## Revenue Distribution Breakout Session "Hands On" Basic Review

#### **Presented by:**

Keri Brasil, Chief Financial Officer, Merced Superior Court Henry Mathews, Policy Analyst, State Controller's Office

### Instruction Goals and Expectations

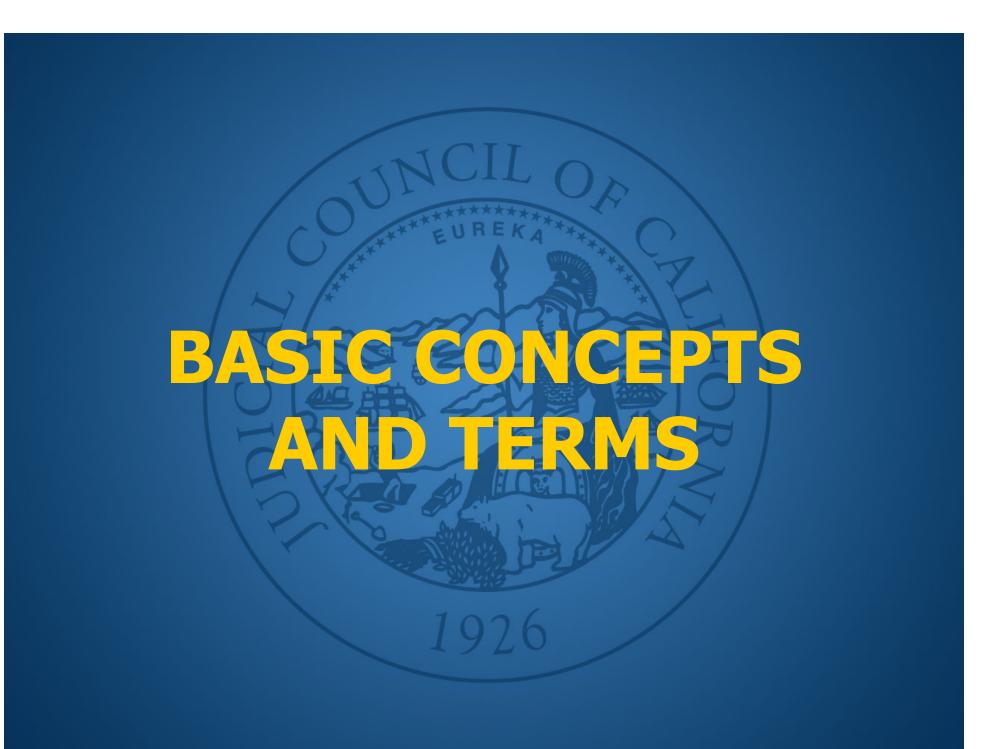
 Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.

 Using distribution worksheets attendees will learn hands-on how to:

Work through actual case studies of basic distributions.

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Change information on the cases (priors, different base fines, etc.)
 to see their effect on the distributions.



### Standard Criminal/Traffic Fine Equation

Base Fine + Base Fine Enhancements

**Total Base Fine** 

+ State and Local Penalties

**Initial Penalty** 

+ Surcharge, Fees, and Assessments

**Total Bail or Fine** 

=



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

- The amount from which the additional penalties and surcharge required by Penal Code § 1465.7 are calculated.
  - Total bail shall not exceed statutory limits and minimum statutory amounts must be imposed.
  - The 'fine' amount of the total bail shall not exceed the limitations specified by statute.
    - UB&PS Section IV, pg. vii

### **Countywide Bail Schedules**

The Council is not the only entity required to publish a bail schedule. Each individual court is required to 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. Thus, while the Council is required to publish the traffic infraction schedule, the counties are responsible for all others.

Rule 4.102 additionally requires that, when performing those duties, counties "give consideration to the (UBPS) approved by the Judicial Council." After adopting their countywide bail schedule, courts must send a copy of their countywide schedule to the Council "with a report stating how the revised schedule differs from the (UBPS)."



### **Base Fine Enhancements**

- Enhancement for Prior Vehicle Code (VC) Convictions UB&PS section VII, pg. viii
  - \$10 may be added to the base fine for each "prior" conviction within 36 months of the new offense. Both the current and "prior" offense must be a moving violation where a "point" was assigned per VC § 12810 or VC § 12810.2. The \$10 prior enhancements are assessed for each prior violation on a single count (assessed only once per case). Prior enhancements do not apply to traffic school cases.
     (Distinguished from VC § 40508.6)
  - Health & Safety Code (H&S) § 11372.5 Criminal Lab Fee Trial Court Revenue Distribution Guidelines (*Guidelines*)
  - Base fine enhancement of \$50 for each violation of the H&S code under subdivision (b).

#### H&S § 11372.7 - County Drug Program Fee *Guidelines*

Base fine enhancement of up to \$150 for each violation of the H&S sections 11350 through 11392 except H&S § 11357(b).



### **2% State Court Automation**

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



### **State Surcharge**

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

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### **State and Local Penalties**

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



### **Board of Supervisors Resolution**

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

### **State and Local Penalties**

#### PC § 1464 - State Penalty *Guidelines*

A penalty of \$10 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed - 70% goes to the State and 30% goes to the County.

GC § 76000 (a) & (e) - County Penalties Guidelines

A penalty of up to \$7 per \$10 (or part of \$10) upon every fine, penalty, or forfeiture imposed (BOS).

Board resolution specifies distribution to the following local funds: GC § 76100 Courthouse Construction Fund; GC 7§ 6101 Criminal Justice Facilities Fund; GC § 76102 Auto Fingerprint ID Fund; GC § 76103 Forensic Lab Fund; GC § 76104 EMS Fund; GC § 76104.5 DNA ID Fund; and/or GC § 76105 Special Purpose Fund.

If responsibility for facilities transferred to State and **NO** bonded indebtedness remains, the additional penalty follows GC § 76000(e).



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### Transfer/ No Bonded Indebtedness

 Bonded Indebtedness – this is a debt that is secured by an issued bond with the monies received to be used to pay for Court Facilities.

What does this mean?

If the responsibility for one or more facilities has not transferred to the state, the revenues collected in the County's Courthouse Construction Funds will shift proportionally based on the square footage of the space that the County has transferred to the State.

For Example: if 75% of the County's Court Facility space transfers to the state and the revenues is not tied to bonded indebtedness on any of the Court Facilities, then 75% of the local courthouse construction fund would also transfer to the state.

When this occurs, this affects how funds are collected under GC §76000(a) or GC § 76000(e).

Additional Information can be found under GC § 70375.



### **Additional Penalties**

- GC § 76104.6 DNA Identification Penalty *Guidelines* 
  - Additional penalty of \$1 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
    - Assessed on all criminal offenses.
  - County transfers 25% to State each quarter.

#### GC § 76104.7 - DNA Identification Penalty *Guidelines*

- Additional penalty of \$4 per \$10 (or part of \$10) for every fine, penalty, or forfeiture imposed.
- Assessed on all criminal offenses (for violations after June 27, 2012.) County to transfer 100% to State.



### **Additional Penalties**

#### GC § 70372 (a) - Court Construction Penalty *Guidelines*

Additional penalty of \$5 per 10 (or part of \$10) upon every fine, penalty, or forfeiture imposed.

Distributed to the State ICNA and State CFCF; these funds will be consolidated to State CFCF in 2021-22 Budget.

#### GC § 76000.5 - Emergency Medical Services (EMS) *Guidelines*

Additional penalty assessment of \$2 per 10 (or part of \$10) of the base fine (board of supervisors' resolution).

Distributed to the County Maddy EMS Fund



### **Additional Penalties**

GC § 76000.10(c)(1) \$4 EMAT Penalty UB&PS Section III F, pg.iv and *Guidelines* 

• A \$4 penalty for emergency medical air transportation services (EMAT) is imposed for every Vehicle Code conviction, or a local ordinance adopted under the Vehicle Code, committed on or after January 1, 2011.

Distributed to the State EMAT Fund

 As the law stands today, imposition of EMAT penalty will end June 30, 2021, and collection of EMAT penalty will end December 31, 2022.

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#### **Fees and Assessments**

#### • PC § 1465.8 – Court Operations Assessment *Guidelines*

 \$40 assessed on every conviction for a criminal offense, including a traffic offense, except parking offenses as defined in subdivision (i) of Penal Code section 1463.

"Conviction" includes the confidential conviction of a traffic violation on the condition that the defendant attend a court-ordered traffic violator school.

100% distribution to State TCTF.

