Training Agenda

Opening and Introduction
- Faculty and contacts
- Housekeeping
- Training expectations and goals

Training Topics
- State Controller’s Office – Changes to Appendix C
- Judicial Council - Uniform Bail and Penalty Schedule
- Overview of FAQs
- Audit and Distribution Issues

Information Items
- Court-Ordered Debt Task Force Pilot Program
- 2015 Revenue Distribution Training

Wrap Up
- Pending Questions
- Training Certifications
# Faculty and Contacts

## State Controllers Office

<table>
<thead>
<tr>
<th>Name</th>
<th>Email</th>
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<tbody>
<tr>
<td>Lakia Beavers</td>
<td><a href="mailto:LBeavers@sco.ca.gov">LBeavers@sco.ca.gov</a></td>
</tr>
<tr>
<td>Bob Stonehouse</td>
<td><a href="mailto:RStonehouse@sco.ca.gov">RStonehouse@sco.ca.gov</a></td>
</tr>
</tbody>
</table>

## Judicial Council

<table>
<thead>
<tr>
<th>Name</th>
<th>Email</th>
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<tbody>
<tr>
<td>Bob Fleshman</td>
<td><a href="mailto:Bob.Fleshman@jud.ca.gov">Bob.Fleshman@jud.ca.gov</a></td>
</tr>
<tr>
<td>John Judnick</td>
<td><a href="mailto:John.Judnick@jud.ca.gov">John.Judnick@jud.ca.gov</a></td>
</tr>
<tr>
<td>Robert Cabral</td>
<td><a href="mailto:Robert.Cabral@jud.ca.gov">Robert.Cabral@jud.ca.gov</a></td>
</tr>
<tr>
<td>Courtney Tucker</td>
<td><a href="mailto:Courtney.Tucker@jud.ca.gov">Courtney.Tucker@jud.ca.gov</a></td>
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</tbody>
</table>
Housekeeping Information

• Questions:
  • Ask at any time – Use the WebEx “Chat” feature. Due to the number of participants, the conference line will be muted.
  • Questions will be reviewed in real-time by faculty and responded to, as appropriate.
  • Those not answered will be reviewed for inclusion in the master FAQs document and/or require individual follow up.

• Evaluations: Distributed post-training.
Instruction Goals

• Review changes to Appendix C
• Identify proposed changes to the 2015 Uniform Bail and Penalty Schedule
• Review and discussion of frequently asked questions related to trial court revenue distribution
• Provide an overview of audit and distribution issues
• Update on revenue distribution pilot program
• Discuss Spring 2015 training options
ASSESSMENT, COLLECTION, AND DISTRIBUTION
COMPLEXITY OF THE PROCESS

* Entities under contract to perform collections.
Overview

• State Controller’s Office (SCO) Roles and Responsibilities
• Trial Courts Revenue Distribution Guide – Appendix C
  • What it is and where to find it
  • Changes
  • Legislation
  • Timing of Issuance
• Urgency Legislation Notification Process
State Controller’s Office (SCO) Roles and Responsibilities

• Division of Audits
• Division of Accounting and Reporting
  ➢ Fiscal Control Section
  ➢ Local Government Policy Section
• GC 71380 Statutory Requirements
Trial Courts Revenue Distribution Guide - Appendix C

Trial Courts Distribution Guidelines
Appendix C

Revision 24
Updated as of March 1, 2014

California State Controller’s Office
Controller John Chiang
Appendix C provides guidance on the distribution of fees, fines, forfeitures, penalties, and assessments resulting from criminal and civil violations.
Trial Courts Revenue Distribution Guide - Appendix C

http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html

Training Materials
- Plenary Session PowerPoint Slides
- Parking Breakout Session PowerPoint Slides
- Basic Breakout Session PowerPoint Slides
- Specialized Breakout Session PowerPoint Slides
Changes

- Priority of Installment Payments
- Priority of Payments on Additional Penalties
- 50% Excess Revenue Distribution
- Common Audit Findings
## Legislation

