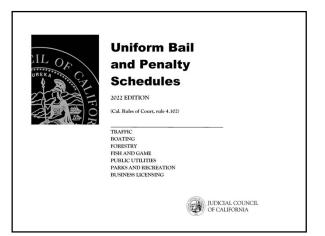
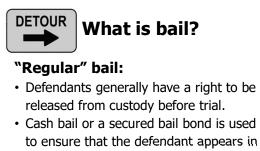
Uniform Bail and Penalty Schedules (UBPS)

1





2



court on their case.

Traffic Bail Under UBPS

- For certain offenses a penalty in the form of **a** fine can be "forfeited" and cancel the need for any further court proceedings (VC \S 40512 emphasis added)
- Payment is treated as a conviction for the offense (VC §13103)



4

What UBPS Includes

Mandatory Schedule:

Suggested Base Fines: • traffic infractions • traffic misdemeanors

- boating
 - forestry
 - fish and game
 - public utilities
 - parks and recreation

5

business licensing

Infraction Category	Severity of Offense	Base Fine
1	Bicyclist, motorized scooter, pedestrian, pocket bike, vehicle registration and equipment offenses	\$25
2	Driver's license, operation of vehicle, and size and load offenses	\$35
3	Substance abuse infractions, VC 2818 (trespassing electronic beacon), VC 20004 (reporting deaths,) VC 21706.5 (operation of vehicle in emergency accident zone), VC 27375 (modified limousines)	\$70
4	Miscellaneous offenses for which the penalties or the fee for dismissal with proof of correction are specifically set by the Vehicle Code, speeding offenses (refer to Speed Chart), and infractions pursuant to PC 19.8	Depends



Total Bail for Infractions

Base Fine + Penalties & Surcharge + Fees = Total Bail

Category	Base Fine	Penalties & Surcharges	Fees	Total Bail/Fees
1	\$25	\$96	\$75	\$196
2	\$35	\$127	\$75	\$237
3	\$70	\$221	\$75	\$366
4	Depends on base fine			

7

Total Bail Cont'd.

7

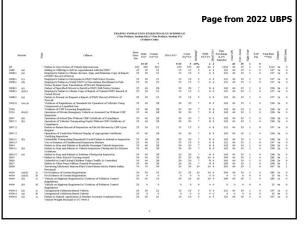
Suggested minimum "Total Bail" for an offense not specifically listed in the following schedules, unless a California code or regulation specifies otherwise, are:

Type of Offense		Base Fine	Penalties & Surcharges	Fees	Total Bail/Fees
Traffic Misdemeanor		\$75	\$251	\$70	\$396
Public Utilities		\$185	\$588	\$70	\$843
Boating, Business Licensing, Fish & Game, Forestry, or Parks & Rec	Misdemeanor	\$100	\$310	\$70	\$480
	Infraction	\$35	\$123	\$75	\$233
					8

8

State penalty assessment ("State PA")	Penal code § 1464	\$10 assessment for every \$10 or part of \$10 fine	State penalty fund, goes to law enforcement training, restitution fund, etc.
County penalty assessment ("County PA")	Gov Code § 76000	\$7 assessment for every \$10 or part of \$10 fine	County treasury
County and state DNA funds penalty assessment ("DNA PA")	Gov Code §§ 76104.6, 76104.7	\$5 assessment for every \$10 or part of \$10 fine	DNA identification
State surcharge	Penal code § 1465.7	20% of base fine	General fund
Emergency medical services penalty assessment ("EMS PA")	Gov Code § 76000.5	\$2 assessment for every \$10 or part of \$10 fine	County emergency medical services
EMAT ("EMAT PA")	Gov Code § 76000.10(c)(1)	\$4	Emergency medical air transport
Court operations fee ("Court ops")	Pen. Code § 1465.8	\$40	Court operations
Criminal conviction assessment ("Conv. Assess")	Gov Code § 70373	\$35	Maintain adequate funding for court facilities
Night or weekend court fee ("Night court") (optional by court)	Veh. Code § 42006	\$1	Night or weekend court program
Traffic assistance program ("TAP fee") (optional by court)	Veh. Code § 11205.2(c)	Varies, but cannot exceed actual court cost of traffic assistance program	Traffic assistance program 9





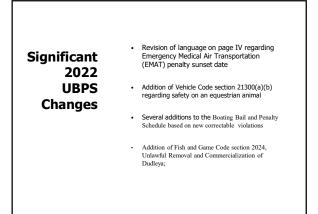
10

Changes Based On:

New legislation

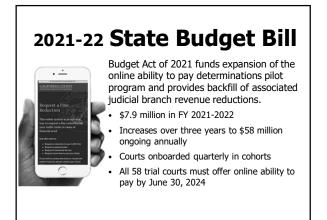
Suggestions from justice partners
 Technical changes

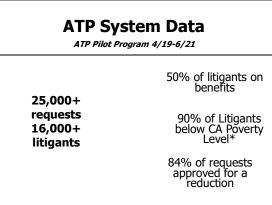
2022











ATP System Data ATP Pilot Program 4/19-6/21			
Total Amount Owed	\$17,485,898		
Average Amount Owed Per Ticket	\$693		
Total Owed <i>After</i> Adjustment	\$7,954,530		
Average Amount Owed <i>After</i> Adjustment	\$315		

16

AB 143 Trailer Bill Language

Requirements When Determining Ability to Pay

- The tool must recommend at least a 50% reduction for a defendant on benefits (listed in subdivision (a) of Section 68632).
 - Current pilot court tool recommendations vary from 50-80% for defendants on benefits.
- If the defendant on benefits is granted an installment plan, it shall be no more than \$25 a month.
- While statute does not mandate specific reduction recommendations for defendants *not on* benefits, pilot program policy has been to treat similarly situated defendants similarly.
 - Generally, litigants at poverty levels of 125-250% receive reduction
 and payment plan similar to those on benefits.

17

AB 143 Trailer Bill Language

General Guidance

- Each court can configure their own parameters for calculator recommendations for reductions.
- In all cases, judicial officers have discretion to alter tool recommendation when necessary.

AB 143 Trailer Bill Language

- Courts may not impose administrative fees for payment plans, on nondelinquent and delinquent accounts, if a defendant makes an online or in-person ability-to-pay request.
 - Determination requests are offered free of charge to individual.
 - Payment plans are offered free of charge to individual.

19

Administrative Fees

- Courts or counties may recover costs as part of their comprehensive collection programs, including up to \$35 per nondelinquent case.
- Administrative costs recovered:
- **Nondelinquent**: Cost recovered up to \$35 (PC 1463.007(d)) per approved payment plan.
- **Delinquent**: Cost recovered, up to actual, per normal collections practices.

20

Backfill Funding for Amounts Reduced

 Courts that have adopted the use of MyCitations will receive backfill funding for fines and fees reduced under the ability to pay program for both electronic and paper submissions.

21

Resources

- MyCitations Demo
- https://www.youtube.com/watch?v=q0z0GYTwmuU&t=11s
- Judicial Council ATP Contacts
- Donna Newman, Budget Services <u>donna.newman@jud.ca.gov</u>
- $\bullet \ Suzanne \ Schleder, \ Information \ Technology \underline{Suzanne.Schleder@jud.ca.gov}$

22

23

Martha Wright, Criminal Justice Services – <u>martha.wright@jud.ca.gov</u>

22

Evalution

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

https://www.surveymonkey.com/r/Winter2022RevDistTraining-2