guidelines
  - A penalty of \$10 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed - 70% goes to the State and 30% goes to the County.
- GC 76000 (a) & (e) County Penalties Guidelines
  - A penalty of \$7 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed (board of supervisors).
  - Board resolution specifies distribution to the following local funds: GC 76100 Courthouse Construction Fund; GC 76101 Criminal Justice Facilities Fund; GC 76102 Auto Fingerprint ID Fund; GC 76103 Forensic Lab Fund; GC 76104 EMS Fund; GC 76104.5 DNA ID Fund; and/or GC 76105 Special Purpose Fund.
  - If responsibility for facilities transferred to State and NO bonded indebtedness remains, the additional penalty follows GC 76000 (e).



#### **Transfer/ No Bonded Indebtedness**

- Bonded Indebtedness this is a debt that is secured by an issued bond with the monies received to be used to pay for Court Facilities.
  - What Does this mean?
- If the responsibility for one or more facilities has not transferred to the state, the revenues collected in the County's Courthouse Construction Funds will shift proportionally based on the square footage of the space that the County has transferred to the State.
  - For Example: if 75% of the County's Court Facility space transfers to the state and the revenues is not tied to bonded indebtedness on any of the Court Facilities, then 75% of the local courthouse construction fund would also transfer to the state.
- When this occurs this affects the how funds are collected under the GC 76000 (a) or GC 76000 (e).

Additional Information can be found under GC 70375.



#### **Additional Penalties**

- GC 76104.6 DNA Identification Penalty Guidelines
  - Additional penalty of \$1 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses.
  - County transfers 25% to State each quarter.
- GC 76104.7 DNA Identification Penalty Guidelines
  - Additional penalty of \$4 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses (for violations after June 27, 2012.)
  - County to transfer 100% to State.



#### **Additional Penalties**

- GC 70372 (a) State Court Facilities Construction Penalty Guidelines
  - Additional penalty of \$5 per 10 (or part of \$10) upon every fine, penalty, or forfeiture imposed.
  - Distributed to the State ICNA and State CFCF
- GC 76000.5 Emergency Medical Services (EMS)
   Guidelines
  - Additional penalty assessment of \$2 per 10 (or part of \$10) of the base fine (board of supervisors resolution).
  - Distributed to the County Maddy EMS Fund



#### **Additional Penalties**

GC 76000.10(c)(1) \$4 EMAT Penalty

UBPS Section III F, pg.iv and Guidelines

- A \$4 penalty for emergency medical air transportation services (EMAT) is imposed for every VC conviction, or a local ordinance adopted under the VC, committed on or after January 1, 2011.
- Distributed to the State EMAT Fund



#### Fees and Assessments

- PC 1465.8 Court Operations Assessment
  - (Formerly known as the Court Security Fee) Guidelines
  - \$40 assessed on every conviction for a criminal offense, including a traffic offense, except parking offenses as defined in subdivision (i) of Section 1463.
  - "Conviction" includes the confidential conviction of a traffic violation on the condition that the defendant attend a court-ordered traffic violator school.
  - 100% distribution to State TCTF.
- GC 70373 Criminal Conviction Assessment Guidelines
  - \$30 assessed for each <u>felony/misdemeanor</u> conviction, or
  - \$35 assessed for each <u>infraction</u> conviction (including confidential conviction for completion of traffic school.)
  - 100% distribution to State ICNA.



#### **Fees and Assessments**

- VC 42006 -Night Court Special Assessment Guidelines
  - Vehicle Code or local ordinance adopted where the court conducts night or weekend court sessions for traffic offenses.
  - Court may levy a \$1 special assessment per fine, forfeiture, and traffic violator school fee imposed.
  - When facilities have transferred w/o bonded indebtedness, the \$1 special assessment goes to the State.
  - Non-parking violations



## Distribution Spreadsheets

Disclaimer: All spreadsheets have been updated to reflect what we believe are the statutes in effect as of TODAY. Thus, they are subject to change based on laws that are effective subsequent to today's training. These spreadsheets are used for testing and review and not configuration work.

Be sure the fines, penalties, and fees reflect the statutes in effect for the period reviewed.

# Components of the Distribution Spreadsheet

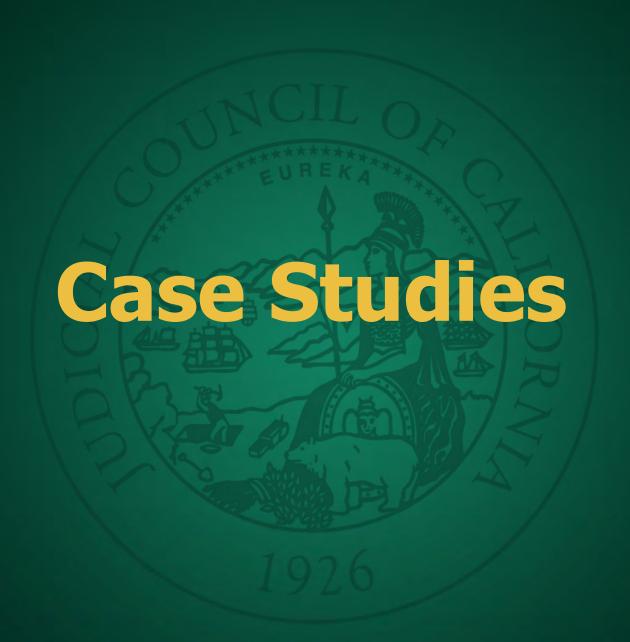
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#### **Reference Materials**

In general, there are resources you may find useful:

- Statutes
- Uniform Bail and Penalty Schedule (UB&PS)
- State Controller's Office Trial Court Revenue Distribution Guidelines (Guidelines)
- Spreadsheets



#### Items needed to test a distribution

- Gather information about the citation
  - Violation and conviction dates
  - Local penalties, fines, assessments, etc.
- 2. Review statutes
- 3. Refer to Guidelines and FAQs
- 4. Refer to the UB&PS
- Call/email for assistance only after going through 1-4 (since we will go through these same steps!)



