



# JUDICIAL COUNCIL of CALIFORNIA

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**HON. PATRICIA GUERRERO**  
*Chief Justice of California*  
*Chair of the Judicial Council*

**HON. MARSHA G. SLOUGH**  
*Chair, Executive and Planning Committee*

**HON. DAVID M. RUBIN**  
*Chair, Judicial Branch Budget Committee*  
*Chair, Litigation Management Committee*

**HON. MARLA O. ANDERSON**  
*Chair, Legislation Committee*

**HON. CARIN T. FUJISAKI**  
*Chair, Rules Committee*

**HON. KYLE S. BRODIE**  
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*Hon. C. Todd Bottke*  
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*Mr. David H. Yamasaki*

**MS. MILLICENT TIDWELL**  
*Acting Administrative Director*  
*Judicial Council*

February 8, 2023

Ms. Cara L. Jenkins  
Legislative Counsel  
1021 O Street, Suite 3210  
Sacramento, California 95814

Ms. Erika Contreras  
Secretary of the Senate  
State Capitol, Room 307  
Sacramento, California 95814

Ms. Sue Parker  
Chief Clerk of the Assembly  
State Capitol, Room 319  
Sacramento, California 95814

Re: *Online Infraction Adjudication and Ability-to-Pay Determinations*, as required under Assembly Bill 143 (Stats. 2021, ch. 79)

Dear Ms. Jenkins, Ms. Contreras, and Ms. Parker:

Pursuant to Government Code section 68645.5, the Judicial Council is submitting *Online Infraction Adjudication and Ability-to-Pay Determinations* (February 2023).

If you have any questions related to this report, please contact Francine Byrne at 415-865-8069 or by email at [Francine.Byrne@jud.ca.gov](mailto:Francine.Byrne@jud.ca.gov).

Sincerely,

Millicent Tidwell  
Acting Administrative Director  
Judicial Council

Ms. Cara L. Jenkins  
Ms. Erika Contreras  
Ms. Sue Parker  
January 10, 2023  
Page 2

MT/FB/CC/sc

Enclosures

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MS. MILLICENT TIDWELL  
*Acting Administrative Director  
Judicial Council*

Report title: *Online Infraction Adjudication and Ability-to-Pay Determinations*

Statutory citation: Stats. 2021, ch. 79

Code section: Government Code section 68645.5

Date of report: February 2023

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 68645.5.

The following summary of the report is provided under the requirements of Government Code section 9795.

With the passage of Assembly Bill 143 (Stats. 2021, ch. 79), the Judicial Council was mandated to administer a statewide system that allows for the online adjudication of infraction violations by June 30, 2024. The statute requires an annual report every February between 2022 and 2025. Unique for the report due February 2023, the statute required information on the initial pilot program and lessons learned.

This report is the second of the four reports required. This report:

- Evaluates all ability-to-pay determinations for infraction violations from courts that have adopted *MyCitations*, the online ability-to-pay tool.
- Evaluates the pilot period, including implementation challenges, the overall effectiveness of the program in the seven pilot courts, and how the pilots informed the implementation in expansion courts.
- Documents statewide expansion activities.
- Describes the next steps of onboarding additional courts.

The full report can be accessed at [www.courts.ca.gov/7466.htm](http://www.courts.ca.gov/7466.htm).

A printed copy of the report may be obtained by calling 415-865-8994.

February 2023

# Online Infraction Adjudication and Ability-to-Pay Determinations

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REPORT TO THE LEGISLATURE



Judicial Council of California

**JUDICIAL COUNCIL OF CALIFORNIA**

**Hon. Patricia Guerrero**  
*Chief Justice of California and  
Chair of the Judicial Council*

**Millicent Tidwell**  
*Acting Administrative Director  
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## Executive Summary

This legislative report describes actions taken in furtherance of the statewide expansion of online ability-to-pay determinations for infraction violations as authorized by Assembly Bill 143 (Stats. 2021 ch. 79). The report also provides data from California superior courts that have adopted the *MyCitations* tool to adjudicate eligible infractions as required by Government Code section 68645.5 (added by Stats. 2021, ch. 79, § 8). *MyCitations* is an online tool developed and maintained by the Judicial Council that allows people with infraction violations to request a reduction in their criminal fines and fees.

As of January 1, 2023, sixteen courts implemented *MyCitations*, offering litigants the option to submit ability-to-pay requests online. Since the program's launch in April 2019, over 66,000 ability-to-pay requests were submitted through the *MyCitations* tool by over 45,000 litigants in those courts. Nearly 46 percent of litigants reported that they receive public benefits and just over 88 percent reported incomes at or below the poverty line.

These litigants account for over \$41.5 million in outstanding criminal fines and fees, with an average of \$621 owed on each request. Upon judicial review, the total fines and fees ordered through the tool was reduced to \$21.4 million. Cases that were granted a reduction account for over \$20 million in reduced fines and fees.

This report also provides additional information on the program's pilot period, which ran from April 2019 through July 2021 and included seven courts. That information includes an evaluation of the pilot program's overall effectiveness, implementation challenges, and lessons for statewide expansion efforts.

Case-level analysis of debts collected from requests adjudicated during the program's pilot period demonstrates that a litigant is more likely to pay a reduced amount. Specifically, that analysis shows that as the amount ordered decreases, the success rate for full repayment of the financial obligation increases. Aggregate analysis of these same cases demonstrates that cases granted a reduction through the tool have a 61 percent success rate, which is defined as the full repayment of the reduced amount within the timeline set by the court. By contrast, cases denied relief through the tool exhibit a 29 percent success rate.

## Introduction

This report fulfills the legislative mandate in Government Code section 68645 (added by Stats. 2021, ch. 79, § 8), which authorized the statewide expansion of an online tool for adjudicating infraction violations and ability-to-pay determinations, otherwise known as *MyCitations*. The Judicial Council is responsible for the development and implementation of the tool, and it is tasked with making the tool available statewide on or before June 30, 2024. This report presents information on the actions taken by the Judicial Council to advance the statewide expansion as well as data analytics on how the tool is being utilized in courts that currently offer the program. As directed by the Legislature, this report also supplies additional information on the program's pilot period, including an empirical evaluation of the pilot's overall effectiveness, implementation challenges, and lessons for statewide expansion efforts.

Accordingly, this report is divided into two parts. Part I reports on the pilot period's overall effectiveness and lessons learned for the program's statewide expansion. Part II reports on legislatively mandated data elements that measure system utilization, litigant demographics, and financial savings to users from April 2019 through January 1, 2023.

## Background

Before the development of *MyCitations*, litigants had two main options for adjudicating infractions: an individual could pay in full or appear in court. Although many courts maintain various local procedures that allow litigants to request a reduction in fines and fees for infraction violations, including utilizing the plain language form *Can't Afford to Pay Fine: Traffic and Other Infractions* (form TR-320) or petitions to vacate a civil assessment, those requests usually must be filed in person or heard before a judge. Appearing in court poses a barrier to many as it may require taking time off work, securing childcare, and/or finding transportation. Consequently, access to relief for infraction debt was constrained.

According to the Judicial Council's 2022 Court Statistics Report on statewide caseload trends, during fiscal year 2020–21 over 2.6 million infraction cases, both traffic and nontraffic, were filed in California superior courts. Nearly six out of every ten court filings in California—59 percent—is an infraction filing, and over 95 percent of all infractions implicate the Vehicle Code. Many Californians are unable to pay the fines and fees imposed for infraction violations.

The Judicial Council began to study the impact of high fines and fees on low-income court users and options to minimize these impacts in 2016 with funding from the U.S. Department of Justice's Price of Justice Initiative. The Judicial Council used that funding to partner with five superior courts to design a process for submitting and adjudicating ability-to-pay determinations online. That effort included identifying online workflows, selecting a software vendor, developing a prototype of the online tool, and testing interfaces with various court case management systems. The resulting prototype provided users with the ability to search for their citation and make requests online for reductions in traffic fines and fees based on their ability to pay.



Building on these early achievements, the Budget Act of 2018 (Senate Bill 847; Stats. 2018, ch. 29) allocated funding to the Judicial Council to officially designate a pilot program and expand the work to two additional superior courts. In 2021, Assembly Bill 143 (Stats. 2021, ch. 79) established that all California superior courts must offer the online tool for adjudicating ability-to-pay requests related to infraction violations by June 30, 2024 and instructed the Judicial Council to implement the tool on a phased schedule.