<table>
<thead>
<tr>
<th>Legislative Year Chaptered</th>
<th>Added or Amended</th>
<th>Modified Code Section</th>
<th>Description</th>
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<tbody>
<tr>
<td>2014</td>
<td>Added</td>
<td>B&amp;P 7502.2 - Engage an Unlicensed Person to Repossess Collateral Fine; Misdemeanor</td>
<td>A financial institution or buy-here-pay-here dealer that knowingly engages an unlicensed person to repossess collateral on their behalf is punishable by a fine of $5000. The fine has a specific distribution.</td>
</tr>
<tr>
<td>2014</td>
<td>Amended</td>
<td>GC 26721.2 - Sheriff’s fees for serving a summons for any action commencing in superior court</td>
<td>$40 fee for serving a summons for any action commencing in superior court, canceling a summons prior to its completion and making a not-found return on a summons.</td>
</tr>
<tr>
<td>2014</td>
<td>Amended</td>
<td>GC 26750 - Sheriff’s fees for serving an earnings withholding order</td>
<td>$35 fee for serving an earnings withholding order under the Wage Garnishment Law, Chapter 5 of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure.</td>
</tr>
<tr>
<td>2014</td>
<td>Added</td>
<td>GC 70663 - Conservatorship Registration Fee</td>
<td>$30 fee for registering a conservatorship, under Article 4 of Ch.8 of Part 3 of Division 4 the Probate Code.</td>
</tr>
<tr>
<td>2014</td>
<td>Added</td>
<td>W&amp;I 258(b)(6)(B) - Truancy Fine for Juveniles</td>
<td>A minor who violates WIC 601(b) may be subject to a fine not more than $50. This fine is not subject to penalties and surcharge pursuant to GC 70372, GC 76000, GC 76000.5, GC 76104.6, PC 1464 and PC 1465.7.</td>
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*List is not all-inclusive

As of December 3, 2014
The codes below will either be added or amended in the next revision of Appendix C:

<table>
<thead>
<tr>
<th>Bill</th>
<th>Chapter</th>
<th>Code</th>
<th>Description</th>
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<tr>
<td>AB 388</td>
<td>760</td>
<td>W&amp;I 730.6</td>
<td>Required Restitution Fine for Juveniles</td>
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<tr>
<td>AB 1739</td>
<td>347</td>
<td>WC 10732</td>
<td>Civil Penalties Relating to Groundwater Excess Extraction Violations</td>
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<tr>
<td>AB 2195</td>
<td>898</td>
<td>W&amp;I 258 (b)(6)(B)</td>
<td>Truancy Fine for Juveniles</td>
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<tr>
<td>AB 2256</td>
<td>470</td>
<td>GC 26721.2</td>
<td>Summons Service Fees</td>
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<tr>
<td>AB 2256</td>
<td>470</td>
<td>GC 26750</td>
<td>Sheriff’s Fees for Serving an Earnings Withholding Order</td>
</tr>
<tr>
<td>AB 2365</td>
<td>308</td>
<td>CC 1670.8</td>
<td>Civil Penalties Relating to Unlawful Contracts</td>
</tr>
<tr>
<td>AB 2503</td>
<td>390</td>
<td>B&amp;P 7502.2</td>
<td>Repossession Fine; Misdemeanor</td>
</tr>
<tr>
<td>SB 270</td>
<td>850</td>
<td>PRC 42285</td>
<td>Civil Penalties Relating to Single-Use Carryout Bag Violations</td>
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<tr>
<td>SB 419</td>
<td>513</td>
<td>PC 2085.5</td>
<td>Restitution Fine; Deduction from Prisoner Wages</td>
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<tr>
<td>SB 445</td>
<td>547</td>
<td>H&amp;S 25299.80.5</td>
<td>Fines Relating to Underground Petroleum Storage Tank</td>
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<tr>
<td>SB 940</td>
<td>553</td>
<td>GC 70663</td>
<td>Conservatorship Registration Fee</td>
</tr>
<tr>
<td>SB 1197</td>
<td>517</td>
<td>PC 2085.6</td>
<td>Restitution Collection Admin Fee</td>
</tr>
<tr>
<td>SB 1261</td>
<td>715</td>
<td>H&amp;S 25515.5</td>
<td>Civil Penalties Relating to Hazardous Waste Violations</td>
</tr>
<tr>
<td>SB 1388</td>
<td>714</td>
<td>PC 266k</td>
<td>Additional Fine for Sexual Exploitation Crimes</td>
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</table>