### Preparing for the calculations

Gather information (from the case management system/case file) including:

- Codes violated
- Violation date and conviction date
- Prior violations
- Base fine and enhancements for total base fine (how much was assessed)
- Arresting agency county, city, CHP,
- Disposition on each count (conviction, dismissed, traffic school)



## Case Study #1

Speeding 1 to 15 MPH over 55 MPH Limit

VC 22349(b) Infraction

Basic distribution template

# Information for Speeding Case Example #1

#### **Court Case Information:**

- Violation Date = 1/10/2017
- Disposition Date = 3/24/2017
- Arresting Agency = City Police Department
  - % Split between County and City (Refer to PC 1463.002)
- Violation = VC 22349 (b) 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail Forfeiture
- Prior VC Conviction = 0



#### **Information for Speeding Case #1**

#### **Local BOS Penalties:**

- LCCF = \$2
- LCJF = \$2
- $\mathsf{EMS} = \$1$
- DNA = \$1
- Auto Fingerprint = \$1
- Additional EMS = \$2

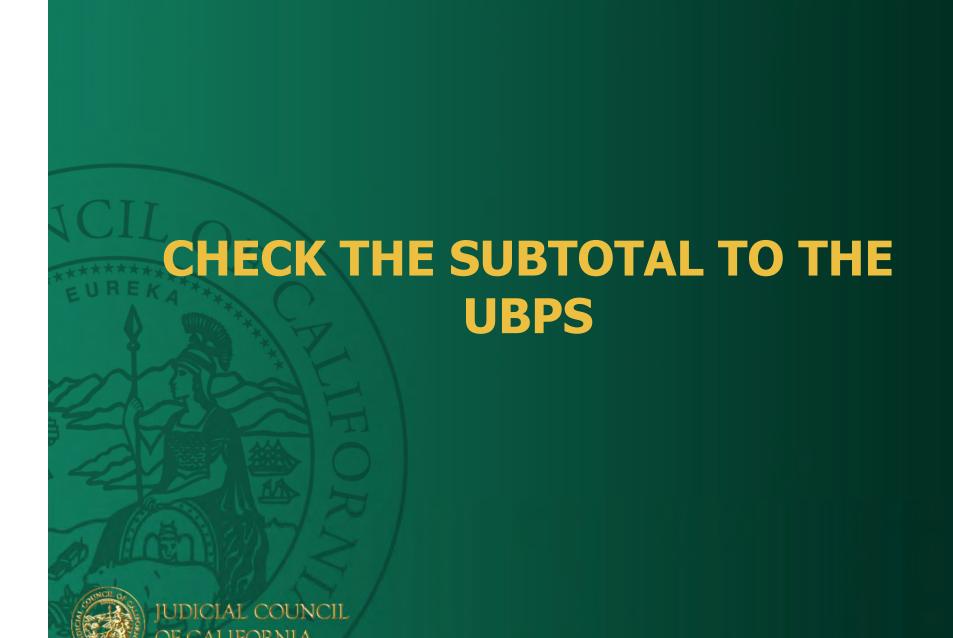
#### **Court Fees:**

- DMV Administrative Fee = \$10
- Night Court Fee = \$1



To ISSUE SUMMARY		9 - Spee	ling Bail	Forf	eiture -	e - As of: <sup>'</sup> Janua										
CASE INFORMATION								TEST STEP	ST STEPS (color codes):							
Case Number	0	COUNT 1				BASE FINE	1. Enter Case Information									
Violation Date		Violation Description	VC22349	9(a)		Priors	0	2. Enter the	2. Enter the base fine of violation per currrent UBS							
Disposition Date		Violation Type	Traffic Infraction			Enhanced BASE	0	3. Enter co	3. Enter county local penalties, add'l EMS, SCFCF ICNA							
Arresting Agency		Disposition	Bail Forfeiture					4. Enter standard and Court-specific fees								
County %	0%	CQUNT 2 (if any)				BASE FINE	0	5. If case's t	otal f	ine is NOT s	tandard, ente	r total f	ine and select			
City %	100%	Violation Description	1			Priors		TOP-DOWN	l fron	n drop-dow	n list					
TOTAL Enhanced Base	\$0.00	Violation Type				Enhanced BASE	0	6. Enter Court's distribution codes & amts								
Portion of 10	0	Disposition	1			GC 76000	7	7. Tickmark any FINDINGS numerically then detail below								
If CITY ARREST, Enter  2% Per	County % under PC 1463.  DISTRIBUTION	002 list. Else, enter 100.  DISTRIB ENTITY	STAND Standard- Per UBS	2%	BASE-UP FINAL (After 2%)	COURT DISTRI DISTRIB CODE or DESCRIPTION	BUTION DISTRIB AMT	IAS TO Prorate % After Fixed Amts #DIV/0!	2%	FINAL	VARIANCE Over/ (Under) BASE-UP	FINDINGS	COMMENTS			