- GC § 70373 Criminal Conviction Assessment *Guidelines*
- \$30 assessed for each <u>felony/misdemeanor</u> conviction, or
- \$35 assessed for each <u>infraction</u> conviction (including confidential conviction for completion of traffic school.)
- 100% distribution to State ICNA; will go to State CFCF upon consolidation



### **Fees and Assessments**

VC § 42006 -Night Court Special Assessment *Guidelines*

Vehicle Code or local ordinance adopted where the court conducts night or weekend court sessions for traffic offenses.

Court may levy a \$1 special assessment per fine, forfeiture, and traffic violator school fee imposed.

When facilities have transferred w/o bonded indebtedness, the \$1 special assessment goes to the State.

Non-parking violations



## **Installment Payment Fees**

#### Penal Code Section § 1205(e)

The defendant shall pay to the clerk of the court or the collecting agency a fee for the processing of installment accounts. This fee shall equal the administrative and clerical costs, as determined by the board of supervisors, or by the court, depending on which entity administers the account.

The defendant shall pay to the clerk of the court or the collecting agency the fee established for the processing of the accounts receivable that are not to be paid in installments.

The fee shall equal the administrative and clerical costs, as determined by the board of supervisors, or by the court, depending on which entity administers the account, except that the fee shall not exceed thirty dollars (\$30).



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#### **Recap of the Standard Criminal/Traffic Fine Equation/Formula**

Base Fine + Base Fine Enhancements

**Total Base Fine** 

+ State and Local Penalties

**Initial Penalty** 

+ Surcharge, Fees, and Assessments

**Total Bail or Fine** 

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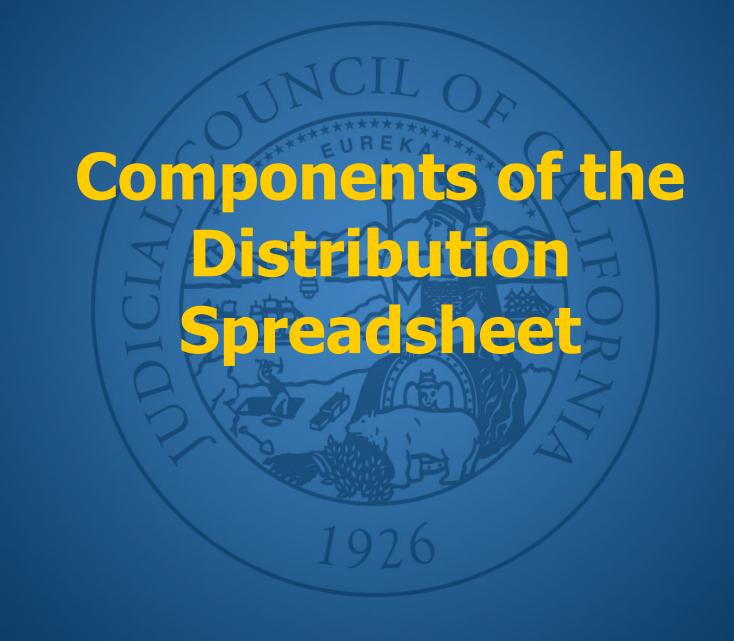


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# Distribution Spreadsheets

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

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



To ISSUE	SUMMARY
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#### Case Study 1 - Speeding Bail Forfeiture

To ISSUE SUMMARY		Case Study	1 - Spee	ding Ba	ail Fo	rfeiture		
CASE INFORMATION								
Case Number	0	COUNT 1					BASE FINE	
Violation Date		Violation D	Description				Priors	0
Disposition Date		Viol	ation Type				Enhanced BASE	0
Arresting Agency		[	Disposition					
County %		COUNT 2 (if any)					BASE FINE	0
City %		Violation D	-				Priors	
TOTAL Enhanced Base	\$0.00		ation Type				Enhanced BASE	0
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				CTAN				
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Y 0.25 GC 76	1/2 - 1 - 12	/D:						
Y 4 GC7	violati	on/Dispo	SITIO	n Da	τe			
Y 2.00 GC 76	•							
Y 2.00 GC 7610	A	rresting A	۱gen	су				
Y 1.50 GC 76104 - E								
Y 0.50 GC 76104.5 - D	NAT					0.00		
Y 1.00 GC 76102 - Au				0.00	0.00	0.00		
	EMS Addl PÁ (BOS: 2/10		COUNT	0.00	0.00	0.00		
	) - EMAT Penalty (\$4 ef	f 1-1-11)	STATE	4.00	0.08	3.92		
Y 5.00 GC 70372(a): 9			STATE	0.00	0.00			
N PC 1465.7 - 20	% Surcharge	CURTOTAL	STATE	0.00	0.00	0.00		
		SUBTOTAL	CTATE	4.00	0.00	3.92		0.00
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\$30) OR				0.00	0.00	0.00		
	- Install Fee (up to \$35)							
	ght Court Assmnt (\$1)		STATE	1.00	0.00	1.00		
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forfeitures								
· ·			•		0.08			
		TOTAL FINE		80.00		80.00	TOTAL	0.0

To ISSUE SUMMARY

	E SUMMARY			Case Study	1 - Spee	aing Ba		rteiture		
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violation Da	ate			Violation D	escription				Priors	0
Disposition					ation Type				Enhanced SASE	0
Arresting Ag					Disposition					
	County %	100%		COUNT 2 (if any)					BASE	0
	City %			Violation D	escription				Priors	
TOTAL Enha	anced Base	\$0.	00	Viola	ation Type				nhanced BASE	0
Portion of 1		Ç0.			Disposition				GC 76000	
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						STAN	DARD	<b>-</b>	COURT DISTRI	BUTION
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Y 2.00 G	iC 76101 - LC.	JF						0.00		
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Y 0.50 G	iC 76104.5 - D	NA ID	superviso	r resolution (BOS).	COUNT	0.00	0.00	0.00		
	iC 76102 - Au				COUNT	0.00	0.00	0.00		
	iC 76000.5 - E				COUNT	0.00	0.00	0.00		
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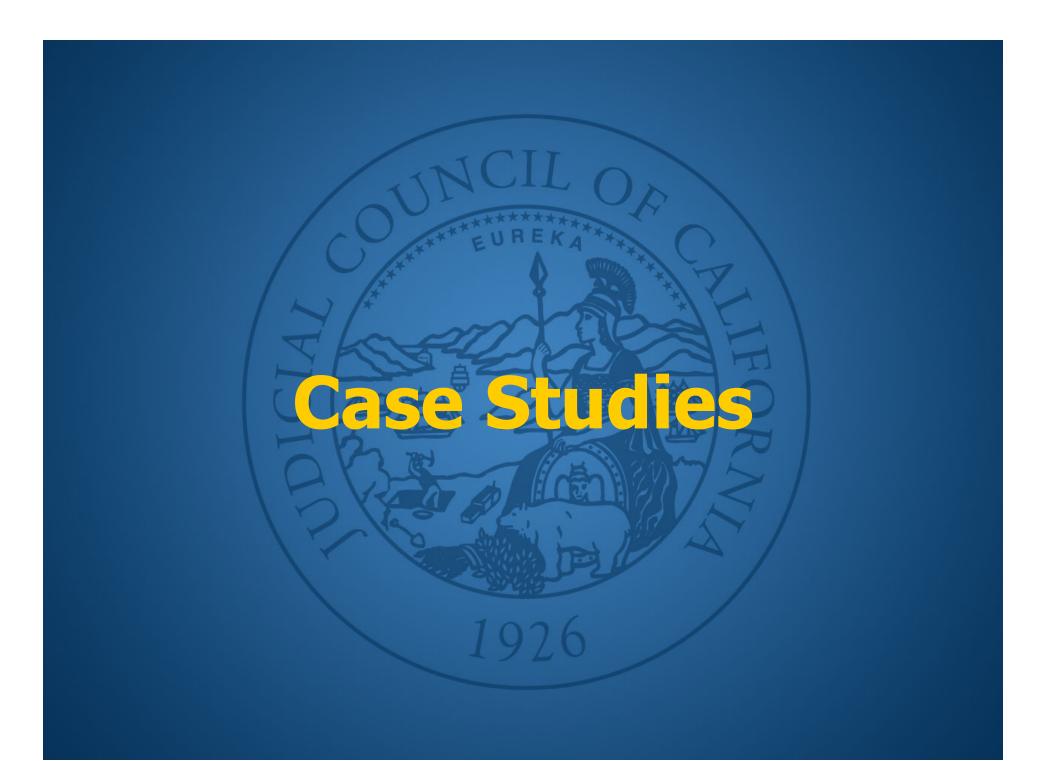
To ISSUE SUMMARY