## **Part I – Pilot Program Performance Evaluation**

This report fulfills the requirements in Government Code section 68645.6 by providing further information on the first seven courts, all of which operated as part of a pilot program from April 2019 through June 2021. That information includes an assessment of the overall program effectiveness in each court, implementation challenges, and an overview of the ways in which the pilots inform continued efforts toward the program’s statewide expansion. In accordance with the legislative mandate, this report assesses program effectiveness by way of three key performance indicators. These indicators include the extent to which the program

1. increased access to court services;
2. reduced fines and fees to an amount that litigants are able to fully pay; and
3. lowered barriers to court services and raised user satisfaction.

### ***Online ability-to-pay requests and access to court services***

Before *MyCitations*, relief for infraction debt often required litigants to file a request in person or appear before a judge. A primary goal that motivated creating a new option for submitting ability-to-pay requests was to expand access to the courts. By analyzing the number of requests made in court or via paper form against the number of online requests made during the same period, it is clear that that goal has been achieved. Figure 1 compares the number of paper and/or in-person ability-to-pay requests received in the pilot courts to the number of online requests received through *MyCitations* from 2019 to 2022.<sup>1</sup>

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<sup>1</sup> Not all pilot courts kept track of paper ability-to-pay requests before their *MyCitations* tool went live. *MyCitations* data is date-limited to the date on which each corresponding pilot court submitted data on paper filings.

**Nearly 5 times as many ability-to-pay requests are submitted via MyCitations compared to paper forms**

Online vs. paper ability-to-pay requests

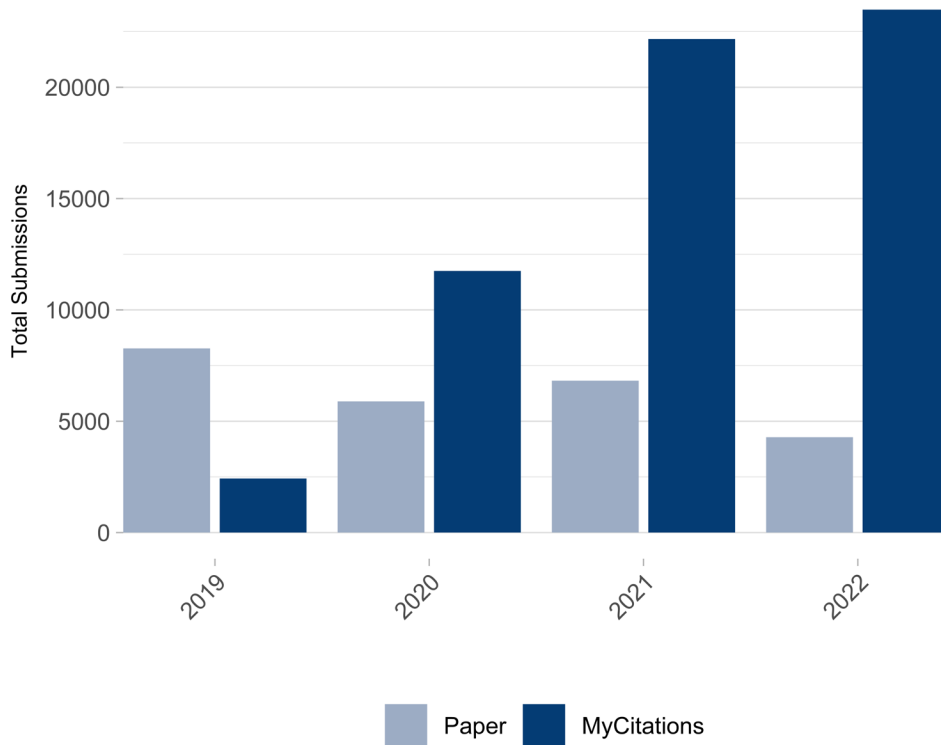


Figure 1

***Fine and fee reductions and case resolutions***

In the February 2022 legislative report, the Judicial Council analyzed collections data from six of the seven pilot courts to measure the court-ordered debt recovered after a reduction is granted through *MyCitations*. That preliminary analysis, which measured aggregate collections for cases adjudicated during the pilot period, demonstrated that 42 percent of court ordered debt was recovered from cases that received relief through an online ability-to-pay request. By contrast, only 22 percent of debt was recovered from cases denied such relief. This report relies on the same collections data but analyzes case-level rather than aggregate outcomes to measure the extent to which the fines and fees ordered through *MyCitations* are reduced to a level that litigants are able to fully pay.

The Judicial Council received collections data for 21,724 cases that were adjudicated through the *MyCitations* tool during the pilot period. Within this sample, 19,347 petitions were granted some form of relief and 2,479 petitions were denied. After date-limiting the data to ensure that each case analyzed had enough time to repay their financial obligation, the sample was reduced to 12,324 cases. Consequently, the proceeding analysis includes only cases that were ordered to tender complete payment of the amount ordered through the *MyCitations* tool before the date that each pilot court reported the balance of the case to the Judicial Council. (For details on data and methodology, see Appendix 1.)

Successful reductions are defined as cases that are fully repaid by the due date set by the court. Accordingly, throughout the analysis, *success rate* expresses the proportion of cases ordered through *MyCitations* that are fully repaid within the timeline set out in the terms of their court order. Table 1 summarizes the proportion of cases that fully repaid their legal financial obligations within the terms of their court order after receiving a reduction. The table divides cases into two categories: “Reduction Only” represents those cases that received only a reduction, whereas “Payment Plan” represents those cases that received both a reduction and the option to pay in monthly installments.

Table 1: MyCitations Success Rates by Type of Relief

Relief	Total Cases	Cases Fully Repaid	Success Rate
Payment Plan	4,734	2,762	58.3%
Reduction Only	7,590	4,763	62.8%
Total	12,324	7,525	61.1%

In contrast to the overall success rate of *MyCitations* cases that were approved for a reduction, ability-to-pay requests that were denied exhibit a much lower overall success rate. Requests are denied for a variety of reasons, including for correctable infractions, ineligible cases (e.g., misdemeanors), income that exceeds the locally established indigency rate for eligibility, or insufficient information. Future reporting will include further analysis on denial reasons. Table 2 below summarizes the proportion of cases denied relief through *MyCitations* that fully repaid their legal financial obligations.

Table 2: Success Rate for MyCitations Denials

Relief	Total Cases	Cases Fully Repaid	Success Rate
Denied	2,343	673	29%

**Key success indicators**

To better understand the characteristics of successful *MyCitations* requests, defined as those cases that repaid the total amount ordered by the due date set by the court, cases that were approved for a reduction and within the terms of their court order were partitioned into \$100 order brackets, beginning with orders less than \$100, and analyzed according to the same metric for success rates. Grouping and partitioning cases by the amount ordered demonstrates that the proportion of cases that successfully repay their infraction debt increases as the amount ordered decreases. Figure 2 below illustrates both the success rate for each bracket and the smoothed trend across brackets.<sup>2</sup>

<sup>2</sup> For all figures contained within this report, smoothed trends are calculated using the LOESS method.

**In a sample of 12,324 cases, the success rate decreased as the amount ordered increased**

MyCitations case success rate by order bracket

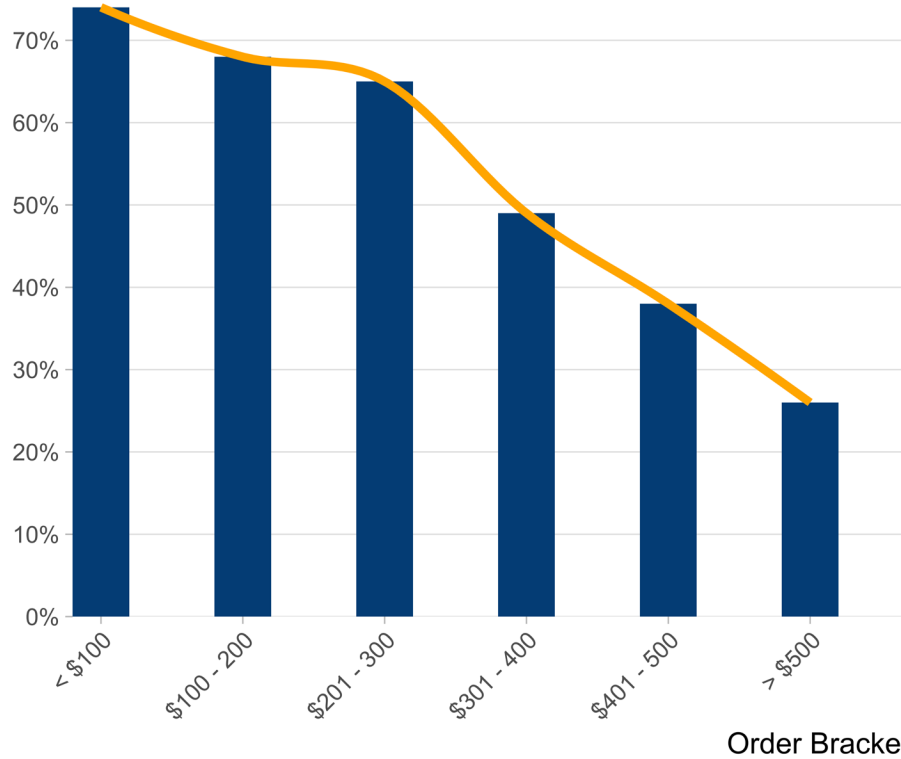


Figure 2

In addition to analyzing success rates by amount ordered, *MyCitations* requests were also grouped into income ranges that distribute cases across 10 percent segments. Each bracket represents the amount ordered as a proportion of the litigant’s reported monthly income. Figure 3 represents the proportion of non-payment plan cases in each income bracket that are fully repaid within the terms of their court order. Figure 3 illustrates both the success rate of each bracket and the smoothed trend across all brackets.