Y - Def	10	Distr	WIDOTION*		ENTITY	Per UBS	Amt	(After 2%)	DESCRIPTION	AMT	After Fixed Amts		(After 2%)	Over/	NING	COMMENTS
N								Α		В	#DIV/0!		С	(Under) BASE-UP (B-A)	FINDIN	
Υ	Z #	PC 1463.001 - Base County			COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	[ B B	PC 1463.002 - Base City			CITY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	7	PC 1464 - State PA - State p	ortion (70%	)	STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	3	PC 1464 - State PA - County	portion (30	%)	COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	1	GC 76104.6 - DNA PA (1/10)			COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ		GC 76104.7 - DNA Addl PA (	4/10 eff 6-27	7-12; prev 3/10)	STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	0.00	GC 76100 - LCCF			COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	0.00	GC 76101 - LCJF	ERROR! GC	76000 PA total is not	COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	0.00	GC 76104 - EMS		ck Court's board	COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	0.00	GC 76104.5 - DNA ID	r	esolution.	COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ		GC 76102 - Auto			COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	0.00	GC 76000.5 - EMS AddI PA (	BOS: 2/10)		COUNTY	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
Υ	_	GC 76000.10(c) - EMAT Pena	7.11		STATE	4.00	0.08	3.92			0.00		0.00	(3.92)		
Υ	_	GC 70372(a): ICNA (=LCCF o				0.00	0.00	0.00			0.00		0.00	0.00		
Υ	3.00	GC 70372(a): SCFCF (=5/10 -	- ICNA)	\$5 for every 10	STATE	0.00	0.00	0.00			0.00		0.00	0.00		
N	┞	PC 1465.7 - 20% Surcharge			STATE	0.00	0.00	0.00			0.00		0.00	0.00		
	┞			SUBTOTAL		4.00		3.92		0.00	0.00		0.00	(3.92)		
N	₩	PC 1465.8 - Court Ops Assm			STATE	0.00	0.00	0.00			0.00		0.00	0.00		
N	₩	GC 70373 - Crim Conv Assm			STATE	0.00	0.00	0.00			0.00			0.00		
N	₩	VC 40508.6 - Priors/DMV Ac			COURT	0.00	0.00	0.00			0.00		0.00	0.00		
N		PC 1205(e) - Install Fee (Ad \$30) OR	OR AR Fee (up to	COURT		0.00	0.00			0.00	0.00	0.00	0.00			
		VC 40510.5(g) - Install Fee	(up to \$35)	(DISCRETIONARY)												
N		VC 42006 - Night Court Ass	mnt (\$1)		STATE	0.00	0.00	0.00			0.00	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Auto forfeitures	mation (for	fines, penalties &	STATE			0.08					0.00	(0.08)		
	_						0.08					0.00				
1				TOTAL FINE		* * * *		* * * *	TOT.:	2.22	2.22		2.22	(* 00)		



ase Numbe iolation Dat isposition D rresting Ag	Date gency Co County % 25 City % 75	oronado Police 5%	COUNT 1 Violation De Viola	ecription						TEST STEP						
Arresting Ag	Date gency Co County % 25 City % 75		Violation De	ecrintion				BASE FINE	35	1. Enter Ca	se Inf	ormation				
OTAL Enhar	County % 25 City % 75		Viola	- scription	VC2234	9(a)		Priors					ation per currrent U	BS		
OTAL Enhan	County % 25 City % 75			tion Type	Traffic In	fraction	on	Enhanced BASE	35				es, add'l EMS, SCFCF			
OTAL Enhar	City % 75	5%	Di	isposition	Bail Forf	eiture	:			4. Enter st	andar	and Court	-specific fees			
OTAL Enhar	City % 75		COUNT 2 (if any)					BASE FINE	0	5. If case's total fine is NOT standard, enter total fine and select						
	nced Base	5%	Violation De	escription				Priors		TOP-DOWN from drop-down list						
	-							Enhanced BASE	0	6. Enter Co	ourt's	distribution	codes & amts			
ortion of 10	0	-	_	tion Type				GC 76000	7	7. Tickmarl	k any F	INDINGS nu	merically then detai	l below		
IF CITY ARR	REST, Enter Co	ounty % under PC 1463.	002 list. Else, enter 1	100.	STANI	DARD	BASE-UP	COURT DISTRI	BUTION		OP-D(		·			
2% Per		DISTRIBUTION		DISTRIB	Standard-	2%	FINAL	DISTRIB CODE or	DISTRIB	Prorate %	2%	FINAL	VARIANCE %	COMMENTS		
Y - 10 Def	0				Per UBS	Amt	(After 2%)	DESCRIPTION	AMT	After Fixed Amts	Amt	(After 2%)	VARIANCE Over/ (Under)  BASE-UP	COMMENTS		
N							Α		В	0.00%		С	BASE-UP (B-A)			
— F > —	1463.001 - Bas			COUNTY	8.75	0.18	8.58			0.00	0.00	0.00	(8.58)			
	1463.002 - Bas	•		CITY	26.25	0.53	25.73			0.00	0.00	0.00	(25.73)			
$\overline{}$		A - State portion (70%	•	STATE	28.00	0.56	27.44			0.00	0.00	0.00	(27.44)			
		A - County portion (30	%)	COUNTY	12.00	0.24	11.76			0.00		0.00	(11.76)			
	76104.6 - DNA			COUNTY	4.00	0.08	3.92			0.00		0.00	(3.92)			
		A AddI PA (4/10 eff 6-2)	7-12; prev 3/10)	STATE	16.00	0.32	15.68			0.00		0.00	(15.68)			
_	76100 - LCCF			COUNTY	8.00	0.16	7.84			0.00		0.00	(7.84)			
	76101 - LCJF		PA (\$7 for every 10)	COUNTY	8.00	0.16	7.84			0.00		0.00	(7.84)			
	76104 - EMS		n per local board of or resolution (BOS).	COUNTY	4.00	0.08	3.92			0.00		0.00	(3.92)			
	76104.5 - DNA	A ID superviso	ir resolution (BOS).	COUNTY	4.00	0.08	3.92			0.00		0.00	(3.92)			
_	76102 - Auto	2 A 4 4 1 DA (DOC: 2/10)		COUNTY	4.00	0.08	3.92			0.00		0.00	(3.92)			
		S Addi PA (BOS: 2/10) EMAT Penalty (\$4 eff 1	1 11)	COUNTY	8.00 4.00	0.16	7.84 3.92			0.00		0.00	(7.84)			
		A (=LCCF on 1/1/1998)			8.00	0.08	7.84			0.00		0.00	(7.84)			
_		CF (=5/10 - ICNA)	\$5 for every 10	STATE	12.00	0.10	11.76			0.00		0.00	(11.76)			
$\overline{}$	1465.7 - 20% S			STATE	7.00	0.00	7.00			0.00		0.00	(7.00)			
1 10	2.03.7 2070 0	e. charge	SUBTOTAL	SIMIL	162.00	0.00	158.90		0.00	0.00	0.00	0.00	(158.90)			
N PC 1	1465.8 - Court	Ops Assmnt (\$40 eff 1		STATE	40.00	0.00	40.00		2.20	0.00	0.00	0.00	(40.00)			
		Conv Assmnt (\$30 for r		STATE	35.00	0.00	35.00			0.00		0.00	(35.00)			
		rs/DMV Admin Fee (u		COURT		0.00	0.00				0.00	0.00	0.00			
N PC 1 \$30	1205(e) - Insta 0) <b>OR</b>	all Fee (Actual Costs)	OR AR Fee (up to	COURT		0.00					0.00	0.00	0.00			
		Court Assmnt (\$1)		STATE	1.00	0.00	1.00			0.00	0.00	0.00	(1.00)			
N GC		State Automation (for					3.10					0.00	(3.10)			
•				•	238.00	3.10	238.00	TOTAL	0.00		0.00	0.00	(238.00)	•		