**Existing code, but adding to Appendix C**

<table>
<thead>
<tr>
<th>Bill</th>
<th>Code</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>B&amp;P 17535.5</td>
<td></td>
<td>Civil Penalty for Injunction Violations</td>
</tr>
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</table>

*As of December 3, 2014*
Urgency Legislation Notification Process

When urgency legislation is enacted into law:

- Guidelines for the codes affecting Trial Courts Distribution will be posted to SCO’s Trial Courts Distribution Guidelines webpage
- Email notice will be sent to subscribers of SCO’s Trial Courts Distribution Guidelines email list
- The urgency legislation will be included in the next revision of Appendix C
Urgency Legislation Notification Process

To receive automatic notification of updates to the Trial Courts Distribution Guidelines, please contact:

• Lakia Beavers
  • Email: LBeavers@sco.ca.gov

• Michael Gungon
  • Email: MGungon@sco.ca.gov
JUDICIAL COUNCIL OF CALIFORNIA

UNIFORM BAIL AND PENALTY SCHEDULES
Judicial Council
Uniform Bail and Penalty Schedules (Rule 4.102)

- PC 1269b(c): requires that courts prepare, adopt, and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses except Vehicle Code infractions.

The penalty schedule for infraction violations of the Vehicle Code shall be established by the Judicial Council in accordance with Section 40310 of the Vehicle Code.

- VC 40310: requires Judicial Council to annually adopt a uniform traffic penalty schedule for all non-parking Vehicle Code infractions.
Countywide Bail Schedules

• The judges in each county adopt a countywide bail schedule that sets bail based on the requirements that apply to that jurisdiction, including adjustment of the county penalty and EMS penalty for the traffic infraction schedule.

• In 30 counties, a traffic infraction bail schedule may exceed the bail amounts that are set in the council's schedule if the board of supervisors adopts a resolution to increased the bail under Penal Code section 1463.28.
The Uniform Bail and Penalty schedules are revised to conform to recent legislation. The Judicial Council adopted the March 2014 Uniform Bail and Penalty Schedule at the February 2014 council meeting.

**Purpose of schedules:**

1. To provide the standard bail amount, which for Vehicle Code offenses is the amount that may be used for a bail forfeiture instead of further proceedings.

2. Serve as a guideline for the imposition of a fine as all or a portion of the penalty for a first conviction of a listed offense where a fine is used as all or a portion of the penalty for such offense.
ATTACHMENT A

Uniform Bail and Penalty Schedules

MARCH 2014 EDITION

(Cal. Rules of Court, rule 4.102)

TRAFFIC
BOATING
FORESTRY
FISH AND GAME
PUBLIC UTILITIES
PARKS AND RECREATION
BUSINESS LICENSING

JUDICIAL COUNCIL OF CALIFORNIA
12002.1(b) or 12002.2(b) or to any regulation relating to the wearing or display of a fishing license.

F. “Total Bail” shall not exceed statutory limits. Vehicle Code section 40310 specifies that the “fine” amount of the total bail shall not exceed the limitations specified by Vehicle Code sections 42001 and 42001.5.

G. In cases where a court appearance is required by a court, the amounts set forth in the Uniform Bail and Penalty Schedules do not necessarily indicate the appropriate total penalties; rather, they ensure that, in most cases, when bail is posted, sufficient funds will be available to meet the defendant’s obligations. Upon conviction, however, “additional penalties” are added to any fine. It is incumbent upon the judge who hears each case to determine the proper total penalty (fine and “additional penalties”) based on the particular facts presented.

With the exception of juveniles under age 18, there shall be no mandatory court appearance for any infraction of the California Vehicle Code punishable by fine only. A court may require a mandatory appearance for an infraction violation of the Vehicle Code when a statutory driver’s license restriction, suspension, or revocation is authorized; community service or proof of payment or correction is mandatory; or a violation requires specific action under the Vehicle Code in addition to a fine. This paragraph does not apply to violations of local ordinances based on Vehicle Code sections.