As that figure shows, as the amount ordered consumes more of a litigant’s monthly income, success rates decline. For cases that do not include a payment plan, successful repayment drops by nearly one fifth once the amount ordered is greater than 20 percent of a litigant’s reported monthly income.

**On average, success rates decline as the amount ordered consumes more of a litigant's monthly income**

MyCitations case success rate by income range

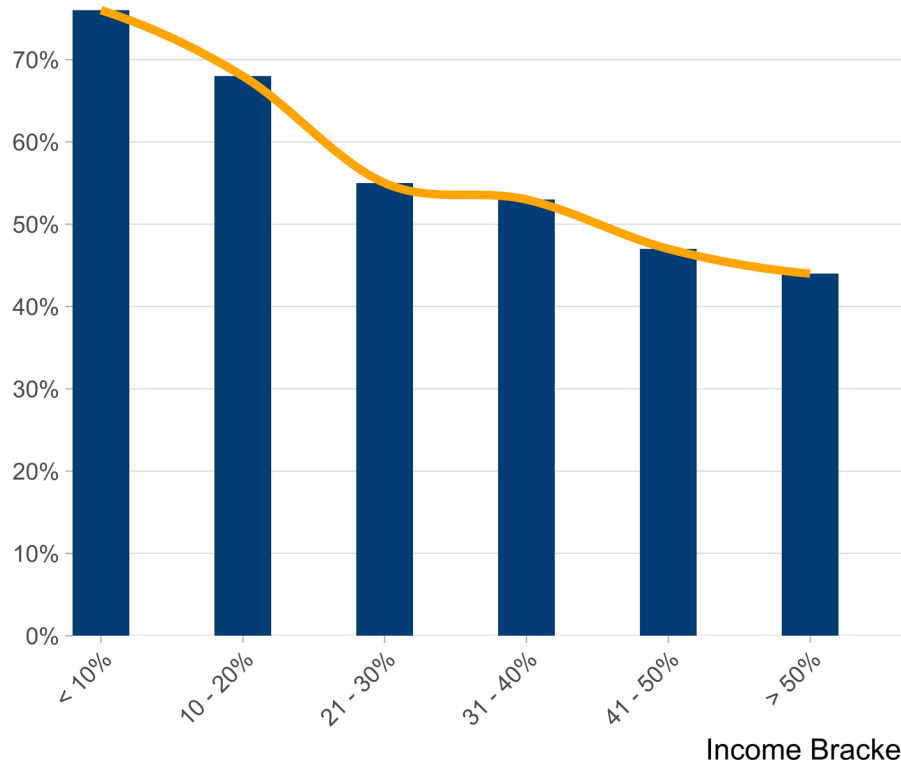


Figure 3

**Payment plan case outcomes**

As reported above, approximately 58 percent of payment plan cases that were expected to have culminated within the reporting period successfully repaid their legal financial obligations. In addition to assessing the overall success rate for payment plan cases, the Judicial Council sought also to analyze the specific success rate for \$25 monthly payment plans. These payment plans were selected both because \$25 per month is contemplated in the program’s authorizing statute and because it is the monthly payment ordered with the greatest frequency.

In total, 5,950 cases were ordered to pay up to \$500 through *MyCitations* and given the option to repay that debt in \$25 installments during the pilot period. At the time of reporting, 2,797 were fully repaid and 3,153 were not. For cases with outstanding balances, only 2.2 percent (70 cases) are estimated to have been on track to repay their legal financial obligations within the terms of their payment plans, raising the estimated total cases fully repaid or on track to be fully repaid to 2,867. Consequently, the estimated total success rate for \$25 payment plans is 48.2 percent.

Fifty-dollar payment plans, which are the second most frequent installment plan ordered through *MyCitations*, are less successful than \$25 payment plans. Of 2,457 such plans ordered during the pilot period, 652 cases were fully repaid at the time of reporting and 1,805 were not. For cases

with an outstanding balance, less than 1 percent were on track to be repaid within the expected terms of their installment plan (15 cases). In contrast to the estimated 48 percent success rate for \$25 payment plans, the estimated success rate for \$50 payment plans is approximately 27 percent.

While payment plans offer litigants short-term relief by easing the pressure that fine and fee obligations place on their monthly incomes, the total amount a litigant is ordered to pay is what is most strongly associated with successful case outcomes. Figure 4 below illustrates this trend by partitioning the sample of \$25 payment plan cases into respective \$25 order brackets and measuring the proportion of cases in each bracket that fully repaid their debt within the terms of their installment plan.

**On average, payment plans are less successful with each additional \$25**

Payment plan success rate by amount ordered

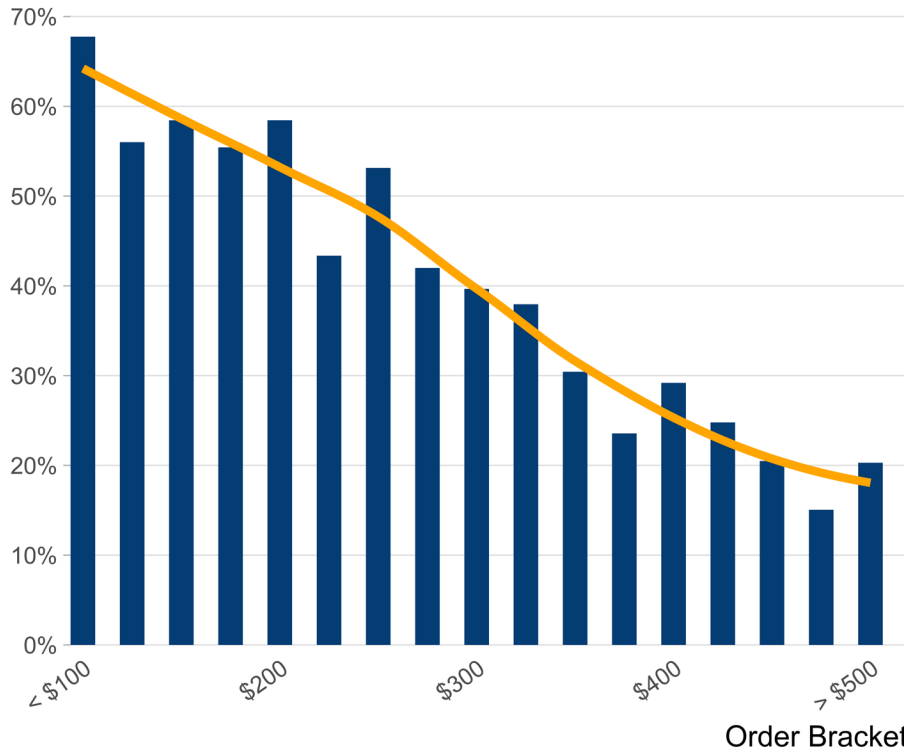


Figure 4

**Ability-to-pay reductions and amounts collected**

As noted above, reducing fines and fees to \$300 or less for low-income litigants exhibits successful repayment rates of 65 percent or greater. Further analysis demonstrates that reducing fines and fees below that threshold supports successful collection of funds that are intended to benefit legislatively designated sources. While the *absolute* value (i.e., total dollars ordered) of potential collections from cases that owe more money is higher by comparison, these case outcomes demonstrate that the *realized* value (i.e., total dollars collected) is greater when litigants are ordered to pay less. Figure 5 illustrates this trend by partitioning cases into \$100 order brackets and comparing the total amount ordered to the amount collected for cases in each order bracket.