### Case No. 1 Scenario 2

- Add one prior
- What happens to the base fine and the distribution?



#### **Prior Convictions**

The base fine for one Vehicle Code moving violation that is assessed "points" on a current arrest or citation shall be enhanced by \$10 for each "prior" conviction within 36 months of the alleged violation. Both the current and "prior" offense must be a moving violation for which a "point" has been assigned per Vehicle Code section 12810 or 12810.2. A confidential conviction after completion of traffic school is not assigned a point or counted as a prior offense for purposes of enhancing the fine of a subsequent offense. Regardless of the number of moving violation convictions on a citation, only one "prior" per citation shall be counted in determining the enhancement on the current offense.

Uniform Bail and Penalty Schedule (2017), pg. viii



## Moving violations

#### TRAFFIC INFRACTION FIXED PENALTY SCHEDULE (\*See Preface, Section III) (\*See Preface, Section IV) (Vehic le Code)

	Section	-	Offense Z	Base Fine /Fee	State DA*	County PA*/10		DNA PA*	Court PA* /II	urchæge*	EMS PA*/10	AAT PA.	Fine Surcharge & PA	our Ops	ony Assess	Night Court	TAP Fee	"Total Bail" **	Category MV Points
			49 Willful Interference With Traffic Device or Willful Use, Possession, or						1.26	10		ű	Subtotal	U	ő	Ž		3.555	<u> </u>
21464	(e)		Distribution of Traffic Interference Device That Does Not Result in Injury	500	500	350,00	250		258	100	100	4	2,054.00	40	35	1	0.00	2,130.00	4a D
21465			Placement of Unauthorized Traffic Devices Prohibited	35	40	28.00	20		20	7	8	4	162.00	40	35	1	0.00	238.00	Za 0
21466			Unlawful Display of Light Prohibited	25	30	21.00	15		15	5	6	4	121.00	40	35	1	0.00	197.00	1a 0
21466.5			Light Imparing Driver's Vision Prohibited	25	30	21.00	15		15	5	6	4	121.00	40	35	1	0.00	197.00	la 0
21650			Failure to Keep to Right Side of Road	35	40	28:00	20		20	7	8	4	162.00	40	35	1	0.00	238.00	2a 1
21650.1			Bicycle to Travel in Same Direction as Vehicles	25	30	21.00	15		15	5	6	4	121.00	40	35	1	0.00	197.00	la II
21651	(a)		Driving Across Dividing Section on Freeway Prohibited	35	40	28 00	20		20	7	8.	4	162.00	40	35	1	0.00	238,00	2a 1
21652			Improperly Entering or Leaving Highway or Service Road	35	40	28.00	20		20	7	8	4	162 00	40	35	1	0.00	238.00	2a )
21654	(a)		Slow-Moving Vehi des Keep to Right Edge of Roadway	35	40	28.00	20		.20	7	8	4	162 00	40	35	1	0.00	238.00	2a 1
21.655	(b)		Failure to Use Designated Lanes	35	40	28.00	20		20	7	8	4	162.00	40	35	1	0.00	238.00	2a 1
21655 1	(a)	A	50 Driving in Restricted Use Designated Public Transit Bus Lane	35	40	28.00	20		20	7	8	4	162.00	40	35	1	0.00	238.00	2a 0
21655.5	(b)		51 Improper Use of Preferential Lanes	100	100	70,00	50		50	20	20	4	414.00	40	35	1	0.00	490.00	4a 0
21655.8	(a)		51 Driving Over Double Lines of Preferential Lanes	100	100	70.00	50		50	20.	20	4	414.00	48	35	1	0.00	490.00	4a 1
21655.9	(b)		53 Driving Low Emission Vehicle Without Required Decal or Label	35	40	28.00	20		20	7	8	4	162.00	40	35	1	0.00	238.00	2a 0
21656			Failure of Vehicle to Turn Out As Required	35	40	28.00	20		20	7	8	4	162.00	40	35	1	0.00	238.00	2a 1
21657			Driving Against One-Way Traffic Patterns	35	40	28.00	20		20	7	8.	4	162.00	40	35	1	0.00	238.00	2a 1
21658	(a,b)		Lane Straddling/Pailure to Use Specified Lanes	35	40	28.00	20		.20	7	8	4	162.00	40	35	1	0.00	238,00	2a 1
21659	2.00		Unsafe Driving on Three-Lane Highway	35	40	28.00	20		20	7	8	4	162.00	40	35	1	0.00	238:00	22 1