#### Case Study 1 - Speeding Bail Forfeiture

			cuse study						
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Disposit	tion Date		Viol	ation Type				Enhanced BASE	0
Arrestin	g Agency		[	Disposition					
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	City %	0%	Violation E	Description				Priors	
TOTAL E	Enhanced Base	\$0.00	Viol	ation Type				Enhanced BASE	0
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		- Install Fee (up to \$35)							
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	forfeitures		••						
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To ISSUE SUMMARY

			cuse study	- opee	ung bi		Included		
CASE IN	FORMATION								
Case Num	nber					BASE FINE			
Violation	Date	Pate Violation D						Priors	0
Dispositio	on Date		Viol	ation Type				Enhanced BASE	0
Arresting	Agency		[	Disposition					
	County %	100%	COUNT 2 (if any)					BASE FINE	0
	City %	0%	Violation E	Description				Priors	
TOTAL En	nhanced Base	\$0.00	Viol	ation Type				Enhanced BASE	0
Portion of	f 10	0	[	Disposition				GC 76000	
					STAN	DARD	BASE-UP	COURT DISTRI	BUTION
2% Per		DISTRIBUTION		DISTRIB		2%	FINAL	DISTRIB CODE or	DISTRIB
Y- 10				ENTITY	rd-Per	Amt	(After 2%)	DESCRIPTION	AMT
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N		nstall Fee (Actual Costs)		COURT	0.00				
-	\$30) OR								
		- Install Fee (up to \$35)							
N	VC 42006 - Nig	ght Court Assmnt (\$1)		STATE	1.00	0.00	1.00		
N	GC 68090.8 - 2	2% State Automation (for	fines, penalties &	STATE			0.08		
	forfeitures								
						0.08			
			TOTAL FINE		80.00	l	80.00	TOTAL	0.0



### **Reference Materials**

In general, there are resources you may find useful:

#### Statutes

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

Spreadsheets



#### **Items needed to test a distribution**

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



5.

## Crosswalk

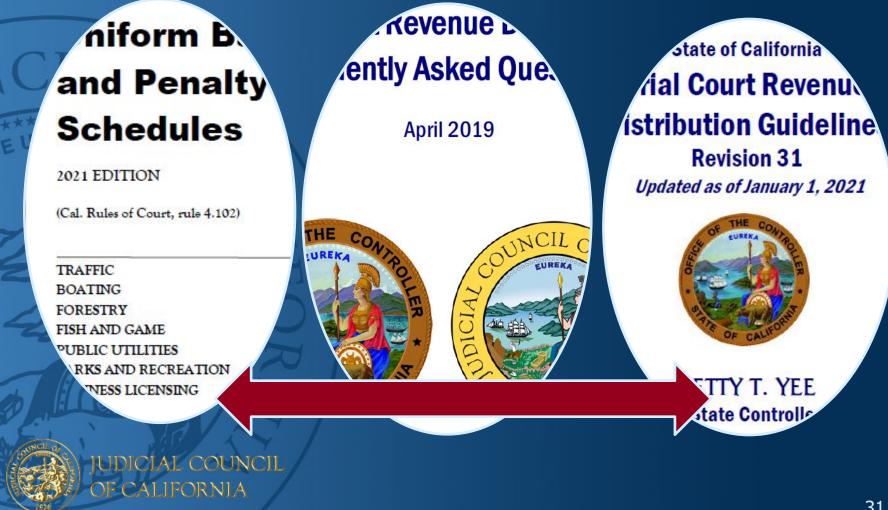
Resource tying Trial Court Revenue Distribution Guidelines and other resources
Minimizes Research Time
FAQ's
Uniform Bail & Penalty Schedule

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#### How does the Crosswalk work?



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#### CROSSWALK BETWEEN TRIAL COURT REVENUE DISTRIBUTION GUIDELINES, THE UNIFORM BAIL & PENALTY SCHEDULES, AND FAQ's

The codes and any guidance contained in this document, Trial Court Revenue Distribution Guidelines, the Uniform Bail and Penalty Schedules, and distribution templates are subject to the effective dates as stated in the specific sections. Refer to the current code to ensure the most current language is implemented.

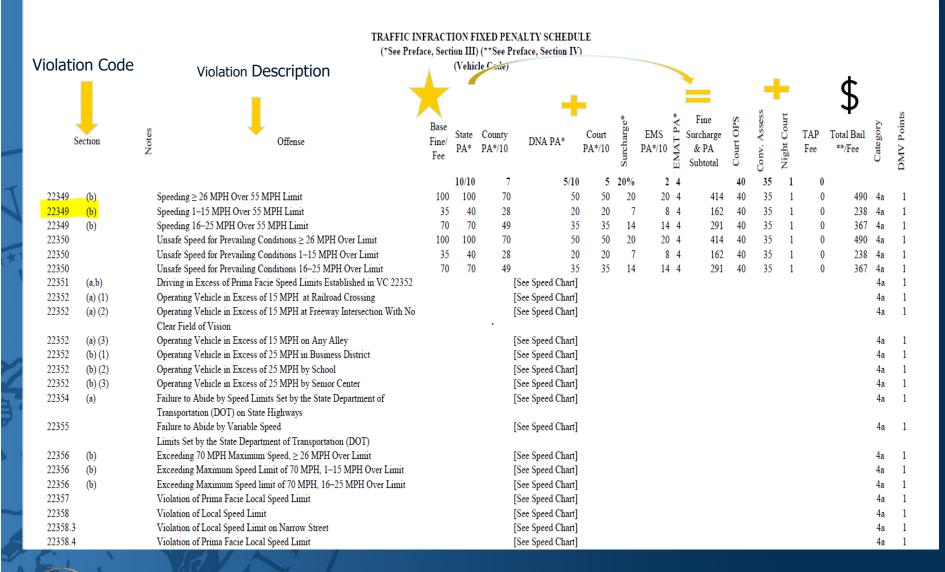
#### Table 2 - Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

		Tria	al Court Revenue Distribution Guidelines Re		Uniform Bail & Penalty Schedules v	1-1-2020	
Ind	ex	Code Section	Code Description	Violation	FAQ	Description	Pg.
2.2	5	PC 1463.14(a)	Lab Fines for Convictions of Driving Under the Influence or Reckless Driving				
				DUI Under:			
				VC 23152		DUI, various	50
				VC 23153		DUI, causing injury	50
				Reckless Driving Under:			
				VC 23103	C31	Reckless driving	49
				VC 23104	C31	Reckless driving, bodily injury	49
				VC 23105		Reckless driving, Specific injury	49

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



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#### **Preparing for the calculations**

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

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



5.

6.

## Case Study #1

Speeding 1 to 15 MPH over 55 MPH Limit VC 22349(b) Infraction Basic distribution template

Please refer to the case study handout to follow along the case study exercises on the upcoming slides.

#### Case Studies Basic Distributions Session A

#### Case Study #1: Speeding

#### San Diego Court Case Information:

- Violation Date: 1/16/2021
- Disposition Date: 3/25/2021
- Arresting Agency= Coronado Police Department

   --% Split between County and City (Refer to PC 1463.002)
- Violation = VC § 22349(b); 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail forfeiture
- Prior VC Conviction = 1



## Information for Speeding Case Example #1

### San Diego Court Case Information:

Violation Date = 1/16/2021
Disposition Date = 3/25/2021
Arresting Agency = Coronado Police Department

% Split between County and City (Refer to PC § 1463.002)

Violation = VC 22349(b); 1-15 MPH Over 55 MPH Limit
Violation Type = Infraction
Disposition = Bail Forfeiture
Prior VC Conviction = 1



### Arresting Agency: County and City % Split Information (Refer to PC § 1463.002)

**PENAL CODE - PEN** 

PART 2. OF CRIMINAL PROCEDURE [681 - 1620]

( Part 2 enacted 1872. )

TITLE 11. PROCEEDINGS IN MISDEMEANOR AND INFRACTION CASES AND APPEALS FROM SUCH CASES [1427 - 1471]

(Heading of Title 11 amended by Stats. 1998, Ch. 931, Sec. 407.)

CHAPTER 1. Proceedings in Misdemeanor and Infraction Cases [1427 - 1465.8]

(Heading of Chapter 1 amended by Stats. 1998, Ch. 931, Sec. 408.)

1463.002.