**Collections increase by nearly 2x for cases ordered to pay \$300 or less**

Total dollars ordered and collected by order bracket

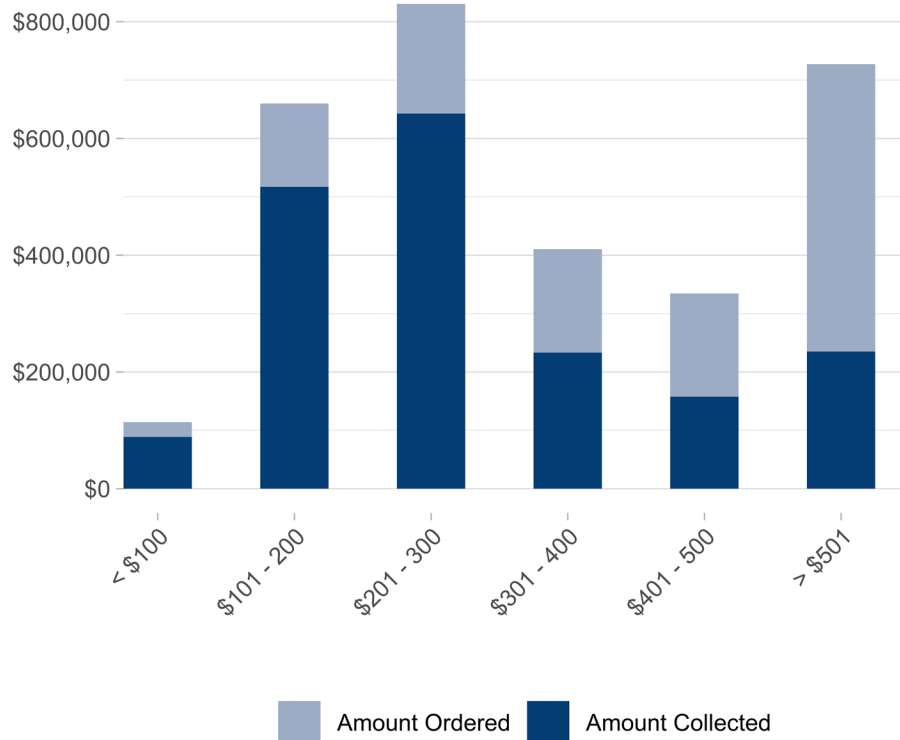
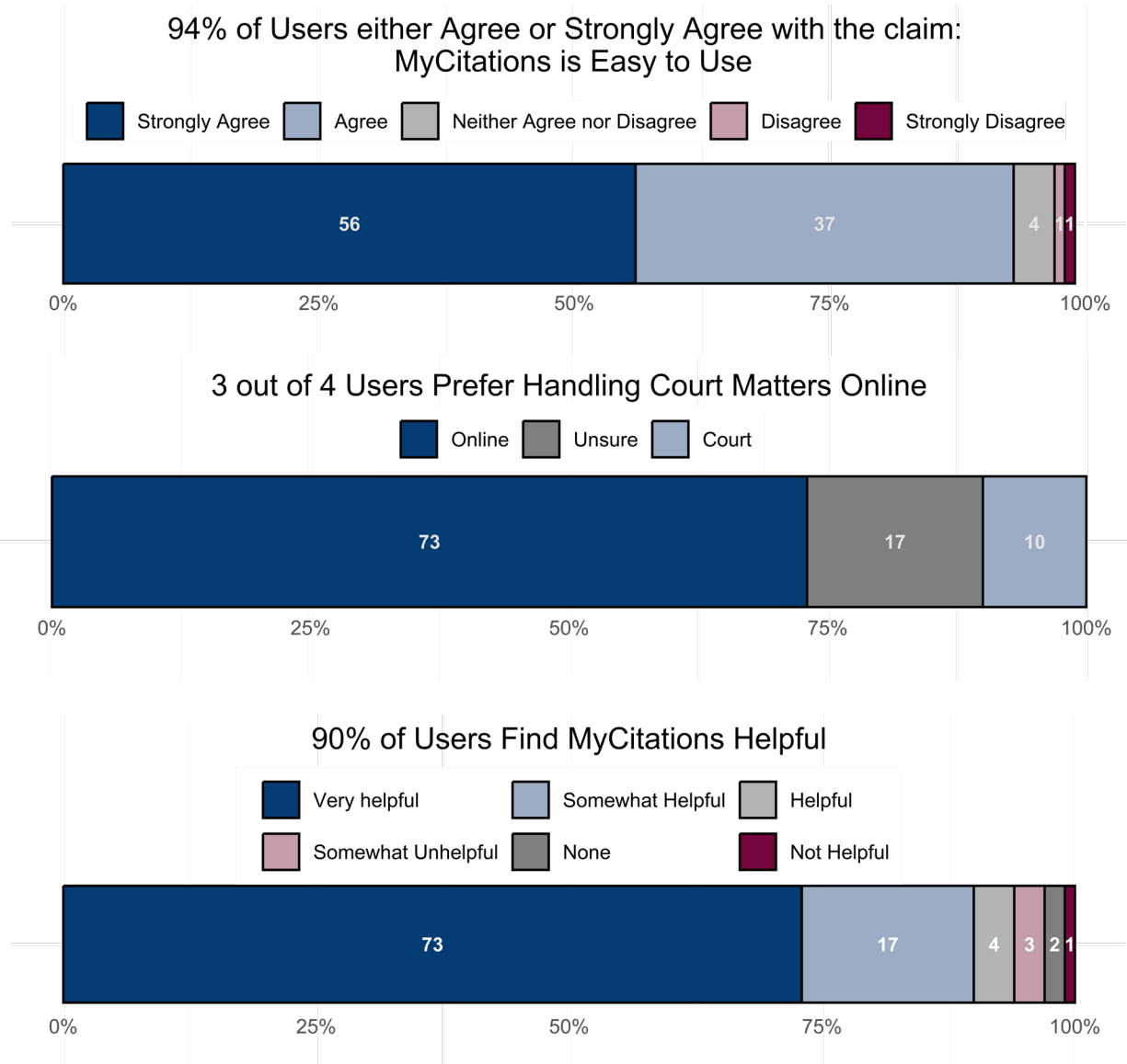


Figure 5

Not only do courts collect more from cases that are ordered to pay less than \$300, but, as the amount ordered increases, the average amount collected from cases plateaus at approximately \$220. This trend tracks closely to the trend illustrated in Figure 4, in which success rates dropped below 50 percent once the amount ordered breached \$200. This data suggests that reducing fines and fees below \$300 benefits both litigants and the courts by lowering financial obligations to an amount that litigants are able to pay and by increasing the amounts that courts collect, respectively.

### MyCitations User Survey Data

Litigants using *MyCitations* are invited to respond to a series of optional user-feedback survey questions after they have submitted their request. These questions attempt to gauge whether litigants find the tool easy to use, whether they would prefer to handle future court matters online, and whether they think the tool is helpful. Responses to each of these survey questions are illustrated in figures 6, 7, and 8, respectively.



### Implementation Challenges

*MyCitations* is the first online tool that the Judicial Council has developed and maintained for statewide use. Its implementation requires a thoughtful balance between providing courts the flexibility to incorporate the tool into their unique local processes and workflows while also ensuring that litigants are treated to the same streamlined experience for submitting ability-to-pay requests from county to county. In the pursuit of striking this balance during the pilot



program, the Judicial Council encountered several series of hurdles. These hurdles fall broadly into two main categories: technical challenges and developmental challenges.

**Technical challenges.** The Judicial Council selected each pilot court because of the court's interest in the project, the court's willingness to work with the Judicial Council, and the variety of case management systems and unique business processes each court offered. In the initial pilot phase, the first five pilot courts (in San Francisco, Santa Clara, Shasta, Tulare, and Ventura Counties) each had a different case management system (CMS), which required five unique connections to the tool. Integrating the citation information from each courts' CMS to the *MyCitations* tool was successful. Challenges emerged, however, when *MyCitations* attempted to return outcomes from the tool to the courts' CMSs. The Judicial Council found that courts with Tyler Odyssey CMSs did not have the necessary application programming interfaces (APIs) to allow the two-way interface to work. To remedy this problem, the Judicial Council worked closely with Tyler Technologies to get the required APIs in place. The Judicial Council continues to work with the CMS vendors to find better solutions that will allow courts to connect to *MyCitations* using the two-way interface.