H. The “Total Bail” for an offense not specifically listed in the Uniform Traffic Infraction Bail and Penalty Schedule is the amount set for the general category of that offense unless a California code or regulation specifies otherwise. The court operations assessment and criminal conviction assessment are collected in addition to the “Total Bail.” The suggested minimum “Total Bail” for an offense not specifically listed in the Uniform Traffic Misdemeanor Bail and Penalty Schedule and the Uniform Boating, Parks and Recreation, or Business Licensing Bail and Penalty Schedules, unless a California code or regulation specifies otherwise, is

<table>
<thead>
<tr>
<th></th>
<th>Base + Additional Penalties*&amp;</th>
<th>Surcharge</th>
<th>+</th>
<th>Fees</th>
<th>= Total Bail/Fees (*See sections II–IV)</th>
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<tbody>
<tr>
<td>Misdemeanor</td>
<td>$ 75 +</td>
<td>$251</td>
<td>+</td>
<td>$70</td>
<td>= $396</td>
</tr>
<tr>
<td>Infraction</td>
<td>$ 35 +</td>
<td>$127</td>
<td>+</td>
<td>$75</td>
<td>= $237</td>
</tr>
</tbody>
</table>

The suggested minimum “Total Bail” for an offense not specifically listed in the Uniform Public Utilities Bail and Penalty Schedule, unless a California code or regulation specifies otherwise, is

|                | $185 +                      | $588      | + | $70   | = $839                                |

The suggested minimum “Total Bail” for an offense not specifically listed in the Uniform Boating, Business Licensing, Fish and Game, Forestry, or Parks and Recreation Bail and Penalty Schedules, unless a California code or regulation specifies otherwise, is