The base fine amounts from city arrests shall be subject to distribution according to the following schedule:

### County and City % Split Information (Refer to PC § 1463.002) Continued

#### San Diego

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Carlsbad	8	
Chula Vista	23	
Coronado	25	
Del Mar	8	
El Cajon	17	
Escondido	16	
Imperial Beach	8	
La Mesa	23	
Lemon Grove	8	
National City	14	
Oceanside	15	
San Marcos	8	
Vista	8	
San Diego	6	
County percentage	25	

	To ISSUE SUMMARY		Case Study 1 - Speed
	CASE INFORMATION		
	Case Number	0	COUNT 1
	Violation Date	1/16/2021	Violation Description
***	Disposition Date	3/25/2021	Violation Type
EK	Arresting Agency	Coronado PD	Disposition
9	County %	25%	COUNT 2 (if any)
	City %	75%	Violation Description
2	TOTAL Enhanced Base	\$0.00	Violation Type
N	Portion of 10	0	Disposition
~			

\*Enter the Percentage identified into the County Line

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

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

- LCCF = \$2
- LCJF = \$2
- EMS = \$1.50
- DNA = \$.50
- Auto Fingerprint = \$1
- Additional EMS = \$2
- EMAT Fee GC § 76000.10(c) = \$4

#### **Court Fees:**

PC § 1465.8 Court Ops Assessment = \$40
GC § 70373 – Criminal Conviction Assessment = \$35
Night Court Fee = \$1



٦	To IS	SUE SUMMARY			Case Study 1	L - Spee	ding Ba	ail Fo	rfeiture		
Viola	ation	Date	1/16/2021		Violation D	escription	1-15 MP	H over	55 MPH	Priors	
Disp	ositio	on Date	3/25/2021		Viola	ation Type	Traffic In	fractio	n	Enhanced BASE	0
Arre	sting	Agency	Coronado Pl	D	0	isposition	<b>Bail Forf</b>	eiture			
		County %	25%		COUNT 2 (if any)					BASE FINE	0
		City %	75%		Violation D	escription				Priors	
гот	AL En	hanced Base	\$0.	00	Viola	ation Type				Enhanced BASE	0
Porti	ion o	f 10	0		0	isposition				GC 76000	
2% Y - Def	Per 10		DIST	RIBUTION		DISTRIB ENTITY	STAN Stand ard- Per	DARD 2% Amt	BASE-UP FINAL (After 2%)	COURT DISTRIE DISTRIB CODE or DESCRIPTION	DISTRIB AMT
N							UBS		А		В
Y	マ망	PC 1463.001 - I	Base County			COUNT	0.00	0.00	0.00		
Y	TOTAL	PC 1463.002 -	Base City			CITY	0.00	0.00	0.00		
Y	7	PC 1464 - Stat	e PA - State p	portion (70%	.)	STATE	0.00	0.00	0.00		
Y	3	PC 1464 - Stat	e PA - County	y portion (30	)%)	COUNT	0.00	0.00	0.00		
Y	0.75	GC 76104.6 - D	DNA PA (1/10)	75%		COUNT	0.00	0.00	0.00		
Y	0.25	GC 76104.6 - D	DNA PA (1/10)	25%		STATE	0.00	0.00	0.00		
Y	4	GC 76104.7 - D	)NA Addi PA	(4/10 eff 6-2	7-12; prev 3/10)	STATE	0.00	0.00	0.00		
Y		GC 76100 - LC				COUNT	0.00	0.00	0.00		
Y		GC 76101 - LC			C 76000 PA total	COL			0.00		
Y		GC 76104 - EN			. Check Court's	COUNN	0.00	10102565565	ALSO/INSTRUCTION		
Y		GC 76104.5 - D		boar	d resolution.	COUNT	0.00	20225-5022-222	N. C. CALL, 1953 W. C. L. C.		
		GC 76102 - Au				COUNT	13111011011011011011	0.00	1 CARANA CARA		
	0.00	GC 76000.5 - EMS Addl PA (BOS: 21				COUNT	0.00	0672-2153906C			
Y		GC 76000.10(c) - EMAT Penalty (\$4 et			1-1-11)	STATE	0.00	279000 T010-02712			
	5.00	GC 70372(a): SCFCF (5/10)				STATE	0.00	112/2012/2012/2012	TERROR PROPERTY AND A STOCKED		
N		PC 1465.7 - 20	1% Surcharge	;	CUDTOTAL	STATE	0.00	10092056055	A TRACK SATURATION AND A STREET		0.0
					SUBTOTAL		0.00	Postorová.	0.00		0.0

	A	В
	Please choose the county:	San Diego
	Test for Local Penalties	
	Has the county transferred responsibility for court	
	facilities to the State?	Yes
	Has county paid off all indebtedness for court	
	facilities?	Yes
	GC 76000 Local Penalties for San Diego County	\$ 7.00
	County	GC 76000 (e)
	obuild	0010000(0)
4	Riverside	\$4.60
4	Riverside Sacramento	\$4.60 \$5.00
4		
4	Sacramento	\$5.00
	Sacramento San Benito	\$5.00 \$5.00
	Sacramento San Benito San Bernardino	\$5.00 \$5.00 \$5.00
	<ul> <li>Sacramento</li> <li>San Benito</li> <li>San Bernardino</li> <li>San Diego</li> </ul>	\$5.00 \$5.00 \$5.00 \$5.00 <b>\$7.00</b>
	<ul> <li>Sacramento</li> <li>San Benito</li> <li>San Bernardino</li> <li>San Diego</li> <li>San Francisco</li> <li>San Joaquin</li> <li>San Luis Obispo</li> </ul>	\$5.00 \$5.00 \$5.00 <b>\$7.00</b> \$6.99 \$3.75 \$5.00
	<ul> <li>Sacramento</li> <li>San Benito</li> <li>San Bernardino</li> <li>San Diego</li> <li>San Francisco</li> <li>San Joaquin</li> <li>San Luis Obispo</li> <li>San Mateo</li> </ul>	\$5.00 \$5.00 \$5.00 <b>\$7.00</b> \$6.99 \$3.75 \$5.00 \$4.75
	<ul> <li>Sacramento</li> <li>San Benito</li> <li>San Bernardino</li> <li>San Diego</li> <li>San Francisco</li> <li>San Joaquin</li> <li>San Luis Obispo</li> <li>San Mateo</li> <li>Santa Barbara</li> </ul>	\$5.00 \$5.00 \$5.00 <b>\$7.00</b> \$6.99 \$3.75 \$5.00 \$4.75 \$3.50
	<ul> <li>Sacramento</li> <li>San Benito</li> <li>San Bernardino</li> <li>San Diego</li> <li>San Francisco</li> <li>San Joaquin</li> <li>San Luis Obispo</li> <li>San Mateo</li> <li>Santa Barbara</li> <li>Santa Clara</li> </ul>	\$5.00 \$5.00 \$5.00 <b>\$7.00</b> \$6.99 \$3.75 \$5.00 \$4.75 \$3.50 \$5.50
	<ul> <li>Sacramento</li> <li>San Benito</li> <li>San Bernardino</li> <li>San Diego</li> <li>San Francisco</li> <li>San Joaquin</li> <li>San Luis Obispo</li> <li>San Mateo</li> <li>Santa Barbara</li> <li>Santa Clara</li> <li>Santa Cruz</li> </ul>	\$5.00 \$5.00 \$5.00 <b>\$7.00</b> \$6.99 \$3.75 \$5.00 \$4.75 \$3.50 \$5.50 \$7.00
	<ul> <li>Sacramento</li> <li>San Benito</li> <li>San Bernardino</li> <li>San Diego</li> <li>San Francisco</li> <li>San Joaquin</li> <li>San Luis Obispo</li> <li>San Mateo</li> <li>Santa Barbara</li> <li>Santa Clara</li> </ul>	\$5.00 \$5.00 \$5.00 <b>\$7.00</b> \$6.99 \$3.75 \$5.00 \$4.75 \$3.50 \$5.50

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\*\*\*\*\* EURE

	2% Y - Def N	Per 10	DISTR	IBUTION	DISTRIB ENTITY	Stand ard- Per UBS	
	Y	1 12	PC 1463.001 - Base County		COUNT	0.00	
	Y	TOTAL	PC 1463.002 - Base City		CITY	0.00	
	Y	7	PC 1464 - State PA - State p	ortion (70%)	STATE	0.00	
	Y	3	PC 1464 - State PA - County		COUNT	0.00	
ATT.	Y	0.75	GC 76104.6 - DNA PA (1/10)	75%	COUNT	0.00	
	Y	0.25	GC 76104.6 - DNA PA (1/10)	25%	STATE	0.00	
	Y	4	GC 76104.7 - DNA Addi PA	(4/10 eff 6-27-12; prev 3/10)	STATE	0.00	
	Y	2.00	GC 76100 - LCCF		COUNT	0.00	
76000	Y	2.00	GC 76101 - LCJF	GC 76000 PA (\$7 for every 10)	COUNT	0.00	
OS Penalties	Y	1.50	GC 76104 - EMS	breakdown per local board of	COUNT	0.00	
	Y	0.50	GC 76104.5 - DNA ID	supervisor resolution (BOS).	COUNT	0.00	
	Y	1.00	GC 76102 - Auto		COUNT	0.00	EMAT Fee
9 2	Y	2.00	GC 76000.5 - EMS Addl PA	(BOS: 2/10)	COUNT	0.00	
	Y		GC 76000.10(c) - EMAT Per	nalty (\$4 eff 1-1-11)	STATE	4.00	$\langle$
$\sim$	Y	5.00	GC 70372(a): SCFCF (5/10)		STATE	0.00	
A	N		PC 1465.7 - 20% Surcharge		STATE	0.00	
				SUBTOTAL		4.00	Court Fees
	N		PC 1465.8 - Court Ops Assn		STATE	40.00	
	N			mnt (\$30 for misd/\$35 for infr)	STATE	35.00	
	N		VC 40508.6 - Priors/DMV Ac		COURT	10.00	
	N		1 1 1	tual Costs) OR AR Fee (up to	COURT	30.00	
13 3			\$30) <b>DR</b> VC 40510.5(g) - Install Fee (	up to \$35)		Note for	
	N		VC 42006 - Night Court Ass		STATE	1.00	
	N		_	mation (for fines, penalties &	STATE		
THER OF			Torrentales				