То	ISSU	JE SUMMARY			9 .	- Speed	ing Bai							As of:	January 2014				
CASE	INF	ORMATION							TEST STEPS (color codes):										
Case Number 0 COUNT 1										BASE FINE	35	1. Enter Case Information							
Violation Date Violation Des						scription	n VC22349(a)			Priors	1	2. Enter the base fine of violation per currrent UBS							
Disposition Date Violatio						tion Type	ype Traffic Infraction			Enhanced BASE	45	3. Enter county local penalties, add'l EMS, SCFCF ICNA							
Arresting Agency Coronado Police Disp						sposition	<b>Bail Forf</b>	eiture	•			4. Enter standard and Court-specific fees							
County % 25% CQUNT 2 (if any)										BASE FINE	0	5. If case's total fine is NOT standard, enter total fine and select							
City % 75% Violation Desc					scription	n			Priors		TOP-DOWN from drop-down list								
TOTAL	L Enl	hanced Base	\$45	.00	Violat	tion Type	Туре			Enhanced BASE	0	6. Enter Court's distribution codes & amts							
Portio	n of	f <b>1</b> 0	5		) Di	sposition				GC 76000	7	7. Tickmar	k any I	FINDINGS nu	merically then	detail	below		
If CIT	Y A	RREST, Enter	County % und	ler PC 1463.0	002 list. Else, enter 1	00.													
	_						STANI	DARD	BASE-UP	COURT DISTRI	IBUTION	IAS T	OP-D	OWN					
2% P			DISTR	RIBUTION		DISTRIB	Standard-	2%	FINAL	DISTRIB CODE or	DISTRIB	Prorate %	2%	FINAL	VARIANCE	GS	COMMENTS		
Y - Def	lo					ENTITY	Per UBS	Amt	(After 2%)	DESCRIPTION	AMT	After Fixed Amts	Amt	(After 2%)	Over/	FINDINGS			
N												AiliG			(Under)	Z			
							Α		В	0.00%		С	BASE-UP (B-A)	-					
Ϋ́	ш Р	PC 1463.001 - E	Base County			COUNTY	11.25	0.23	11.03			0.00	0.00	0.00	(11.03)				
Y	8 H	PC 1463.002 - Base City					33.75	0.68	33.08			0.00		0.00	(33.08)				
Υ	7 F	PC 1464 - State	e PA - State p	STATE	35.00	0.70	34.30			0.00	0.00	0.00	(34.30)						
Υ	3 F						15.00	0.30	14.70			0.00	0.00	0.00	(14.70)				
Υ	1 (	GC 76104.6 - D	NA PA (1/10)		COUNTY	5.00	0.10	4.90			0.00	0.00	0.00	(4.90)					
Υ	4 (	GC 76104.7 - D	NA AddI PA (	NA AddI PA (4/10 eff 6-27-12; prev 3/10)				0.40	19.60			0.00	0.00	0.00	(19.60)				
Y 2.		GC 76100 - LCC				COUNTY	10.00	0.20	9.80			0.00	0.00	0.00	(9.80)				
Y 2.		GC 76101 - LCJI		GC 76000	PA (\$7 for every 10)	COUNTY	10.00	0.20	9.80			0.00	0.00	0.00	(9.80)				
		GC 76104 - EM			n per local board of	COUNTY	5.00	0.10	4.90			0.00	0.00	0.00	(4.90)				
	_	GC 76104.5 - D		superviso	r resolution (BOS).	COUNTY	5.00	0.10	4.90			0.00	0.00	0.00	(4.90)				
		GC 76102 - Aut				COUNTY	5.00	0.10	4.90			0.00		0.00	(4.90)				
	_	GC 76000.5 - EI			4.44)	COUNTY	10.00	0.20	9.80			0.00		0.00	(9.80)				
Y 2	_	GC 76000.10(c)				STATE	4.00 10.00	0.08	3.92 9.80			0.00	_	0.00	(3.92)				
_	_	GC 70372(a): N			\$5 for every 10	STATE	15.00	0.30	14.70			0.00	_	0.00	(14.70)				
N S.	-	PC 1465.7 - 209		icitaj		STATE	9.00	0.00	9.00			0.00		0.00	(9.00)				
<del>"</del>	┪	0 1 103.7 207	o our criaige		SUBTOTAL	017112	203.00	0.00	199.12		0.00	0.00	_	0.00	(199.12)				
N	F	PC 1465.8 - Cou	urt Ops Assm	nt (\$40 eff 1		STATE	40.00	0.00	40.00			0.00		0.00	(40.00)				
N	-	GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)					35.00		35.00			0.00	_	0.00	(35.00)				
N	١	/C 40508.6 - Pr	riors/DMV Ad	lmin Fee (u	o to \$10)	COURT	10.00	0.00	10.00			0.00	0.00	0.00	(10.00)				
N	F	PC 1205(e) - In	COURT		0.00	0.00			0.00	0.00	0.00	0.00		<u> </u>					
	- 1	30) <b>OR</b>																	
$\sqcup$	VC 40510.5(g) - Install Fee (up to \$35) (DISCRETIONARY)																		
N	11.7					STATE	1.00	0.00				0.00	0.00	0.00	(1.00)				
N GC 68090.8 - 2% State Automation (for fines, penalties &					STATE			3.88					0.00	(3.88)					
	ſ	orfeitures																	
	3.88 380.00 380.00										0.00		0.00	0.00	Inna nat				
TOTAL FINE 289.00 289.00 TOT											0.00			0.00	(289.00)				