**Developmental challenges.** As the volume of requests submitted through *MyCitations* increased throughout the pilot, there were unforeseen challenges identified in the data collected by the system. For instance, duplicate requests were a problem in the pilot stage. Because litigants can make a new request anytime their financial circumstances change, Judicial Council staff worked closely with the courts to make improvements to the tool that would limit duplicate requests but still allow the litigant to use the system multiple times when needed. Hoping to eliminate duplicate requests, Judicial Council staff made changes to the user interface to send an email confirmation to the litigant that their request was received and was being processed. The litigant can now confirm all information they provide to the court before submitting and is provided a confirmation email that the court has received the request. In addition, the tool will prevent a litigant from making another request on the same citation for 24 hours.

About a year into the pilot program, several judicial officers reported challenges reviewing cases in which the individual reported having no sources of income but several regular monthly expenses. If the litigant were in court, the judicial officer would likely ask for additional clarification about job loss, housing status, and related issues to better understand their financial situation. Accordingly, an enhancement was implemented to alert the *MyCitations* user that they were reporting no income and to prompt them to provide additional information. In a subsequent enhancement, an additional screen was added showing the litigant a summary of each financial detail they reported so they can review for accuracy and easily navigate back to edit if necessary.

### **Lessons Learned from the Pilot Program**

The pilot program initially started with a 2016 grant from the U.S. Department of Justice, and then further supported by a fiscal year 2018—19 state budget allocation that was designed to inform whether *MyCitations* could be taken to scale statewide. The approximately two-year pilot developed a prototype, launched it in seven courts, and put a feedback loop in place to recommend and implement software fixes and enhancements. Regular monthly sessions with pilot court staff, judicial officers and Judicial Council staff provided the opportunity to discuss issues that arose, brainstorm resolutions, and then schedule the software enhancement.

**Continuing product enhancements** The Judicial Council and *MyCitations* courts continue to meet monthly to provide regular feedback and recommend specific improvements to the tool. Fixes and enhancements are discussed, logged, presented, and then scheduled for the appropriate software release when approved. As courts and data analysts identify issues, the council will continue to develop solutions. Key product enhancements completed by Judicial Council in 2022 include a new court order format and integration with the California Department of Social Services' CalFresh Confirm application to confirm whether a litigant receives CalFresh benefits.

**Revised court orders.** The Judicial Council began working with an outside consultant in 2019 to find ways to improve the *MyCitations* system. To understand the barriers low-income Californians face in resolving their traffic citations, ideas42, a behavioral research firm, interviewed traffic court staff and litigants who used *MyCitations*. After system data showed that people were generally able to finish an ability-to-pay application through *MyCitations* in one sitting and interviewees indicated that the system was easy to use, ideas42 focused on the defendant's ability to resolve the citation after receiving an adjusted court order. Working in conjunction with ideas42, Judicial Council staff redesigned the adjusted court order that informs litigants of their *MyCitations* decision and the reduced amount they now owe. The updated order highlights the original and new amounts owed, provides clear, plain-language instructions on what to do next, offers direct links to make payments, and provides optional court contact information for any questions the order does not address.

**Empirical data on litigants both on and off public benefits.** Because a primary factor in the tool's calculator function is whether a litigant reports that they receive public benefits (see flowchart in Appendix 3), the Judicial Council found that some courts were unsure how to configure the reduction rates applied to each group in a way that ensured parity between them. In response to this concern, the Judicial Council analyzed nearly 8,000 cases to determine the material differences between litigants on public benefits and litigants not on public benefits. That study highlights three key indicators of the relationship between these groups:

1. The average monthly income of litigants on benefits is 31 percent less than litigants not on benefits (\$1,026 per month).
2. The average poverty rate for litigants on benefits is 53 percent.
3. When monthly income for litigants on benefits is adjusted to reflect the "cash" value of the benefits they receive, their average monthly income is still less than that of litigants not on benefits.

In sum, that research demonstrates that litigants in receipt of public benefits experience the greatest financial hardships. Consequently, such litigants have the least ability to pay their infraction debt. In light of these empirical insights, the Judicial Council provides the following configuration guidance to new courts that are onboarded as part of the statewide expansion: the reduction rate for litigants on benefits should be equal to the maximum offered on the sliding-scale for litigants not on benefits. (For more information on how the tool calculates reduction recommendations, see Appendix 3.)

**Empirical data on successful case outcomes and optimal reduction rates.** For courts that share case-level collections data on *MyCitations* cases, the Judicial Council can assess case outcomes and the effectiveness of the court's tool configuration to offer guidance on how to improve program performance within a specific jurisdiction. This ability is a direct result of the lessons learned from analyzing cases adjudicated during the pilot period. As the statewide expansion progresses, the Judicial Council looks forward to working with courts to optimize their tool configurations based on factors such as the poverty rate and cost of living specific to each county, the median infraction debt owed by *MyCitations* users in each county, and the corresponding repayment rates on such debt after an ability-to-pay determination.

## **Part II – *MyCitations* To Date**

The sections contained within this part satisfy Government Code section 68645.5 and report legislatively mandated data on system utilization, litigant demographics, and fines and fees ordered through the tool. The data reported herein spans the time period from April 2019 through January 1, 2023.

### ***MyCitations* System Usage Summary**

The data reported in this section fulfills the requirements in Government Code section 68645.5, which includes data on infraction filings, demographic information on litigants using the online system, the number of ability-to-pay requests submitted through the tool, and fines and fees reduced. The figures reported herein represent data from 16 counties that were live with the tool as of January 1, 2023. Table 3 indexes each of these counties against the Judicial Council's expansion schedule and summarizes the total number of *MyCitations* requests in each court.<sup>3</sup>

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<sup>3</sup> Pilot courts went live with *MyCitations* between April 2019 and April 2021; Cohort 2 between February 2022 and June 2022; Cohort 3 between July 2022 and October 2022; and Cohort 4 between October 2022 and February 2023.

Table 3: MyCitations Requests by County

County	Total Requests
<b>Pilot</b>	
Tulare	12,567
Ventura	18,426
Shasta	6,597
San Francisco	5,547
Fresno	4,473
Santa Clara	14,540
Monterey	1,039
<b>Cohort 2</b>	
Santa Cruz	414
Imperial	710
Modoc	81
Humboldt	277
Placer	374
<b>Cohort 3</b>	
Mono	201
San Benito	62
San Luis Obispo	139
<b>Cohort 4</b>	
San Joaquin	1,374
<b>Total</b>	<b>66,821</b>

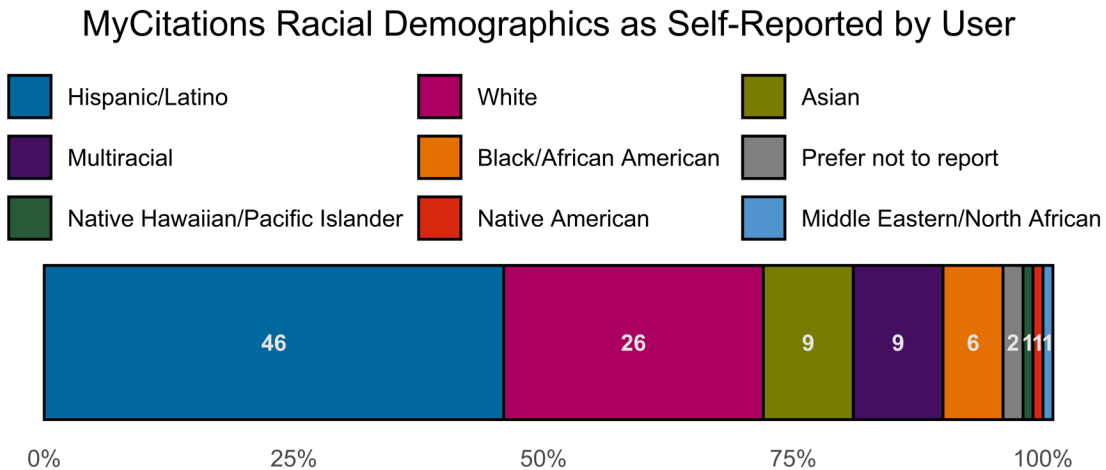
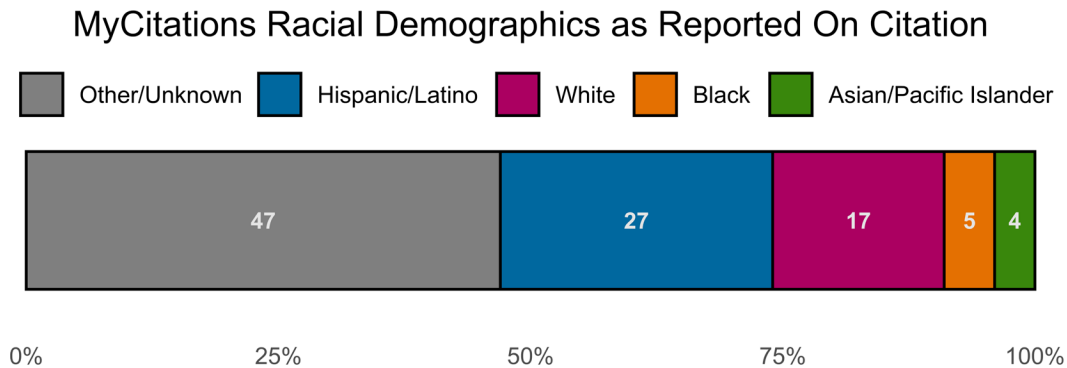
***Litigant demographics***

