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New Civil Fee and Traffic Fine Structure to Take Effect *Revenue Will Help Improve Courthouses*

San Francisco—A new fee structure will go into effect starting January 1, 2009, for civil filings and increased penalties as well as new assessments for traffic tickets and all other criminal convictions as a result of legislation approved by the Legislature and signed into law by the Governor earlier this year.

Under the new fee structure, the filing fee for “unlimited” civil cases (more than \$25,000 at issue) will go to \$350 from \$320 while the typical cost of traffic tickets will increase by \$35. An additional \$30 will be due upon conviction of any misdemeanor or felony.

The increases were authorized as part of Senate Bill 1407, which authorizes a \$5 billion capital outlay program to fund repairs, renovations, and replacement of court facilities in order to make them safer and more secure. As under current law, adjustments can be made to fees and fines to accommodate hardship cases and to guarantee access to justice. In addition, in certain criminal cases, the fees, penalties, and assessments can be converted to community service upon a showing that the total fine would impose a hardship on a defendant or his or her family.

“Enactment of this bill demonstrates the commitment by the Legislature and the Governor to ensuring that the judicial branch has the tools and resources to address one of the judicial branch’s key priorities: repairing and rebuilding our crumbling courthouse infrastructure,” said William C. Vickrey, Administrative Director of the Courts. The Judicial Council has identified 69 courthouse projects in “immediate and critical need” and voted in October to recommend funding for 41 of those projects through SB 1407, he said.

In addition to the \$30 fee increase for unlimited civil case filings, the filing fee for limited civil cases will increase by \$25 where the amount at issue is \$10,000 to \$25,000 and by \$20 where the amount at issue is \$10,000 or less.

Traffic tickets paid on or after January 1 will carry an additional \$35 assessment and, in some counties, an increased court construction penalty. The fee to process a request to attend traffic school and keep the ticket off the driver’s record will be \$49 beginning January 1, up from \$24. The fee for proof-of-correction citations, or “fix-it” tickets, will go from \$10 per citation to \$25 per violation. Fines imposed upon convictions of misdemeanors or felonies on or after January 1 will result in an additional \$30 assessment. In some counties, these convictions will also be subject to an increased court construction penalty.

In California, 90 percent of court facilities need improvement, 78 percent are not fully accessible to disabled persons, and 68 percent lack security adequate for the design of the facility. The increased fees, penalties, and assessments authorized by SB 1407 will generate an estimated \$280 million annually to support court facility improvements.

Governance of local courthouses shifted from the counties to the state with the Trial Court Facilities Act of 2002. As a result of the act, the state, through the Judicial Council and the Administrative Office of the Courts' (AOC's) Office of Court Construction and Management, began assuming responsibility for the operation, maintenance, renovation, and construction of local court facilities.

“The fees, assessments, and penalties imposed by this new legislation will be used to further the goal of safe and effective access to justice in all of the communities across California,” said Curt Child, Director of the AOC's Office of Governmental Affairs.

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The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and promotes leadership and excellence in court administration.