## Case No. 1 Scenario 3

Payment Plan Options

- Installment payments
  - PC 1205(e)— actual costs
  - VC 40510.5(g)—\$35 fee
- Accounts Receivable
  - PC1205(e)— \$30



### Case No. 1 Scenario 4

- What if the judicial officer simply orders the defendant to pay \$200?
- What do you do?
- What happens to the distribution?



# **Top-Down Distribution Speeding Spreadsheet**

ASSUMPTION:
Standard total fine is \$289 but the judge ordered a fine of \$200

**WATCH OUT FOR:** What distribution components are and are not prorated.



### **Top-Down Distribution**

Prorate "soft" distribution components ONLY



To ISSUE SUMMARY 9 - Speeding Bail Forfeiture - As of: January 2014																		
CA:	SE IN	IFORMATION	l							TEST STEPS (color codes):								
Cas	Case Number 0 COUNT 1									BASE FINE	35	1. Enter Case Information						
Vio	Violation Date Violation Des				scription	VC2234	9(a)		Priors	1	2. Enter the base fine of violation per currrent UBS							
Disposition Date Viola				Violat	ion Type	Traffic Ir	nfracti	on	Enhanced BASE	45	3. Enter county local penalties, add'l EMS, SCFCF ICNA							
Arr	estin	g Agency	Coronado Polic	:e	Di	sposition	<b>Bail Forf</b>	eiture				4. Enter standard and Court-specific fees						
		County %	25%		CQUNT 2 (if any)					BASE FINE	0	5. If case's total fine is NOT standard, enter total fine and select						
		City %	75%	Violation De			escription			Priors		TOP-DOWN from drop-down list						
TOT	AL E	nhanced Base	\$45.00		Violat				Enhanced BASE	0	6. Enter Court's distribution codes & amts							
Por	tion	of 10	5		$\overline{}$	Disposition				GC 76000	7				merically ther	detail	below	
[IC 6	SITU	ADDECT F-1	C	00 4400 0											•			
	JII T	MHHESI, ENTER	County % under F	PC 1463.0	02 list. Else, enter 1	UU.	STANI	DARD	BASE-UP	COURT DISTRI	IBUTION	IAS T	OP-D	OWN				
2%	Per		DISTRIBU	JTION		DISTRIB	Standard	2%	FINAL	DISTRIB CODE or	DISTRIB	Prorate %	2%	FINAL	VARIANCE	Sis	COMMENTS	
γ.	10					ENTITY	Per UBS	Amt	(After 2%)	DESCRIPTION	AMT	After Fixed	Amt		Over/	FINDINGS		
Def												Amts			(Under)	₫		
N	N								Α		В	55.28%		c	BASE-UP	Ē		
											, u	00.207		,	(B-A)			
Υ	AT BE	PC 1463.001 - E		COUNTY	11.25	0.23	11.03			6.22	0.12	6.09	(11.03)					
Υ	6.9	PC 1463.002 - E	Base City		CITY	33.75	0.68	33.08			18.66	0.37	18.28	(33.08)				
Υ	7		464 - State PA - State portion (70%)					0.70	34.30			19.35	0.39	18.96	(34.30)			
Υ	3	PC 1464 - State	COUNTY	15.00	0.30	14.70			8.29	0.17	8.13	(14.70)						
Υ	1		76104.6 - DNA PA (1/10)				5.00	0.10	4.90			2.76	0.06	2.71	(4.90)			
Υ	4		NA AddI PA (4/10	STATE	20.00	0.40	19.60			11.06	0.22	10.83	(19.60)					
Υ	2.00	GC 76100 - LCC				COUNTY	10.00	0.20	9.80			5.53	0.11	5.42	(9.80)			
Υ	2.00	GC 76101 - LCJ	GC 76000 PA (\$7 for every 10)		11	COUNTY	10.00	0.20	9.80			5.53	0.11	5.42	(9.80)			
Υ	1.00	GC 76104 - EM	AS breakdown per local board of			COUNTY	5.00	0.10	4.90			2.76	0.06	2.71	(4.90)			
Υ	1.00	GC 76104.5 - D	TEA IS	superviso		COUNTY	5.00	0.10	4.90			2.76	0.06	2.71	(4.90)			
Υ	1.00	GC 76102 - Aut				COUNTY	5.00	0.10	4.90			2.76	0.06	2.71	(4.90)			
Υ	2.00		MS AddI PA (BOS			COUNTY	10.00	0.20	9.80			5.53	0.11	5.42	(9.80)			
Υ			- EMAT Penalty			STATE	4.00	0.08	3.92			4.00	0.08	3.92	(3.92)			
Y	_					STATE	10.00	0.20	9.80			5.53	0.11	5.42	(9.80)			
Y	3.00		CFCF (=5/10 - ICN	VA)		STATE	15.00	0.30	14.70			8.29	0.17	8.13	(14.70)			
N						STATE	9.00	0.00	9.00			4.97	0.00	4.97	(9.00)			
	SUBTOTAL						203.00	0.00	199.12		0.00	114.00	0.00	111.82	(199.12)			
N	_		urt Ops Assmnt (		,	STATE STATE	40.00	0.00	40.00			40.00	0.00	40.00	(40.00)	$\vdash$		
N	_						35.00					35.00	_		(35.00)	$\vdash$		
N	, , , , , ,				COURT	10.00					10.00			(10.00)	$\vdash$			
N	N PC 1205(e) - Install Fee (Actual Costs) OR AR Fee (up to \$30) OR VC 40510.5(g) - Install Fee (up to \$35) (DISCRETIONARY)							0.00	0.00			0.00	0.00	0.00	0.00			
N		VC 42006 - Nig	ht Court Assmnt	(\$1)	-	STATE	1.00	0.00	1.00			1.00	0.00	1.00	(1.00)			
N		_	fines, penalties &	STATE			3.88					2.18	(3.88)					