The 66,821 requests submitted through the *MyCitations* tool include 45,745 unique litigants. Many litigants with infraction debt have multiple citations, and litigants may submit subsequent requests for each citation in the event that their financial circumstances change. At the time of their requests, 46 percent of those litigants reported receiving some type of public benefit and 88 percent reported incomes at or below 250 percent of the federal poverty level.

**Racial and ethnic demographics of *MyCitations* users.** Two mechanisms are available for gathering racial demographic information on *MyCitations* users. One is the information recorded on the citation by the issuing officer. The other is through self-reported responses to an optional survey question that appears after a user submits their request. That survey invites users to select from among six racial and/or ethnic categories with which they most closely identify, or to complete a free-form text entry if these categories do not sufficiently capture their racial and/or ethnic identity. Users are not limited to one racial or ethnic identity and may select multiple categories.

Although racial demographic information supplied from the citation has been recorded by the *MyCitations* tool since its inception, not all citations include complete data, and many are analytically ambiguous by indicating “Other” or “Unknown.” In addition, the *MyCitations* system interface is not configured to gather racial/ethnic information in several counties due to technological limitations in their case management systems. The Judicial Council added the optional survey question with respect to self-reported racial/ethnic identity in December 2021 as an attempt to gather a more complete picture of the racial demographics of *MyCitations* users. The survey data does not substitute data recorded on the citation, nor does it supply a commentary on the accuracy of one source over the other.

Based on data recorded on the citation, racial demographics are reported for 24,119 of the 45,745 litigants using the system. Alternatively, based on survey responses data from *MyCitations* users, racial demographics were self-reported by 16,046 litigants. Distributions for each are illustrated in figure 9 and figure 10, respectively.



**Residential zip code demographics.** Additional demographic information about system users includes a citation holder's residential zip code. The top five most frequent residential zip codes for *MyCitations* users in each superior court are found in Appendix 2. These zip codes generally show higher poverty rates than the corresponding county-wide poverty rate. To determine this, the Judicial Council relied on data from the U.S. Census Bureau's American Community Survey, which reports both on the county-wide poverty rate at 200 percent of the federal poverty level as well as on the poverty rate by zip code based on the same level. For the top five most frequent zip codes across all participating *MyCitations* counties, the average poverty rate is 35 percent. By contrast, the average county-wide poverty rate for these same counties is 31 percent. Moreover, 63 percent of participating counties (10 of 16) have an average poverty rate across their top five residential zip codes for *MyCitations* users that is higher than their corresponding county-wide poverty rate.

### ***Requests and reductions***

As of January 1, 2023, a total of 66,821 requests had been submitted to the *MyCitations* system by 45,745 litigants across 16 superior courts. Of those requests, the total amount of fines and fees initially owed by litigants was over \$41.5 million, averaging \$621.45 per request. Upon judicial review, the total amount of fines and fees ordered through the tool was approximately \$21.4 million which accounts for over \$20 million in reduced fines and fees. However, two factors impact the average amount ordered. The first is the disposition of the case. The average order amount for cases approved for a reduction is correspondingly lower than the amount for cases for which reductions are denied. The second is the amount of civil assessment fees imposed on each case. Assembly Bill 199 (Stats 2022, ch. 57) required courts to discharge debt from previously imposed civil assessments and amended Penal Code section 1214.1 to lower the maximum civil assessment amount from \$300 to \$100 as of July 1, 2022. The average debt owed by *MyCitations* users and the average amount ordered through the tool is thus impacted by these legislative changes such that the average amount owed per request before and after AB 199 took effect is \$671 and \$493, respectively.

Tables 4 and 5 below separate *MyCitations* cases pre- and post-AB 199 to illustrate the impact of these legislative changes to civil assessments on the average amount owed and ordered through *MyCitations*. To illustrate how the disposition of the case impacts both of these amounts, the tables divide cases into three categories: approved with reduction, approved without reduction, and rejected. Whereas cases approved with reduction represent those requests for which the total fines and fees were reduced, cases approved without reduction represent those cases for which either a payment plan, more time to pay, or community service were granted without reducing the case's total financial obligation. Rejected cases represent those cases for which no relief is granted.

Table 4: Average Amount Ordered through Tool by Case Disposition, Pre-AB 199

Disposition	Total Cases	Percent of Total Requests	Average Owed	Average Ordered
Approved with Reduction	40,177	83%	\$686.45	\$296.35
Approved without Reduction	1,050	2%	\$537.99	\$538.00
Rejected	6,905	14%	\$603.81	\$603.13

Table 5: Average Amount Ordered through Tool by Case Disposition, Post-AB 199

Disposition	Total Cases	Percent of Total Requests	Average Owed	Average Ordered
Approved with Reduction	14,490	82%	\$508.55	\$206.11
Approved without Reduction	433	2%	\$404.04	\$404.34
Rejected	2,661	15%	\$422.82	\$422.82

Courts can configure the administrative settings in the *MyCitations* tool to recommend reductions of 50 percent or greater. These configurations are jurisdictionally specific and set at each court’s discretion. The average reduction recommended by the tool across all participating courts is 61 percent and the average reduction ordered is 57 percent. While the *MyCitations* calculator offers an initial recommendation for all requests based on the administrative settings selected by each court, judicial officers retain the discretion to accept or adjust the recommendation based on the facts of the case. Overall, 82 percent of the 66,821 requests were approved by the courts for a reduction and judicial officers accepted the tool recommendation, within a \$10 difference, 97 percent of the time.

When a litigant is eligible for a reduction and requests a payment plan, the *MyCitations* tool recommends a \$25 monthly payment. Of 37,585 approved requests in which the litigant asked for a payment plan, 28,784 payment plans were ordered. However, payment plans are not always approved using the payment plan function of the *MyCitations* tool. In a number of cases, instructions for establishing a payment plan appear on the order as a comment provided by the court. It is not clear as of this writing how many cases establish a payment plan after and apart from their *MyCitations* request.

In addition to reductions and payment plans, 15,814 of cases included a request for community service. In total, 4,384 cases were approved for community service, with an average community service requirement of 12 hours per case.

In total, 84 percent of *MyCitations* requests were approved for at least one of the four types of relief offered through the tool: reduction, payment plan, community service, or more time to pay. Figure 12 below summarizes the order frequencies for the top five most common judgments ordered for all cases adjudicated through the *MyCitations* tool as of January 1, 2023.