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GC BOS

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

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

Section	S Z Offense Z	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10 EMS	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			10/10	7	5/10	5	20%	2 4		40	35	1	0			
22349 (b)	Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70	50	) 50	20	20 4	414	40	35	1	0	490	4a	1
22349 (b)	Speeding 1–15 MPH Over 55 MPH Limit	35	40	28	20		7	8 4	162	40	35	1	0	238	4a	1
22349 (b)	Speeding 16–25 MPH Over 55 MPH Limit	70		49	- 35	35	14	14 4	291	40	35	1	0	367	4a	1
22350	Unsafe Speed for Prevailing Conditions $\geq 26$ MPH Over Limit	100	100	70	50	) 50	20	20 4	414	40	35	1	0	490	4a	1
22350	Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28	20	) 20	7	8 4	162	40	35	1	0	238	4a	1
22350	Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49	35	35	14	14 4	291	40	35	1	0	367	4a	1



### Enter Violation Information Here

#### Enter Base Fine Here

Case Study 1 - Spec	eding Bail Forfeiture		
			•
COUNT 1	VC 22349(b)	BASE FINE	35
Violation Description	1-15 MPH over 55 MPH	Priors	
Violation Type	Traffic Infraction	Enhanced BASE	35
Disposition	Bail Forfeiture		
COUNT 2 (if any)		BASE FINE	0
Violation Description		Priors	
Violation Type		Enhanced BASE	0
Disposition		GC 76000	7



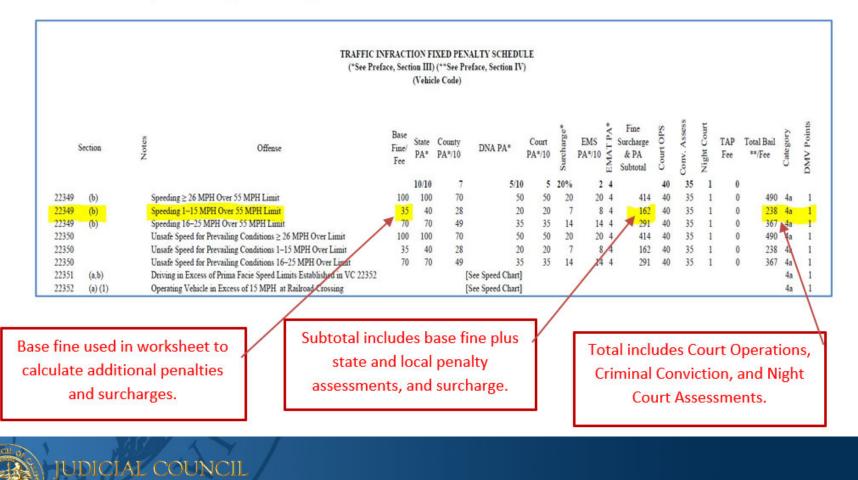
## CIL CHECK THE SUBTOTAL TO THE UB&PS

Viola	ation	Date	1/16/2021		Case Study Violation D					Priors	
Disp	ositio	on Date	3/25/2021			ation Type				Enhanced BASE	35
-		Agency	Coronado Pl	)		Disposition					
		County %	25%		COUNT 2 (if any)					BASE FINE	0
		City %			Violation [	Description				Priors	
гот	AL En	hanced Base	\$35	.00	Viol	ation Type				Enhanced BASE	0
Porti	ion of	f 10	4			Disposition				GC 76000	
							STAN	DARD	BASE-UP	COURT DISTRI	BUTION
2% Y - Def	Per 10		DIST	BUTION		DISTRIB	Standa rd-Per UBS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIE
N									А		в
Y	TOTAL BASE	PC 1463.001 - I				COUNT	8.75				
Υ		PC 1463.002 -				CITY	26.25		25.73		
Y		PC 1464 - Stat			-	STATE	28.00				
Y		PC 1464 - Stat			0%)	COUNT	12.00		11.76		
Y	-	GC 76104.6 - D	· · ·			COUNT	3.00		2.94		
Y	-	GC 76104.6 - D				STATE	1.00		0.98		
Y				(4/10 eff 6-2	27-12; prev 3/10)	STATE	16.00		15.68		
Y		GC 76100 - LC				COUNT	8.00				
Y		GC 76101 - LC			PA (\$7 for every 10)	COUNT	8.00				
Y					n per local board of	COUNT	6.00		5.88		
Y		GC 76104.5 - D	AURINE DE 2007A	superviso	or resolution (BOS).	COUNT	2.00		1.96		
Y		GC 76102 - Au				COUNT	4.00		3.92		
Y	2.00	GC 76000.5 - I			-	COUNT	8.00		7.84		
Y	5.00	GC 76000.10(c		nalty (\$4 eff	+ 1-1-11)	STATE	4.00		3.92		
Y	5.00	GC 70372(a): PC 1465.7 - 20				STATE	20.00				
Ν	<u> </u>	PC 1465.7 - 20	1% Surcharge		CUDTOTAL	STATE	7.00	0.00	7.00		0.0
N	<u> </u>	PC 1465.8 - Co			SUBTOTAL	STATE	<b>162.00</b> 40.00	0.00	<b>158.90</b> 40.00		0.0
N					r misd#\$35 for infr)	STATE	35.00	2			
N		VC 40508.6 - F			-	COURT	0.00	100225-00225-0			
N	<u> </u>				OR AR Fee (up to	COURT		0.00			
		\$30) <b>OR</b> VC 40510.5(g)					0.00	0.00	0.00		
N		VC 42006 - Ni				STATE	1.00	0.00	1.00		
N					fines, penalties &	STATE		0.00	3.10		
								3.10		L	
					TOTAL FINE		238.00		238.00	TOTAL	0.

### Case Studies Basic Distributions Session A

#### Case Study #1: Speeding. UB&PS

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## **Case No. 1 Scenario 2**

### Add one prior

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### What happens to the base fine and the distribution?

## **Prior Convictions**

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

Uniform Bail and Penalty Schedule (2021), pg. viii



	CASE INFORMATION					
	Case Number	0	COUNT 1	VC 22349(b)	BASE FINE	35
	Violation Date	1/16/2021	Violation Descriptio		Priors	1
	Disposition Date	3/25/2021	Violation Type	Traffic Infraction	Enhanced BASE	45
	Arresting Agency	Coronado PD	Disposition	Bail Forfeiture		
	County %	25%	COUNT 2 (if any)		BASE FINE	0
	City %	75%	Violation Description		Priors	
-	TOTAL Enhanced Base	\$45.00	Violation Type		Enhanced BASE	0
	Portion of 10	5	Disposition		GC 76000	7

By adding the number of prior(s) into the worksheet the total Fine amount changes from \$238.00 to \$279.00.