### **BASIC RULES**

#### Tops Down vs. Bottoms Up Assessments

PC 1463.004: If a sentencing judge specifies only the total fine or forfeiture, or if an automated case-processing system requires it, percentage calculations may be employed to establish the components of total fines or forfeitures, provided that the aggregate monthly distributions resulting from the calculations are the same as would be produced by strict observance of the statutory distributions.

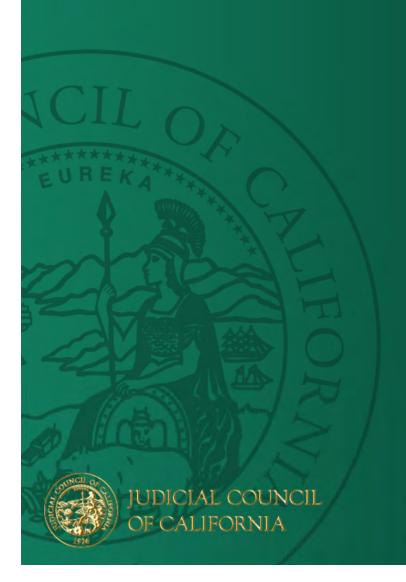


### **Top-Down Distribution**

- This special distribution applies for judge-ordered total fines that do not follow the standard total bail in the UB&PS or the countywide penalty schedule.
- These total fines are typically less than the standard total bail.
- There is no stated or agreed-upon method for performing the Top-Down distribution, so the following are examples of two methods.



# Break



# Case Study No. 2

#### **Court Case Information:**

- Violation Date: 9/12/2016
- Disposition Date: 1/5/2017
- Arresting Agency= County Arrest
- Violation = VC 23152 (a, b) Driving under the influence of alcohol
- Violation Type= Misdemeanor
- Disposition = Bail Forfeiture



# Case Study No. 2

#### **Local BOS Penalties:**

- LCCF = \$2
- LCJF = \$2
- EMS = \$1
- DNA = \$1
- Auto Fingerprint = \$1
- Additional EMS = \$2

#### **Court and Local Fees:**

- PC 1463.14(b) = DUI Lab Test Penalty (BOS: up to \$50)
- PC 1463.25 = Alcohol Edu Penalty (up to \$50)
- VC 23649(a) = Co Alcohol & Drug Problem Assessment (up to \$100)



# Case Study No. 2

- Additional State Restitution Fines and Local Fees
  - PC 1202.4(b) State Restitution Fine
    - Misdemeanors minimum of \$150
    - Felonies minimum of \$300
  - PC 1202.4(i) County Collection Fee (BOS: up to 10% of the Restitution Fine)
  - GC29550.2 Booking Fee
  - Night Court Fee = \$1