<p>|                | $100 +                      | $310      | + | $70   | = $480                                |
| Infraction     | $ 35 +                      | $123      | + | $75   | = $233                                |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Notes</th>
<th>Offense</th>
<th>Base Fine /Fee</th>
<th>State PA*</th>
<th>County PA*</th>
<th>DNA PA*</th>
<th>Court PA*</th>
<th>EMS PA*</th>
<th>Surcharge</th>
<th>EMAT PA*</th>
<th>Fine Surcharge &amp; PA Subtotal</th>
<th>Court Ops Conv Agress Fine Court Night Court</th>
<th>TAP Fee</th>
<th>&quot;Total Bail&quot; **</th>
<th>Category</th>
<th>DMV Points</th>
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<tr>
<td>27363 (f)</td>
<td>A</td>
<td>Transportation of Child in Rear-Facing Child Passenger Restraint System in Front Seat of Vehicle With Active Frontal Airbag</td>
<td>35 40 28.00 20 20 7 8 4</td>
<td>162.00 40 35 1 0.00 238.00 2a 1</td>
<td></td>
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<tr>
<td>27363 (f)</td>
<td>B</td>
<td>Transportation of Child in Rear-Facing Child Passenger Restraint System in Front Seat of Vehicle With Active Frontal Airbag</td>
<td>25 0 0.00 0 0 0</td>
<td>0 0 0 0 0 0.00</td>
<td>0 0 0 0 0 0.00</td>
<td>25.00 4a 0</td>
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<tr>
<td>27363.5 (a,b)</td>
<td></td>
<td>Failure of Hospital, Clinic, or Birthing Center to Provide Information About Child Passenger Restraint Requirements and Contact Information</td>
<td>35 40 28.00 20 20 7 8 4</td>
<td>162.00 40 35 1 0.00 238.00 2a 0</td>
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<td>27365 (a)(1)</td>
<td>70</td>
<td>Rental Agencies Required to Inform Customers About Child Restraint Requirements, Provide for Rental of Child Passenger Restraint System</td>
<td>100 100 70.00 50 50 20 20 4</td>
<td>414.00 40 35 1 0.00 490.00 4a 0</td>
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<tr>
<td>27368</td>
<td>A</td>
<td>Failure to Abide by Safety Standards and Regulations for Child Passengers in Fully Enclosed Three-Wheeled Vehicles</td>
<td>25 30 21.00 15 15 5 6 4</td>
<td>121.00 40 35 1 0.00 197.00 1a 1</td>
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<tr>
<td>27368</td>
<td>B</td>
<td>Failure to Abide by Safety Standards and Regulations for Child Passengers in Fully Enclosed Three-Wheeled Vehicles</td>
<td>25 0 0.00 0 0 0 0 0</td>
<td>0 0 0 0 0 0.00</td>
<td>0 0 0 0 0 0.00</td>
<td>25.00 4a 0</td>
<td></td>
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<td>27375 (a)</td>
<td>A</td>
<td>Violation of Door or Window Requirement for Modified Limousine</td>
<td>70 70 49.00</td>
<td>35 35 14 14 4</td>
<td>291.00 40 35 1 0.00 367.00 3a 0</td>
<td></td>
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<tr>
<td>27375 (a)</td>
<td>B</td>
<td>Violation of Door or Window Requirement for Modified Limousine</td>
<td>25 0 0.00</td>
<td>0 0 0 0 0</td>
<td>0 0 0 0 0 0.00</td>
<td>25.00 4a 0</td>
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<td>27375 (b)</td>
<td>86</td>
<td>Failure of Limousine Driver to Unlock Rear Doors for Passengers to Open for Fire or Emergency</td>
<td>70 70 49.00</td>
<td>35 35 14 14 4</td>
<td>291.00 40 35 1 0.00 367.00 3a 0</td>
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<td>27375 (c)(1)</td>
<td>72</td>
<td>Failure of Limousine Driver Owner or Operator to Instruct Passengers on Vehicle Features and Communication With the Driver</td>
<td>70 70 49.00</td>
<td>35 35 14 14 4</td>
<td>291.00 40 35 1 0.00 367.00 3a 0</td>
<td></td>
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<tr>
<td>27375 (c)(2)</td>
<td>72</td>
<td>Failure of Limousine Driver Owner or Operator to Disclose Whether the Limousine Meets Current Safety Requirements</td>
<td>70 70 49.00</td>
<td>35 35 14 14 4</td>
<td>291.00 40 35 1 0.00 367.00 3a 0</td>
<td></td>
<td></td>
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</tbody>
</table>
Proposed revisions to conform the 2015 schedules to recent changes in the law include the following:

• Revision of section I.C on page iii of the preface to add subdivision (b) to Penal Code section 19.8.

• Revision of section IV.C.3 on page vi of the preface to delete the discussion of Streets and Highways Code section 97.5, which sunset in 2014.

• Revision of section IV.H on page vii of the preface to clarify that the emergency medical air transportation (EMAT) penalty assessment applies only to violations of the Vehicle Code and ordinances adopted under the Vehicle Code.

• Revision of section VIII.D on page x of the preface to correct the sample calculation of bail for multiple violations without traffic violator school.
Addition or modification of infraction offenses for violation of Vehicle Code sections:

- 14606(c), failure of employer to retain medical certificate of driver of commercial vehicle when no medical certification status is included in the commercial license information system, which was repealed and amended effective January 30, 2014;

- 23302(a)(2), unauthorized placement of toll transponder;

- 23302(a)(3), unauthorized placement of toll transponder for motorcycle;

- 27375(a), violation of window or door requirement for modified limousine;

- 27375(c)(1), failure of limousine owner or operator to instruct passengers on vehicle features and communication with the driver;

- 27375(c)(2), failure of limousine owner or operator to disclose whether the limousine meets current safety requirements;

- 27375(c)(3), failure of limousine owner or operator to disclose whether the limousine is exempt from safety requirements for emergency escape;

- 28062(a), modified limousine not equipped with fire extinguishers as required;

- 38601, operating or riding in recreational off-highway vehicle on public land by person while not wearing safety helmet as required.
Modification of misdemeanor offense for violation of Vehicle Code section:

- 2468(a), failure of licensed renderer to keep written records of inedible kitchen grease;
- 2468(b), refusal of licensed renderer or registered transporter to exhibit required record or destruction of required record.