### Reductions and payment plans are the most common forms of relief ordered through the *MyCitations* tool

*MyCitations* Order Frequencies, April 2019 - January 2023

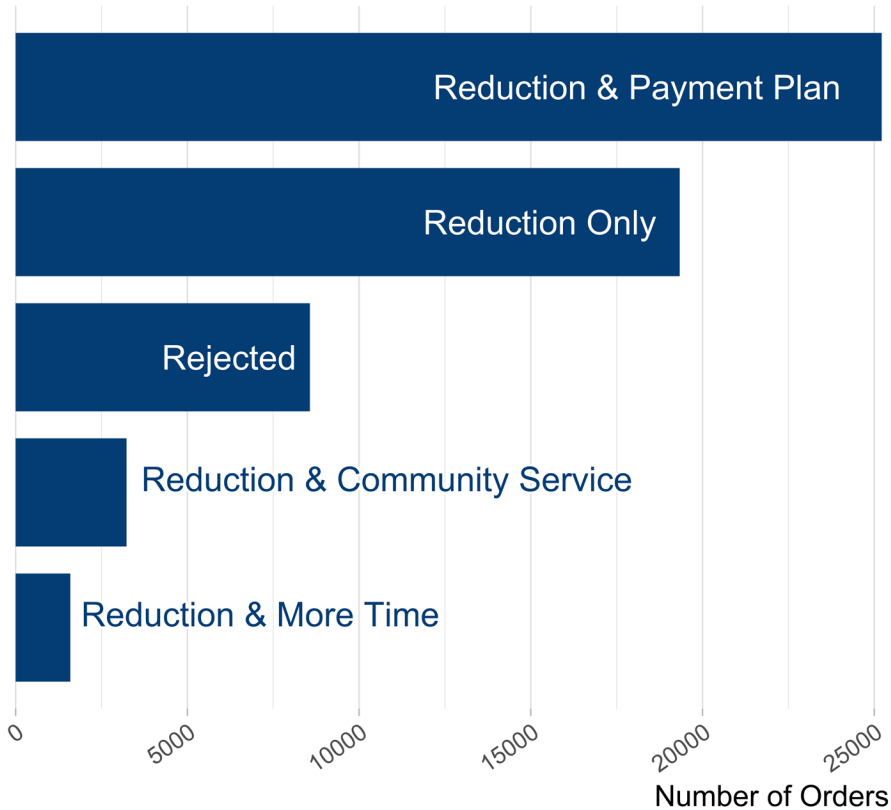


Figure 11

### System Enhancements

**CalFresh Confirm.** The tool was enhanced in November 2022 to offer litigants an alternative to uploading proof of benefits. Litigants can now authorize *MyCitations* to verify receipt of CalFresh benefits directly through the California Department of Social Services' CalFresh Confirm application without leaving the *MyCitations* tool. When confirmed, the tool will show the court that proof of benefits has been provided through CalFresh verification. Unverified results are not shared with the court. The inability to verify benefits does not mean a litigant is not on benefits, just that the system could not confirm the benefits.



### ***Future MyCitations features***

The Judicial Council is expanding the traffic court functions available under the *MyCitations* platform to provide litigants with more options to do business with the courts remotely. The Online Trial By Declaration (OTBD) module allows the litigant to contest eligible traffic citations by submitting a written statement and uploading evidence online through *MyCitations*. Development on the OTBD module was completed in 2021, and in 2022 the Judicial Council migrated the code to a single code base with the *MyCitations*, Ability to Pay module. The Judicial Council is currently in the planning phase to mirror recent enhancements from the Ability to Pay module to the OTBD module. The OTBD module did not deploy as expected in 2022, but implementation activities will continue with the Fresno, Santa Clara, and San Francisco courts as resources and scheduling allow in 2023.

*MyCitations* is currently available in English and Spanish, and in 2023 will be available in three additional languages: Traditional Chinese, Simplified Chinese, and Vietnamese.

## **Part III - Next Steps**

**Statewide expansion.** In the earliest planning stages, the Judicial Council anticipated that 27 courts would be live with *MyCitations* by the end of January 2023. As of January 1, 2023, 16 courts were live with the tool. Five additional courts have onboarded since then and 21 courts are live at this time. The Judicial Council's statewide expansion efforts faced some challenges. Chief among these challenges is the deployment of *MyCitations* in each court's case management system. Several courts scheduled to go live with the tool in calendar year 2022 utilize a version of a case management system with which *MyCitations* has not previously been coupled. Accordingly, the timeline for onboarding these courts was extended so that the Judicial Council could partner with the appropriate CMS vendors to develop the missing features and to build the technical solutions necessary to interface with these courts. The Judicial Council has scheduled remaining courts to go live in phases with the goal of achieving statewide implementation by June 30, 2024.

## Appendix A: Methodology

This appendix documents the methodology used for the pilot program performance evaluation.

### *Data, methods, and limitations*

As an effort to better understand the programmatic efficacy of reductions ordered through the *MyCitations* tool, the Judicial Council analyzed *MyCitations* data alongside court collections records from each pilot court. Collections records are not included in the data collected by the *MyCitations* program and were provided by the participating courts for all requests adjudicated during the pilot period. In combination, these records allow the Judicial Council to compare the amount ordered through the *MyCitations* tool to the amount collected after an ability-to-pay determination is completed.

To produce an accurate assessment of amounts collected, records provided by the pilot courts and collections partners were matched with *MyCitations* data by case number. Collections data reflects the balance and amount paid at the time repayment reports were received from each court. Cases with multiple requests were consolidated to reflect the original amount due and the most recent reduction ordered by a court. Further, cases approved for community service were excluded from this analysis as “payments” since these cases are tracked in hours, not dollars. Upon consolidation and cleaning, the Judicial Council received collections data for 21,724 cases adjudicated through the *MyCitations* tool during the pilot period. Within this sample, 19,347 petitions were granted some form of relief and 2,479 petitions were denied.

To ensure that success rates account for the amount of time litigants receive to fulfill their legal financial obligations upon receiving a judgment on their *MyCitations* request, the data used in this report is date-limited. Thus, the sample analyzed includes only those cases for which the pay-by date that appears on the court order is before the date on which the corresponding county submitted collections data. In other words, all cases included in the sample were ordered to tender complete payment of the amount ordered through *MyCitations* before the date that each county reported the balance of the case to the Judicial Council. By date-limiting the collections data, the analysis in this report relies on the underlying assumption that a constitutive element of *successful* repayment requires that it be completed within the terms of the court order.

Payment plan cases present special challenges for date-limiting the sample. Unlike cases that do not include a payment plan, which receive a concrete “pay-by” date, the majority of payment plan court orders include only the date that the *first payment* is due. As a consequence, relying on the relationship between the date included on the order and the date on which each county reported the case balance is neither an accurate nor reliable method for date-limiting such cases. To account for this limitation, an approximate “expected pay-by date” was calculated for payment plan cases by dividing the amount ordered by the monthly installment amount and extending the judgment date by the resulting number of months. For example, a case that is ordered to pay \$200 and receives a \$25 monthly payment plan has an expected installment term of 8 months; correspondingly, if the judgement for that case is ordered on January 1, 2022, then the expected date by which the amount ordered should be fully repaid is September 1, 2022. Payment plan cases were thus date-limited according to their expected pay-by date to ensure that the sample includes only those cases for which the expected installment term culminated before the date on which each county submitted collections data.

Some cases in the sample had their fines and fees reduced to zero and thus their debt fully forgiven. Because these cases need take no further action on their legal financial obligations, they were excluded from the analysis. In total, 201 cases were fully relieved of their debt during the *MyCitations* pilot.

Imposing these constraints on the data yields a sample of 12,324 cases that, according to the terms of their court order, should have been fully paid by the date on which the collections data was received from each county. Within this sample, 4,734 included a payment plan and 7,590 did not.

### ***Payment plan analysis***

In addition to assessing the nominal success rate for payment plan cases, the Judicial Council sought also to analyze the specific success rate for \$25 monthly payment plans. These payment plans were selected both because \$25 per month is contemplated in the program's authorizing statute and because it is the monthly payment ordered with the greatest frequency.

To produce this estimate, two additional steps were taken to date-adjust the data. First, rather than date-limiting the sample by the pay-by or expected-pay-by dates, the age of each case, in months, was calculated by taking the number of days elapsed between the judgment date and the date on which the corresponding county reported the case balance. For instance, if the difference between those two dates is 30 days or fewer, the case was assigned "one month" for its case age; likewise, if that difference is between 31 and 60 days, the case was assigned "two months", and so forth. By calculating the monthly age for each case, the Judicial Council is able to discern whether cases for which the expected pay-by date occurs after the collections data was gathered are on track to be repaid within the terms of their installment plan.

Second, cases were grouped into \$25 order brackets, beginning with cases \$99 or less and proceeding in \$25 increments up to \$500. Because each case in the sample includes a \$25 monthly payment plan, the total amount ordered through *MyCitations* functions as a proxy for the case's installment term. Unlike the date-limited sample, this proxy serves as a range rather than a precise calendar date. For instance, a case for which the amount ordered falls within the \$100 to \$125 order bracket has an expected time to completion of between four to five months. This is because, at the bottom end of that bracket, \$100 is consistent with four monthly payments of \$25 while, at the upper end of that bracket, \$125 is consistent with five like payments.

