

Criteria for a Successful Civil Assessment

Encourage courts to consider the following criteria when establishing or enhancing a civil assessment program:

1. Judicial officers should impose civil assessment based on the merits of each case.
2. A \$300 civil assessment should be imposed on each appropriate case and waived or reduced only for good cause.
3. An individual's ability to pay should be referred to financial evaluation officers to determine and, with court authority, appropriately adjust the amount owed.
4. Courts should establish a policy to determine the criteria for "good cause" for reducing or waiving civil assessment.
5. A civil assessment should be imposed no later than 30 days after a failure to appear or failure to pay.
6. Courts should impose a civil assessment on all infraction failure to appear and failure to pay cases.
7. Courts should consider imposing civil assessment on all eligible cases as appropriate.
8. Civil assessment should be a consideration for failure to pay restitution fines as ordered.
9. Courts should consider trial by written declaration (vehicle code 40902) and trial in absentia (vehicle code 40903) in conjunction with the imposition of civil assessment as appropriate.