## **Moving Violations**

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

S	ection	S S Z Offense Z	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10 PA	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
				10/10	7	5/1	) 5	20%	2 4	l.	40	35	1	0			
21805	(b)	Violation of Right-of-Way at Equestrian Crossing	35	40	28	2	0 20	7	\$ 4	162	40	35	1	0	238	2a	1
21805	(c)	Violation of Right-of-Way by Rider-Posing Hazard	25	30	21	1	5 15	5	6 4	121	40	35	1	0	197	1a	0
21806	(a,b)	32 Failure to Yield to Emergency Vehicle	100	100	70	5	0 50	20	20 4	414	40	35	1	0	490	4a	1
21806	(c)	32 Failure to Yield to Emergency Vehicle-Pedestrian	100	100	70	5	0 50	20	20 4	414	40	35	1	0	490	4a	0
21807		Driving Authorized Emergency Vehicle Without Due Regard for Safety of	35	40	28	2	0 20	7	8 4	162	40	35	1	0	238	2a	1
		Persons and Property															
21809	(a)	33 Failure to Slow Down or Change Lane When Approaching and Passing	35	40	28	2	0 20	7	\$ 4	162	40	35	1	0	238	2a	1
		Stationary Emergency Vehicle or Tow Truck Displaying Specific Lights						-									
21950	(a,c)	Driver to Yield Right-of-Way at Crosswalks	35	40		2		7	\$ 4		40	35	1	0	238		1
21950	(b)	Pedestrian Right-of-Way at Crosswalks Regulated	25	30		1	5 15	5	6 4	121	40	35	1	0			0
21951		34 Overtaking Vehicles Stopped for Pedestrians	100	100	70	5	0 50	20	20 4	414	40	35	1	0	490	2a	1
21952		Failure to Yield Right-of-Way on Sidewalk to Pedestrian	35	40	28	2	0 20	7	\$ 4	162	40	35	1	0	238	2a	-1
21953		Pedestrian Must Use Tunnel or Overhead Crossing	25	30	21	1	5 15	5	6 4	121	40	35	1	0	197	1a	0
21954	(a)	Pedestrians Must Yield Right-of-Way Outside of Crosswalks	25	30	21	1	5 15	5	6 4	121	40	35	1	0	197	1a	0
21954	(b)	Failure of Driver to Exercise Due Care for Safety of Pedestrian on Roadway	35	40	28	2	0 20	7	\$ 4	162	40	35	1	0	238	2a	1



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### **Continuing with Prior Convictions and Moving Violations**

Since we know this violation carries a DMV point and we will be adding the \$10 DMV Priors Fee on line 38 for the VC § 40508.6 DMV/Administrative Fee. This Administrative fee pays for the court costs to administered the priors information to DMV.

9	13			289.00		289.00		
4	12						3.88	
4	11			forfeitures				
		Ν		GC 68090.8 - 2% State Automation (for fines, penalties &	STATE			3.88
4	10	Ν		VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00
3	39							
2	-	N		PC 1205(e) - Install Fee (Actual Costs) OR AR Fee (up to \$30) OR VC 40510.5(g) - Install Fee (up to \$35) (DISCRETIONARY)	COURT	0.00	0.00	0.00
3	38	N		VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT	10.00	0.00	10.00
3	37	Ν		GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	35.00	0.00	35.00
3	86	Ν		PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.00



Case	e Num	nber	0	C	OUNT 1		VC 22349	(b)		BASE FINE	35
/iola	ation	Date	1/16/2021		Violation D	escription			55 MPH	Priors	1
		on Date	3/25/2021			ation Type				Enhanced BASE	45
		Agency	Coronado Pl	D		Disposition			-		
		County %			OUNT 2 (if any)					BASE FINE	0
		City %			Violation D	escription				Priors	
от		hanced Base	\$45	00		ation Type		<u></u>		Enhanced BASE	0
_	ion of		545			Disposition				GC 76000	
OIL	1011 01	10	<b>5</b>	•	L	rsposition				GC 70000	
						1	CTAN	DARD	BACE UD	COURT DISTRIC	
1.						DIGTOID	The second second second second		BASE-UP	COURT DISTRIE	
2%	Per 10	Sector States	DISTR	RIBUTION		DISTRIB	Standa rd-Per	2%	FINAL	DISTRIB CODE or	DISTRI
Y - Def	10						UBS	Amt	(After 2%)	DESCRIPTION	AMT
N	1.2.2.2								REAL PROPERTY AND INCOME.		
									A		В
Y	-1 w	PC 1463.001 -	Base Couptu			COUNT	11.25	0.23	11.03		
÷	TOTAL	PC 1463.002 -	,			CITY	33.75				22240202020
÷	7	PC 1464 - Stat	,	portion (70%)		STATE	35.00				0014/08/44/8
÷	3	PC 1464 - Stat		1 /	2	COUNT	15.00				22240303030
÷	-			· · ·	-)	COUNT	3.75		3.68		CURRENT
÷	-	6 GC 76104.6 - DNA PA (1/10) 75% 6 GC 76104.6 - DNA PA (1/10) 25%				STATE	1.25				
÷	4	GC 76104.7 - D			12: prev 3/10)	STATE	20.00				CONSULAS
÷		GC 76100 - LC			iz, prev arioj	COUNT	10.00				
÷	2.00	GC 76101 - LC				COUNT	10.00			The second s	
÷	1.50	GC 76104 - EN			A (\$7 for every 10) per local board of	COUNT	7.50				
÷		GC 76104-5 - 0			esolution (BOS).	COUNT	2.50			The second wave second stratic second	
÷		GC 76102 - Au				COUNT	5.00				
÷		GC 76000.5 -		1 (BOS: 2/10)		COUNT	10.00	0.20		Inconstant second statute at	
÷	2.00	GC 76000.10(d		1 /	1-11)	STATE	4.00	0.08			
÷.	5:00	GC 70372(a):			- 11	STATE	25.00	0.50			
Ň		PC 1465.7 - 20	<u> </u>			STATE	9.00	0.00		The second second second second	2220303030
	<del> </del>		, o e al ol la ge	-	SUBTOTAL	0	203.00	0.00	199.12		0.
N	<del> </del>	PC 1465.8 - Co	ourt Ops Assr	mnt (\$40 eff 10		STATE	40.00	0.00			
N					nisd#\$35 for infr)	STATE	35.00	0.00			
N				dmin Fee (up		COURT	10.00	0.00			
N					RAR Fee (up to	COURT	and the state of the state of	0.00			
		\$30) OR	,								
		VC 40510.5(g)	- Install Fee (	(up to \$35)							
N		VC 42006 - Ni	ght Court Ass	smnt (\$1)		STATE	1.00	0.00	1.00	CONTRACTOR OF A	2823423
N			-		nes, penalties &	STATE			3.88		
		forfeitures			A82 7.						
								3.88		· · · · · · · · · · · · · · · · · · ·	
					TOTAL FINE		289.00		289.00	TOTAL	0.

## Case No. 1 Scenario 3 Payment Plan Options

Installment Payments
PC § 1205(e) — actual costs
VC § 40510.5(g) — \$35 fee
Accounts Receivable
PC § 1205(e) — \$30

Ν	PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	)C	0.00	40.00
Ν	GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE		0.00	35.00
Ν	VC 40508.6 - Priors/DMV Admin Fee (up to \$10)	COURT		0.00	10.00
Ν	PC 1205(e) - Install Fee (Actual Costs) OR AR Fee (up to \$30) OR	COURT	0.00	0.00	0.00
	VC 40510.5(g) - Install Fee (up to \$35) (DISCRETIONARY)				
N	VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.00
Ν	GC 68090.8 - 2% State Automation (for fines, penalties &	STATE			3.88
	forfeitures				

## **Case No. 1 Scenario 4**

# What if the judicial officer simply orders the defendant to pay \$200?

What do you do?

What happens to the distribution?