For cases that were not fully repaid at the time of reporting, this approach offers two additional ways of measuring success. On one side, cases that are behind ("defaulted" on) the expected term of their payment plan are presumptively unsuccessful. For example, a case within the \$100 to \$125 order bracket for which nine months has elapsed since its judgment date and that has not fully repaid its debt has fallen behind the four to five months expected for its installment term. With this approach we can discern the number of cases within each order bracket that have defaulted on the terms of their payment plan. On the other side, this approach also provides a way to estimate whether cases with time remaining in their expected installment plan are on pace to fulfill the terms of the plan on time. This is estimated by dividing the outstanding balance by the monthly payment amount and adding the resulting number of months to the case age. For

example, a case that has an outstanding balance of \$100 would require four more \$25 monthly payments to clear that balance. If four months has elapsed since its judgment date (i.e., the case is four months old), then the anticipated pay-off range is eight months (case age plus number of monthly payments remaining). Whether that case is ahead of or behind its installment schedule depends on the total amount ordered. Should that case have been ordered to pay \$200, we would estimate that case is consistent with its repayment schedule; conversely, should that order be \$150, we would estimate that case is at risk of default.

The steps taken above constrain the data on the assumption that each litigant is paying only the amount required by their payment plan (e.g., \$25 per month) and no additional amounts. To be sure, some litigants—perhaps many—pay more each month than what is required of by the terms of their payment plan. However, the precise extent of these cases is unknown. The collections data received from the pilot courts did not include a ledger of payments nor the date on which final payments were tendered. Without such data points, the portion of payment plans that repay ahead of schedule, based on the methods employed in this report, can serve only as a floor.

## Appendix B: Zip Codes

This Appendix documents the top five most common residential zip codes for *MyCitations* users in each county. “Usage Rate” represents the number of requests received from each residential zip code as a proportion of the total requests received from the corresponding county.

### *Top Five Most Common MyCitations User Zip Codes by County Cumulative Data from April 2019–September 1, 2022*

County	Zip Code	Usage Rate	County Poverty Rate	Zip Poverty Rate
Fresno	93702	5.1 %	43.32 %	72 %
Fresno	93706	4.2 %	43.32 %	66 %
Fresno	93722	7.8 %	43.32 %	40 %
Fresno	93726	4.0 %	43.32 %	54 %
Fresno	93727	6.7 %	43.32 %	39 %
Humboldt	95501	8.1 %	40.46 %	44 %
Humboldt	95503	8.1 %	40.46 %	35 %
Humboldt	95519	6.1 %	40.46 %	38 %
Humboldt	95521	9.1 %	40.46 %	48 %
Humboldt	95540	5.6 %	40.46 %	43 %
Imperial	85364	2.5 %	47.77 %	46 %
Imperial	92227	4.5 %	47.77 %	54 %
Imperial	92231	7.8 %	47.77 %	46 %
Imperial	92243	7.6 %	47.77 %	47 %
Imperial	92251	3.6 %	47.77 %	24 %
Modoc	89431	3.0 %	40.62 %	43 %
Modoc	89433	3.0 %	40.62 %	42 %
Modoc	96101	25.4 %	40.62 %	38 %
Modoc	97302	3.0 %	40.62 %	26 %
Modoc	97603	3.0 %	40.62 %	40 %
Mono	89521	1.6 %	24.19 %	18 %
Mono	90026	2.2 %	24.19 %	36 %
Mono	90650	1.6 %	24.19 %	29 %
Mono	92335	1.6 %	24.19 %	46 %
Mono	93063	1.6 %	24.19 %	18 %
Monterey	93901	4.1 %	33.47 %	33 %
Monterey	93905	6.6 %	33.47 %	52 %
Monterey	93906	12.2 %	33.47 %	31 %

*Online Infraction Adjudication and Ability-to-Pay Determinations*

County	Zip Code	Usage Rate	County Poverty Rate	Zip Poverty Rate
Monterey	93933	4.2 %	33.47 %	32 %
Monterey	93955	6.0 %	33.47 %	31 %
Placer	95621	5.4 %	17.14 %	24 %
Placer	95648	5.4 %	17.14 %	16 %
Placer	95678	2.9 %	17.14 %	21 %
Placer	95747	5.1 %	17.14 %	14 %
Placer	95765	3.2 %	17.14 %	10 %
San Benito	93635	4.0 %	24.02 %	42 %
San Benito	93901	2.0 %	24.02 %	33 %
San Benito	93906	4.0 %	24.02 %	31 %
San Benito	93924	2.0 %	24.02 %	13 %
San Benito	95023	62.0 %	24.02 %	26 %
San Francisco	94110	2.3 %	21.44 %	19 %
San Francisco	94112	3.8 %	21.44 %	21 %
San Francisco	94124	4.8 %	21.44 %	36 %
San Francisco	94134	2.3 %	21.44 %	25 %
San Joaquin	95205	5.1 %	33.33 %	60 %
San Joaquin	95206	9.0 %	33.33 %	48 %
San Joaquin	95207	8.6 %	33.33 %	42 %
San Joaquin	95209	5.8 %	33.33 %	24 %
San Joaquin	95240	4.8 %	33.33 %	43 %
San Luis Obispo	93401	8.0 %	26.35 %	27 %
San Luis Obispo	93420	4.6 %	26.35 %	12 %
San Luis Obispo	93422	4.6 %	26.35 %	22 %
San Luis Obispo	93444	4.6 %	26.35 %	19 %
San Luis Obispo	93446	10.3 %	26.35 %	26 %
Santa Clara	95020	4.6 %	16.73 %	22 %
Santa Clara	95111	3.9 %	16.73 %	30 %
Santa Clara	95122	3.7 %	16.73 %	29 %
Santa Clara	95123	3.6 %	16.73 %	13 %
Santa Clara	95127	3.9 %	16.73 %	22 %
Santa Cruz	95003	7.9 %	26.05 %	11 %
Santa Cruz	95005	2.5 %	26.05 %	25 %
Santa Cruz	95060	9.7 %	26.05 %	32 %

*Online Infraction Adjudication and Ability-to-Pay Determinations*

County	Zip Code	Usage Rate	County Poverty Rate	Zip Poverty Rate
Santa Cruz	95062	9.4 %	26.05 %	24 %
Santa Cruz	95076	15.8 %	26.05 %	36 %
Shasta	96001	4.1 %	33.62 %	27 %
Shasta	96002	4.4 %	33.62 %	38 %
Shasta	96003	5.0 %	33.62 %	33 %
Shasta	96007	2.5 %	33.62 %	38 %
Tulare	93257	8.2 %	48.30 %	53 %
Tulare	93274	6.7 %	48.30 %	44 %
Tulare	93277	4.2 %	48.30 %	35 %
Tulare	93291	4.5 %	48.30 %	33 %
Ventura	93003	5.1 %	23.69 %	22 %
Ventura	93030	8.7 %	23.69 %	34 %
Ventura	93033	9.8 %	23.69 %	44 %
Ventura	93036	4.8 %	23.69 %	32 %
Ventura	93065	3.8 %	23.69 %	17 %

## Appendix C: How the Tool Works

*MyCitations* is designed as a straightforward way for the litigant to provide their financial outlook for consideration by the court. From a litigant's perspective, the tool asks questions about income, benefits, household size, and expenses. But what happens after the litigant completes the request?

Before a court begins using the tool it must configure the calculator's settings with information specific to their jurisdiction's identified policy choices. Specifically, courts must set two reduction rates for the calculator to apply to eligible infractions. The first is a flat rate reduction applied to infraction debt from litigants who indicate that they are in receipt of public benefits. For example, a court might configure the calculator to recommend a 60 percent reduction for litigants on public benefits. The second is a sliding reduction rate that is indexed to a litigant's federal poverty level (FPL on the figure below) when they indicate that they do not receive public benefits. For instance, the calculator might be configured to recommend a 60 percent reduction for federal poverty level under 200 percent but a 50 percent reduction for levels over 200 percent.

The tool calculates a federal poverty score for each litigant based on income and household size. Indexing the sliding reduction to this score is prudent because it best represents material parity across litigants that nominal monthly income does not fully capture. For example, a \$2,000 monthly income is spread thinner in a household of four compared to a household of one; correspondingly, the household size adjusts the federal poverty score such that the same monthly income registers a score of 177 percent for the former but 87 percent for the latter. These scores are the variable that determines a litigant's ability to pay, and the tool calculates a recommendation accordingly. The precise parameters for federal poverty scores that the tool uses to calculate recommendations are set at the local level by each court.

These reduction rates are mutually exclusive, and the tool only supplies the court with one reduction to consider. If a litigant receives public benefits, the tool does not consider their income or household size to calculate a reduction. However, judicial officers are presented with that information nonetheless so that they are fully apprised of the litigant's material situation. The judicial officer can accept, modify, or deny the reduction that the tool recommends. Figure 12 illustrates the flow of information through the *MyCitations* tool.