Modification of Fish and Game Code sections:

- 4004(a, b, d–g), trapping violations;
- 4004(c), setting or maintaining trap without required identifying mark.
Modification of Harbors and Navigation Code sections:

- 307(a), mooring to or hanging on with a vessel to buoy or beacon;
- 307(b), removing, damaging, or destroying buoy or beacon;
- 652.5(c), blue light—unauthorized use;
- 652.5(d), failure to yield to blue light or siren;
- 652.5(e), failure of cable ferry operator to provide clear course for law enforcement;
- 655(a), reckless or negligent operation by riding on bow, gunwale, or transom of vessel propelled by machinery;
- 655.2(a), power boats—speed restrictions;
- 658(a), operation of vessels towing persons on water skis or aquaplanes—requirement for person 12 years of age or older to be aboard in addition to driver;
- 658(b), prohibited hours;
Contacts

Any questions about bail schedules may be directed to:

- Courtney Tucker
  - Phone: (415) 865-7611
  - Email: courtney.tucker@jud.ca.gov

Additional Resources

Judicial Council reports:
http://www.courts.ca.gov/jcmeetings.htm

Judicial Council Bail Schedules:
http://www.courts.ca.gov/7532.htm
Questions?
Summary of 2014 Legislative Changes

Open Forum

• Participant questions
• FAQs
Audit and Distribution Issues

Audit Services of the Judicial Council performs:

- Regular cycle audits of the superior courts with a focus of what the CMS calculations are programmed to do now and the recent past.
- This testing focuses on testing complex distributions and other select distributions that have been found to be recent issues.
Audit and Distribution Issues

Revenue Distribution Guidelines Page of the California Courts Website

http://www.courts.ca.gov/revenue-distribution.htm

This page is designed to serve as a centralized resource for trial courts and justice partner stakeholders to access important information on trial court revenue distribution: SCO’s Appendix C, upcoming & past training modules, and other related resources such as testing spreadsheets.
State Controller's Office Trial Courts Revenue Distribution Guidelines - Appendix C

Current

- [Revision #24 Appendix C - Distribution Tables - Legislation effective March 24, 2014](#)
- [Appendix C Survey](#)

Past Revisions

- [Revision #23 Appendix C - Distribution Tables - Legislation effective January 1, 2013](#)
- [Revision #22 Appendix C - Distribution Tables - June 2010](#)

2014 Revenue Distribution Training

Training Materials

- Morning Plenary Session PowerPoint Slides
  - [Printable version](#) (b/w in handout & notes format)
  - [Color version](#) (for viewing onscreen)
- Afternoon Distribution Calculations Session PowerPoint Slides
  - [Printable version](#) (b/w in handout & notes format)
  - [Color version](#) (for viewing onscreen)

2013 Revenue Distribution Training Program

Training Materials

- [Plenary Session PowerPoint Slides](#)
- [Parking Breakout Session PowerPoint Slides](#)
- [Basic Breakout Session PowerPoint Slides](#)
- [Specialized Breakout Session PowerPoint Slides](#)

AOC Distribution Worksheets

- [Revenue Distribution Worksheet](#)

Additional Resources

- [Revenue Distribution Training Program Recordings](#)
- [DNA Penalty Assessment (Proposition 69) Distribution Guidelines - December 2004](#)
- [Court Surcharge Distribution Guidelines - (AB 3000) - March 2003](#)
- [2014 Uniform Bail and Penalty Schedules](#)
Audit and Distribution Issues

Systemic or other issues found on recent audits or questions posed:

• Domestic violence fee effective 1-1-2014 went from $400 to $500. (PC 1203.097); Court required to provide a statement of reason on the record if it exercises discretion to reduce or waive the fee.

• Red light traffic school case – distributed the collections as a PC 1463.11 red light bail forfeiture instead of as a VC 42007.3 Red light traffic school.

• Fines are punitive and would be from the date of violation due to Ex Post Facto prohibitions, which means that the court cannot impose a more punitive fine (possibly at conviction date) than what existed at the time of the violation. This includes the State Restitution Fine per case law.

