

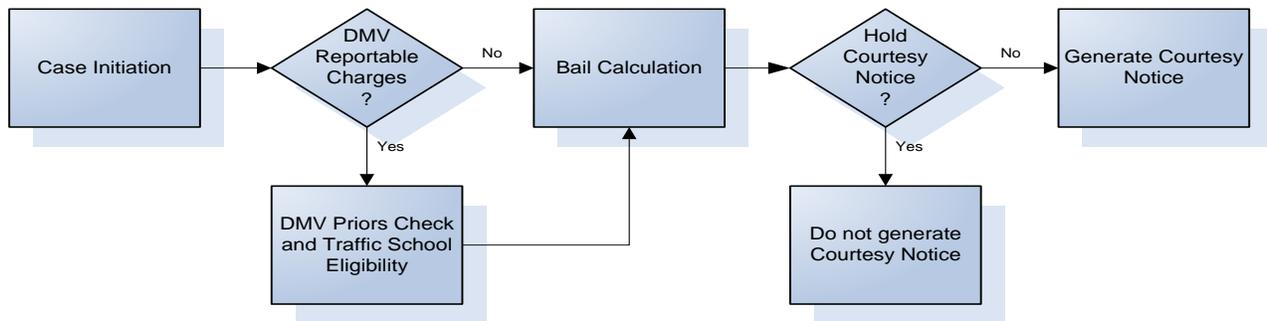
## Introduction

This document describes the detailed bail calculation and re-calculation processes used to compute the amount due for a case defendant. This process is used by the Infraction, Misdemeanor, and Felony case categories, and Juvenile 601, 602, and Infraction case types to calculate the due amount on these cases.

## Functional Overview

When a case is added to the system, the case initiation process schedules the case for the Department of Motor Vehicles (DMV) priors retrieval or for bail calculation, depending on the nature of the charges included on the case. If any of the charges are DMV reportable, the case is scheduled for the DMV prior's retrieval process which will then schedule the case for bail calculation. If the case is not DMV reportable, the case is immediately scheduled for bail calculation.

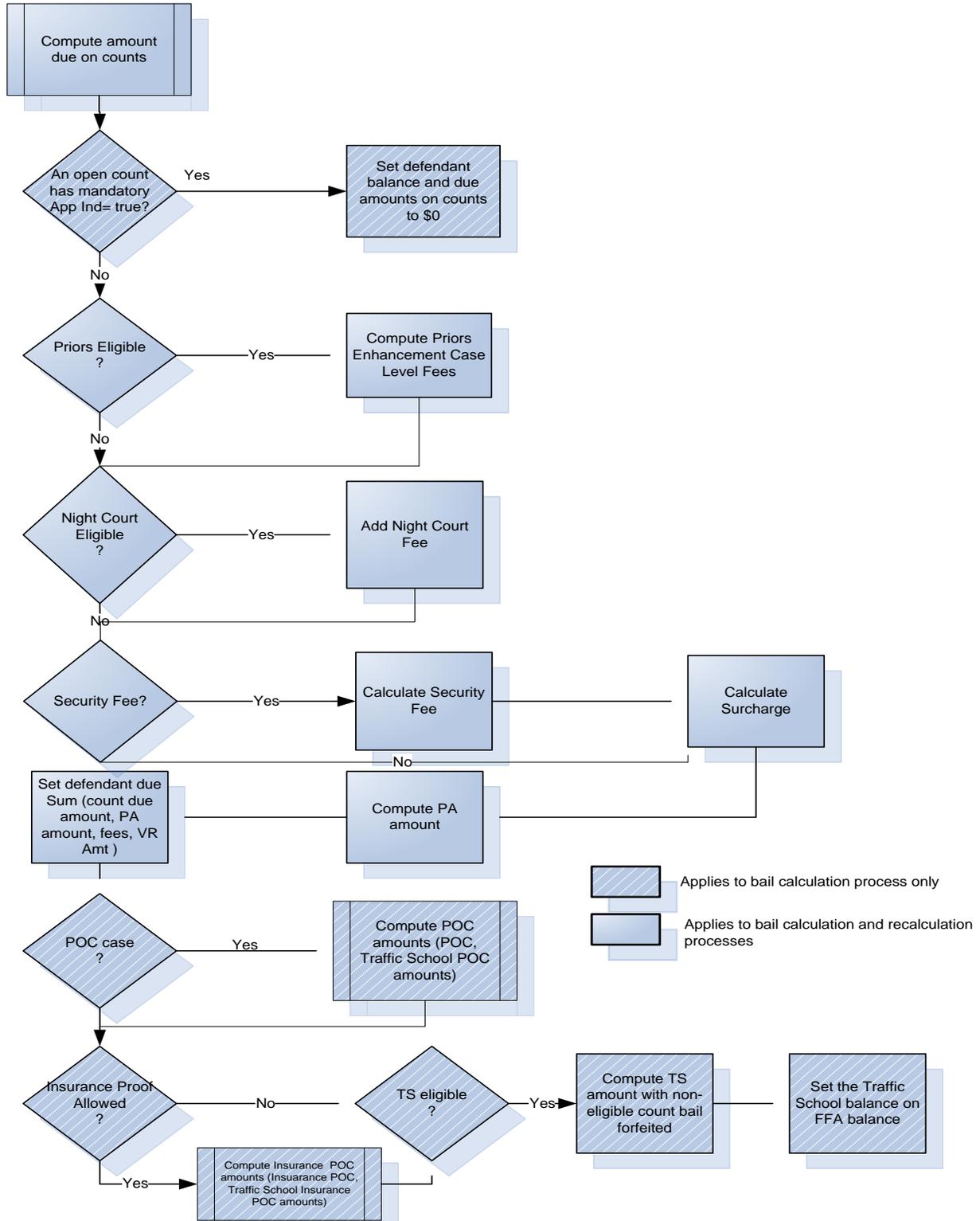
The bail calculation routine computes the Fine Fees and Assessment (FFA) balance and, when required, schedules the courtesy notice print for the case. The courtesy notice process prints the case initiation notices as well as other notices requested throughout the life of the case.