Т	o IS SUE	SUMMARY			1	- Driving U	Jnder Ir	nfluence -		As January							
				CA	SE INFORM	MATION				TEST STEPS (color codes):							
Case Number 0 COUNT 1 Violation Cod									BASE FINE	390	1. Enter Case Information						
Violation Date				escription	VC23152 (a	a,b) DUI		Priors		2. Enter the base fine of violation per currrent UBS							
Disposition Date				ation Type Misdemeanor				Enhanced BASE	390	3. Enter o	ounty	y local pe	nalties, add'l EM	S, SCFCF ICNA			
Arr		g Agency	County		sposition									ourt-specific fee			
_			100%	NT.2 Violation Cod					BASE FINE	0	5. If case's total fine is NOT standard, enter total fine						
L.		City %		escription			Priors		and select TOP-DOWN from drop-down list								
_		nhanced	\$390.00		ation Type				Enhanced BASE	0	6. Enter Court's distribution codes & amts						
Por	tion c		39		lisposition			GC 76000 =	7	7. Tickmark any FINDINGS numerically then detail below							
-		F CITT ARREST	, Enter County X u	der PC 1463.002 list. Else,		CTAI	IDABD BA	CE LIB	COLURT DISTRIR	LITION	IACT	00 DO	18781				
*	Per		DIETDIBL	TION	_ I DISTRIR	STANDARD BASE-UP Standard- 2½ FINAL			COURT DISTRIB	DISTRIB	Prorate	OP-DO					
γ.	10		DISTRIBU	DISTRIBUTION DISTRIB ENTITY			2% Amt	FINAL (After 2%)	or DESCRIPTION	AMT	% After	2% FINAL Amt (After		VARIANC E Over/	COMMENTS		
Def							Allik	(· · · · · · · · · · · ·	OI DESCRIPTION	Al-11	Fized	milit	2%)	Over/			
N											Amts			BASE-UP			
								Α		В	0.00%		С	(B-A)			
M	Ë	BASE REDI	UCTION: PC 1463	.14(a) - DUI Lab Spec Acct	COUNTY	50.00	1.00	49.00			0.00	0.00	0.00	(49.00)			
Υ	BASE	BASE REDI	UCTION: PC 1463	.16 - DUI Prog Spec Acct	COUNTY	50.00	1.00	49.00			0.00	0.00	0.00	(49.00)			
Υ	₹			1.18 - DUI Indemnity Alloc	STATE	20.00	0.40	19.60			0.00	0.00	0.00	(19.60)			
Y		PC 1463.001 - B			COUNTY	270.00	5.40	264.60			0.00	0.00	0.00	(264.60)			
Y		PC 1463.002 -	<u>Base City</u> e PA - State portio	(701/)	STATE	0.00 273.00	0.00 5.46	0.00 267.54			0.00	0.00	0.00 0.00	0.00			
Ÿ			e PA - State portio e PA - County porti		COUNTY	117.00	2.34	267.54 114.66			0.00	0.00	0.00	(267.54) (114.66)			
Ÿ		GC 76104.6 - E		COUNTY	39.00	0.78	38.22			0.00	0.00	0.00	(38.22)				
Ÿ			<u> </u>	eff 6-27-12; prev 3/10)	STATE	156.00	3.12	152.88			0.00	0.00	0.00	(152.88)			
Ÿ		GC 76100 - LC		COUNTY	78.00	1.56	76.44			0.00	0.00	0.00	(76.44)				
Υ	2.00	GC 76101 - LCs		76000 PA (\$7 for every 10)	COUNTY	78.00	1.56	76.44			0.00	0.00	0.00	(76.44)			
Υ		GC 76104 - EM	10	eakdown = local Board of	COUNTY	39.00	0.78	38.22			0.00	0.00	0.00	(38.22)			
Y		GC 76104.5 - E	7190 10	pervisor resolution (BOS).	COUNTY	39.00	0.78	38.22			0.00	0.00	0.00	(38.22)			
Y		GC 76102 - Au	to   EMS Addl PA (BOS	COUNTY	39.00	0.78	38.22			0.00	0.00	0.00	(38.22)				
Y			:) - EMAT Penalty (		COUNTY STATE	78.00 4.00	1.56 0.08	76.44 3.92			0.00	0.00	0.00	(76.44)			
Ÿ			CNA (=LCCF on		STATE	78.00	1.56	76.44			0.00	0.00	0.00	(76.44)			
		1/1/1998)		GC 70372(a) total is \$5 for every 10										(,			
Υ	3.00	GC 70372(a): 9	BCFCF (=5/10 - ICN	A) \$5101 every 10	STATE	117.00	2.34	114.66			0.00	0.00	0.00	(114.66)			
N		PC 1465.7 - 20	% Surcharge		STATE	78.00	0.00	78.00			0.00	0.00	0.00	(78.00)			
				SUBTOTAL		1603.00		1572.50		0.00	0.00		0.00	(1572.50)			
N N			ourt Ops Assmnt (\$ im Copy Assmpt (\$	40 eff 10-19-10) 30 for misd/\$35 for infr)	STATE STATE	40.00 30.00	0.00	40.00 30.00			0.00	0.00	0.00	(40.00)			
N			Priors/DMV Admin	· ,	COURT	30.00	0.00	0.00			0.00	0.00	0.00	0.00	<del>                                     </del>		
N				nnt (BOS: up to \$150)	COUNTY		0.00	0.00			0.00	0.00	0.00	0.00			
Υ		PC 1463.14(b)	- DUI Lab Test Pena	alty (BOS: up to \$50)	CNTY or C	50.00	1.00	49.00			0.00	0.00	0.00	(49.00)			
Υ			licohol Edu Penalty	11	COUNTY	50.00	1.00	49.00			0.00	0.00	0.00	(49.00)			
N			1, 1				0.00	0.00			0.00	0.00	0.00	0.00			
Y N			- State Restitutn Fine (min: \$150 misd/\$300 fel) STA			150.00	3.00 0.00	147.00			0.00		0.00	(147.00)	<del>                                     </del>		
N		37	I) - County Collect Fee (BOS: up to 10% of Rest Fin COUNTY I-Install Fee (Actual Costs) OR AR Fee (up to COURT				0.00	0.00				0.00	0.00	0.00			
'"	J PC 1205(e) - Install Fee (Actual Costs) OR AR Fee (up to \$30) OR						0.00	0.00			0.00	0.00	0.00	""			
		VC 40510.5(g) - Install Fee (up to \$35) (DISCRETIONARY)															
N			· Booking Fee C				0.00	0.00			0.00	0.00	0.00	0.00			
N			ght Court Assmnt (	STATE	1.00	0.00	1.00			0.00	0.00	0.00	(1.00)				
N		GC 68090.8 - 2% State Automation (for fines, penalties & STATE						35.50					0.00	(35.50)			
ш		forfeitures)					05.50					0.00					
-				TOTAL FINE		1924 00	35.50	1924.00	TOTAL	0.00		0.00	0.00	(1924.00)			
				TOTAL FINE		1924.00	1324.00	TOTAL	0.00			0.00	(1324.00)				

### **Late Penalty Charge**

- Vehicle Code section 40310 requires the imposition of a late charge of 50 percent on any traffic penalties not paid within 20 days.
- The 20 days shall be counted from the mailing of a notice that the penalty has been assessed.
- Note: Check with your finance staff if you have questions, but we're under the impression that the vast majority of courts DO NOT charge a late penalty charge. We are NOT encouraging you to do so.



# RECAP: Case Study Goals and Expectations

- Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.
- Use distribution worksheets to:
  - Work through actual case studies of basic distributions.
  - 2. Understand impacts of variations (priors, different base fines, etc.) to demonstrate how distributions change.



# Questions?

revenue.distribution@jud.ca.gov