**Top-Down Distribution Speeding Spreadsheet** 

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

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

## **BASIC RULES**

### Tops Down vs. Bottoms Up Assessments

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

## **Top-Down Distribution**

### Prorate "soft" distribution components ONLY

Case 1 Speeding

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Case 1.2 Speeding w Prior

Case Study 2 DUI

Top Down Method 1 Top Dowr

1 Top Down Method 2

						ORMATIC							
Case	e Numb	er			COUNT 1		VC 22349(	b)		BASE FINE		35	
Viola	ation D	ate	1/16/2021		Violation I	Description	1-15 MPH	over 55 N	ЛРН		Priors	1	
Disp	osition	Date	3/25/2021		Viol	ation Type	Traffic Inf	raction		Enha	Enhanced BASE		
Arre	sting A	gency	Coronado PD			Disposition	<b>Bail Forfe</b>	iture		1			
		County %	25%		COUNT 2 (if any)					BASE FINE		0	
		City %	75%		Violation I	Description					Priors		
тот/	AL Enha	anced Base	\$45.	00	Violation Typ	e				Enhanced	BASE	0	
Porti	ion of 1	.0	5			Disposition				GC 76	000	\$ 7.0	
					-		STAN	NDARD BA	ASE-IIP	Т	OP-DOWI	N	
	_						Standar			Prorate %			
~~	Per 10		DIST	RIBUTION		DISTRIB ENTITY	d-Per UBS	2% Amt	FINAL (After 2%)	After Fixed	2% Amt	FINAL (After 27	
Y - 🛛	TOTAL	PC 1463.001 - I				COUNTY	11.25	0.23	11.03	6.22	0.12	6.	
Def	pt₹	PC 1463.002 -	Base City			CITY	33.75	0.68	33.08	18.66	0.37	18.	
- 11	7	PC 1464 - Stat	e PA (7/10)			STATE	35.00	0.70	34.30	19.35	0.39	18.	
$\nabla$	3	PC 1464 - Cou	inty PA (3/10)			COUNTY	15.00	0.30	14.70	8.29	0.17	8	
Y	0.75	GC 76104.6 - D	DNA PA (1/10) 7	'5%		COUNTY	3.75	0.08	3.68	2.07	0.04	2.	
Y	0.25	GC 76104.6 - D	4.6 - DNA PA (1/10) 25%				1.25	0.03	1.23	0.69	0.01	0.	
Y	4		DNA Addi PA (4	12: prev 3/10)	STATE STATE	20.00	0.40	19.60	11.06	0.22	10.		
Ŷ	2.00	GC 76100 - LC				COUNTY	10.00	0.20	9.80	5.53	0.11		
Y	2.00	GC 76101 - LC	JF		0.04/47/ 400	COUNTY	10.00	0.20	9.80	5.53	0.11	5.	
Y	1.50	GC 76104 - EN	//s		0 PA (\$7 for every 10) wn per local board of	COUNTY	7.50	0.15	7.35	4.15	0.08	4.	
Y	0.50	GC 76104.5 - D			or resolution (BOS).	COUNTY	2.50		2.45	1.38	0.03		
Ŷ	1.00		uto Fingerprint			COUNTY	5.00	0.10	4.90	2.76	0.06		
Ý	2.00		EMS Addl PA (	BOS: 2/10)		COUNTY	10.00	0.20	9.80	5.53	0.11		
Ý			c) - EMAT Pena	· · ·	1-11)	STATE	4.00	0.08	3.92	4.00	0.08	3.	
Ý	5.00	GC 70372(a):			,	STATE	25.00	0.50	24.50	13.82	0.28		
N		PC 1465.7 - 20				STATE	9.00	0.00	9.00	4.97	0.00		
			<u>.</u> .		SUBTOTAL		203.00		199.12	114.00		111.0	
N		PC 1465.8 - Co	ourt Ops Assmi	nt (\$40 eff 10	)-19-10)	STATE	40.00	0.00		40.00	0.00		
N					nisd/\$35 for infr)	STATE	35.00		35.00	35.00	0.00		
N			Priors/DMV Adi			COURT	10.00		10.00	10.00	0.00		
N					): Actual Costs OR up	COURT	0.00		0.00	0.00	0.00		
Ν		VC 42006 - Night Court Assmnt (\$1)				STATE	1.00	0.00	1.00	1.00	0.00	1.	
N		GC 68090.8 - 3	2% State Auton	nation (for fil	nes, penalties &	STATE			3.88			2	
		Ento	or the	amo	unt here						2.18		
				alliu			289.00		00.0 ۽	200.00		200.	

### **Top-Down Distribution**

This special distribution applies for judge-ordered total fines that do not follow the standard total bail in the UB&PS or the countywide penalty schedule.

These total fines are typically less than the standard total bail.

There is no stated or agreed-upon method for performing the Top-Down distribution, so the following are examples of two methods.

### **Differences between the Top-Down Distribution #1 versus #2**

All Fine

Fees a

K K			-	1.4	
E	U	R	E	K	
-					

Court Fees remain the same and the rest of the fine is Pro-rated.

то	P-DOWN	#1
Prorate % After Fixed	2% Amt	FINAL (After 2%)
6.22	0.12	6.09
18.66	0.37	18.28
19.35	0.39	18.96
8.29	0.17	8.13
2.07	0.04	2.03
0.69	0.01	0.68
11.06	0.22	10.83
5.53	0.11	5.42
5.53	0.11	5.42
4.15	0.08	4.06
1.38	0.03	1.35
2.76	0.06	2.71
5.53	0.11	5.42
4.00	0.08	3.92
13.82	0.28	13.54
4.97	0.00	4.97
114.00		111.82
40.00	0.00	40.00
35.00	0.00	35.00
10.00	0.00	10.00
0.00	0.00	0.00
1.00	0.00	1.00
	0.40	2.18
200.00	2.18	
200.00		200.00

	23.36	0.47	
	24.22	0.48	
	10.38	0.21	
	2.60	0.05	
	0.87	0.00	
	13.84	0.28	
	6.92	0.14	
	6.92	0.14	
es and re Pro-rated.	5.19	0.10	
	1.73	0.03	
	3.46	0.07	
	6.92	0.14	
	2.77	0.06	
	17.30	0.35	
	6.23	0.00	
	140.48		
	27.68	0.00	
	24.22	0.00	
	6.92	0.00	
	0.00	0.00	
	0.69	0.00	
		2.67	
	200.00		

Prorate %

After Fixed

63,20%

7.79

22.20

**TOP-DOWN #2** 

2% Amt

0.16

0.47

FINAL

(After 2%)

7.63

22.89 23.74 10.17 2.54 0.87 13.56 6.78

6.78

5.09 1.70

3.39

6.78 2.71

16.96 6.23 137.82 27.68 24.22 6.92 0.00 0.69 2.67

200.00

### Additional Information to review on the Case Study 1 Worksheet

	13				N	DAR
		2%	Per 10		\ Per	2%
(CII	14					
ICIT	19	Y	T OT AL BASE	PC 1463.001 - Base Cou	3.6	0
	20	Y	BA TO	PC 1463.002 - Base City	.4	
	21	Y	7	PC 1464 - State PA (7/1	5.0	-
	22	Y	3	PC 1464 - County PA (3	5.0	-
EOUN	23	Y	1	GC 76104.6 - DNA PA (	5.0	_
	24	Y	4	GC 76104.7 - DNA Add	0.0	0
The WV// means	25	Y	2.00	GC 76100 - LCCF	0.0	0
The "Y" means	26	Y	2.00	GC 76101 - LCJF	0.0	0
this penalty is	27	Y	1.50	GC 76104 - EMS	7.5	0
Subjected to The 2% Calc.	28	Y	0.50	GC 76104.5 - DNA ID	2.5	0
	29	Y	1.00	GC 76102 - Auto Finger	5.0	0
GAN	30	Y	2.00	GC 76000.5 - EMS Addl	0.0	0
	81	Y		GC 76000.10(c) - EMAT	1.0	
		Y	3.00	GC 70372(a): ICNA (=L0	5.0	D
20	32		0.00	0070070(-)-00505(-5	0.0	
621	33	Y	2.00	GC 70372(a): SCFCF (=	9.0	_
	84	N		PC 1465.7 - 20% Surcha	3.0	
	85	N		DC 1465 8 Court One	0.0	
	36	N		PC 1465.8 - Court Ops	5.0	0
	37		ļı	GC 70373 - Crim Conv /	0.0	0
	38 39	N		VC 40508.6 - Priors/DN	L.0	0
1 6.	10	N		VC 42006 - Night Court GC 68090.8 - 2% State		
SUPECIL OF	11			GC 06050.6 - 276 State /		
		1			0.0	

**FCALIFORNIA** 

NDARD BASE-UP											
Per	2% Amt	FINAL (After 2%)									
3.60	0.07	3.53									
L.40	0.83	40.57									
5.00	0.70	34.30									
5.00	0.30	14.70									
5.00	0.10	4.90									
0.00	0.40	19.60									
0.00	0.20	9.80									
0.00	0.20	9.80									
7.50	0.15	7.35									
2.50	0.05	2.45									
5.00	0.10	4.90									
0.00	0.20	9.80									
1.00	0.08	3.92									
5.00	0.30	14.70									
0.00	0.20	9.80									
9.00	0.00	9.00									
3.00		199.12									
0.00	0.00	40.00									
5.00	0.00	35.00									
0.00	0.00	10.00									
L.00	0.00	1.00									
		3.88									
.00	3.88	289.00									



I hese individual distributions tell you where the money goes.