• Restitution fine is not subject to penalty assessments - PC1202.4(e) and see FAQ C 61.
Audit and Distribution Issues

- PC 1205.3 - when probation is granted for an offense, fines including restitution fines can be converted to community service but fees cannot be converted.

- Where a defendant may have multiple cases filed against him/her and the judicial officer decides to hear these cases concurrently because the violations were filed separately, the base fines should not be added before calculating the penalties. FAQ F 3

- GC 76000.3 additional $3 penalty on parking offenses (1-1-11) – determine whether the $3 is already part of the distribution – if not, it comes out of the total collected as the State receives $7.50. Some prior examples were prior to 1-1-11.
Audit and Distribution Issues

- **FG7145(A)-Fishing without a license.** The $15 secret witness penalty (goes to a secret witness fund) applies if the defendant did not have a fishing license that was valid at the time of arrest/citation. However, if the defendant can show proof to court that he or she had a fishing license valid at the time of arrest/citation and the fine the court may reduced the fine to $25 and the $15 penalty does not apply. FG12021 verses FG12002.2

- Distribution priorities:
  - State surcharge of 20% under PC 1465.7 is a PRIORITY 2
  - Red light bail forfeiture cases - PC 1463.11 30% allocation to the EMAT penalty assessment not applied
Audit and Distribution Issues

- 2% State Automation calculation and distribution
  - VC 42007 converts the fines and penalties to a traffic violator school fee and the 2% is incorrectly calculated and distributed from the fines and penalties for traffic school cases, except for child seat traffic school cases.
  - Assessed on all fines, penalties, and forfeitures NOT ON FEES
- State DNA penalty GC 76104.7
  - Assessment of $3 for every $10 of the enhanced base fine in all criminal cases (including VC or any local ordinance adopted pursuant to the VC) was made but it increased to $4 effective June 27, 2012
SCO Court Revenue Audits

http://www.sco.ca.gov/aud_court_revenues.html
SCO Court Revenue Audits

Common findings:

• Fees Being Deducted from Traffic Violator School Bail
  • VC 42007

• 30% Distribution from Red Light/Railroad Violations
  • PC 1463.11
  • PC 1463.12
  • VC 42007.3
  • VC 42007.4
SCO Court Revenue Audits

More common findings:

• Maintenance of Effort Payments from 50/50 Split
  • GC 77205
  • GC 77201.1(b)(2)

• State Surcharge from Parking Citations
  • GC 70372 (b) - $4.50
  • GC 76000.3 - $3.00
Court Ordered Debt Task Force (CODTF) Pilot Program

- Established by Penal Code 1463.02(b)
- Representatives from
  - State entities, agencies, and organizations
  - Counties, cities, and other external organizations
CODTF – Statute

Extract of goals under PC 1463.02(b)

Evaluate and make recommendations to the Judicial Council and the Legislature for consolidating and simplifying the imposition of criminal and traffic-related court-ordered debts and the distribution of the revenue...
CODTF – Pilot Program

Criminal and Traffic-Related Court-Ordered Debt Simplification Pilot Program

- Start with three pilot courts – Santa Clara, Shasta, Ventura
- Analysis of one fiscal year of historical collections
  - % of dollars collected by code section and by parties receiving distributions
  - Goal is to develop a uniform template courts can use to report collections for further analysis
- Expand data gathering and analysis to two to three fiscal years once uniform template is developed
  - Hypothesis is that % of collections by code section and parties receiving collections are similar from county to county
3rd Annual Revenue Distribution Training

- Spring 2015
- In-person, multiple locations
- Plenary session, breakout groups
- What do you want to see?
Conclusion

• Pending questions

• Questions? Steps:
  • Review FAQ document first.
  • If not answered, submit to SCO contacts (see slide 3) and/or by email to Judicial Council staff at: revenuedistribution@jud.ca.gov.
Conclusion

• Certifications

• A training completion email will be sent to each participant with link to recorded training and materials.

• Request training certificate.
The End

Thank you!