		STANDARD						
	DISTRIB	Standard-Per UBS	2% A					
	COUNTY	3.60						
	СІТҮ	41.40						
	STATE	35.00						
	COUNTY	15.00						
	COUNTY	5.00						
	STATE	20.00						
	COUNTY	10.00						
10)	COUNTY	10.00						
d of	COUNTY	7.50						
DS).	COUNTY	2.50						
	COUNTY	5.00						
	COUNTY	10.00						
	STATE	4.00						
ital is 10	STATE	15.00						
	STATE	10.00						
	STATE	9.00						
FOTAL		203.00						
	STATE	40.00						
	STATE	35.00						
	COURT	10.00						
	STATE	1.00						
	STATE							
FINE		289.00						

## Case Study No. 2 - DUI

### **Court Case Information:**

Violation Date: 9/12/2020

Disposition Date: 12/3/2020

Arresting Agency = County Arrest

Violation = VC § 23152(a, b) Driving under the influence of alcohol

Violation Type= Misdemeanor

Disposition = Bail Forfeiture

### **Information for Case Study No. 2**

#### TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Vehicle Code)

Se	ection	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	PA*/1	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
					10/10	7	5/10	5	20%	2	4		40	30		
23109	(a)	95	Engaging in Speed Contests Prohibited	360	360	252	180	180	72	72	4	1480	40	30	1	1551
23109	(b)	96	Abetting Speed Contest Prohibited	100	100	70	50	50	20	20	4	414	40	30	1	485
23109	(c)	97	Engaging in or Abetting Exhibition of Speed Prohibited	100	100	70	50	50	20	20	4	414	40	30	1	485
23109	(d)	98	Placing Barricades or Obstructions Prohibited	100	100	70	50	50	20	20	4	414	40	30	1	485
23109	(e)(2)	99	Engaging in Speed Contest and Causing Bodily Injury	500	500	350	250	250	100	100	4	2054	40	30	1	2125
23109.1		100	Engaging in Speed Contest-Specific	750	750	525	375	375	150	150	4	3079	40	30	1	3150
			Injury													
23110	(a)		Throwing Substance at Vehicle Prohibited	250	250	175	125	125	50	50	4	1029	40	30	1	1100
23112.5	(a)		Hazardous Materials-Notification of Agency Required	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
23118	(f)(4)		Release of Impounded Vehicle by Legal Owner or Agent Prior to End	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
			of Impoundment Period													
23127			Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35	25	25	10	10	_	209	40	30		280
23152	(a,b)	101	Driving Under Influence of Alcohol	<mark>390</mark>	<mark>390</mark>	273	195	195	78	78	4	1603	40	30	1	1674
23152	(c)	102	Driving While Addicted to Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(d)	103	Driving Commercial Vehicle Under Influence of Alcohol	450	450	315	225	225	90	90	4	1849	40	30	1	1920
23152	(f)	104	Driving Under Influence of Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(g)	105	Driving Under Influence of Alcohol and Drug	500	500	350	250	250	100	100	4	2054	40	30	1	2125



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### **Case Study No. 2**

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

- LCCF = \$2
- LCJF = \$2
- EMS = \$1.50
- DNA = \$.50
- Auto Fingerprint = \$1
  - Additional EMS = \$2
  - EMAT Fee GC § 76000.10(c) = \$4

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

- PC §1 463.14(b) = DUI Lab Test Penalty (BOS: up to \$50)
- PC § 1463.25 = Alcohol Education Penalty (up to \$50)
- VC § 23649(a) = Co Alcohol & Drug Problem Assessment (up to \$100)



## **Case Study No. 2**

### Additional State Restitution Fines and Local Fees

PC § 1202.4(b) State Restitution Fine

Misdemeanors – minimum of \$150

Felonies – minimum of \$300

PC § 1202.4(i) County Collection Fee (BOS: up to 10% of the Restitution Fine)

Night Court Fee = \$1

Drug Assmnt (BOS: up to \$150)		COUNTY		0.00	0.00	0.00	
Case 1 Speeding	Case 1.2 Speeding	w Prior	Cas	se Study 2	DUI	op Down M	ethod 1



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Т	To ISSUE SUMMARY Case Study 2 - Driving Under Influence										
					CASEIN	FORMATIC	<b>NN</b>	22222			
Cas	se N	umber	0		COUNT 1 Violat			a bì		BASE FINE	390
		on Date	9/12/2020		Violation De				e Influence		
						ion Type				hanced BASE	390
		ng Agency		neriff		sposition					
		County %	100%		T 2 Violation Cod					BASE FINE	0
		City %	0%		Violation De					Priors	
TO	TAL	-	\$390.	00		ion Type				hanced BASE	0
						sposition				GC 76000 =	7
							STAND	ARD B	ASE-UP	COURT DISTR	RIBUTION
2%	Per		DIST	RIBUTIC	NC	DISTRIB	Standard-	2%	FINAL	DISTRIB	DISTRIB
Y .	10					ENTITY	Per UBS	Amt	(After	CODE or	AMT
Def								0270233	2%)	DESCRIPTI	
N											в
							50.00	1.00			
L 꽃 H	BASE				- DUI Lab Spec Acct		50.00	1.00	49.00		
¥	8				UI Prog Spec Acct		50.00	1.00	49.00		
	I ₹				DUI Indemnity Alloc	STATE COUNTY	20.00 270.00	0.40	19.60 264.60		
¥	TOTAL	PC 1463.001 - PC 1463.002 -	,				0.00		264.60		
- <del></del>	7	PC 1463.002 - PC 1464 - Sta	~		)•<)	STATE	273.00	The second se	267.54		
1	3	PC 1464 - Sta				COUNTY	117.00	2.34	114.66		
		GC 76104.6 -			50/.)	COUNTY	29.25	0.59	28.67		
		GC 76104.6 -				STATE	9.75		9.56		
<b>Y</b>	4				27 12	STATE	156.00	3.12	152.88		
<b>Y</b>	2.00			(4r IU eff 6	-27-12; prev 3/10)	COUNTY	78.00	1.56	76.44		
Ϋ́	2.00	GC 76101-LC				COUNTY	78.00	1.56	76.44		
ι Υ		GC 76104 - EN			00 PA (\$7 for every 10) down = local Board of	COUNTY	58.50	1.30	57.33		
ι Υ	0.50				isor resolution (BOS).	COUNTY	19.50		19.11		
Ý		GC 76102 - Au			. ,	COUNTY	39.00		38.22		
Ý	2.00			(BOS: 2/1	0)	COUNTY	78.00	1.56	76.44		
Ý	2.00	GC 76000.10(			-	STATE	4.00	0.08	3.92		
	5.00	GC 70372(a):				STATE	195.00	3.90	191.10		
N		PC 1465.7 - 20				STATE	78.00		78.00		
					SUBTOTAL		1603.00		1572.50		0.00
N		PC 1465.8 - C	ourt Ops Assr	nnt (\$40 e	ff 10-19-10)	STATE	40.00	0.00	40.00		
N		GC 70373 - C	rim Conv Assr	nnt (\$30 fo	r misd/\$35 for infr) 💦 🕺	STATE	30.00	0.00	30.00		
N		VC 40508.6 -				COURT	0.00	0.00	0.00		
N					BOS: up to \$150)	COUNTY	0.00	A REAL PROPERTY OF LAND	0.00		
Y				r	(BOS: up to \$50)	CNTY or CT			49.00		
Y		PC 1463.25 - /				COUNTY	50.00	1.00	49.00		
N					smnt (up to \$100)	COUNTY	100.00		100.00		
X			in: \$150 misd/\$300 fel)		150.00		147.00				
N					S: up to 10% of Rest Fin		15.00		15.00		
N		OR			OR AR Fee (up to \$30)		35.00	0.00	35.00		
N		VC 42006 - Ni	STATE	1.00	0.00	1.00					
N		GC 68090.8 - forfeitures)	2% State Aut	omation (f	or fines, penalties &	STATE			35.50		
	35.50 TOTAL FINE 2074.00 TOTAL										0.00
4										. enne	0.00

## **Disabled Parking VC § 22507.8**

- (a) It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for disabled persons and disabled veterans pursuant to Section 22511.7 or 22511.8 of this code or Section 14679 of the Government Code, unless the vehicle displays either a special identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59.
- (b) It is unlawful for any person to obstruct, block, or otherwise bar access to those parking stalls or spaces except as provided in subdivision (a).
- (c) It is unlawful for any person to park or leave standing any vehicle, including a vehicle displaying a special identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59, in either of the following places:
  - (1) On the lines marking the boundaries of a parking stall or space designated for disabled persons or disabled veterans.
  - (2) In any area of the pavement adjacent to a parking stall or space designated for disabled persons or disabled veterans that is marked by crosshatched lines and is thereby designated, pursuant to any local ordinance, for the loading and unloading of vehicles parked in the stall or space.
- (d) Subdivisions (a), (b), and (c) apply to all offstreet parking facilities owned or operated by the state, and to all offstreet parking facilities owned or operated by a local authority. Subdivisions (a), (b), and (c) also apply to any privately owned and maintained offstreet parking facility.



## Late Penalty Charge

 Vehicle Code section 40310 requires the imposition of a late charge of 50 percent on any traffic penalties not paid within 20 days.

The 20 days shall be counted from the mailing of a notice that the penalty has been assessed.

Note: Check with your finance staff if you have questions, but we're under the impression that the vast majority of courts DO NOT charge a late penalty charge. We are NOT encouraging you to do so.



## **RECAP: Case Study Goals** and Expectations

 Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.

### Use distribution worksheets to:

Work through actual case studies of basic distributions.
 Understand impacts of variations (priors, different base fines, etc.) to demonstrate how distributions change.



## **Questions?**

## Please submit them to: revenuedistribution@jud.ca.gov



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## Thank you!!