*Fig 1. Bail Calculation Process*

The bail calculation process is responsible for computing the initial FFA Balance and FFA Line Items on a case and the bail amounts to be reported to the defendant on the courtesy notice (referred to as bail calc). Throughout the lifecycle of the case, the due amount for the case is recalculated by the process (referred to as bail recalc) based on the changing attributes of the case. At that time all existing FFA Line items and FFA Fund Balances may need to be updated with the new due amounts. The following diagram illustrates the high level flow of the bail calculation/recalculation process.

## Bail Calculation and Recalculation Process



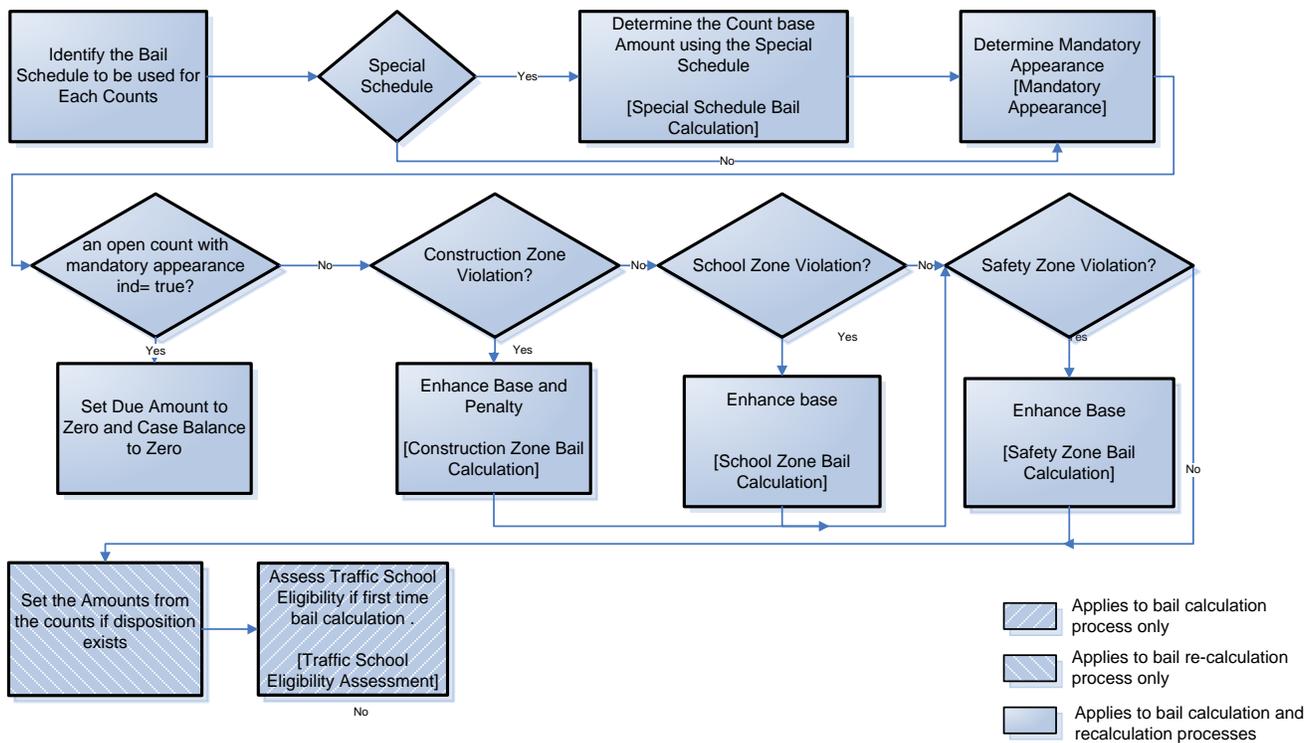
*Fig 2. Bail Calculation/Recalculation Process*

**Detail Design**

Prior to computing the initial bail amount associated to the count, the number of prior convictions of the count charge must be determined. The DMV Prior Data Exchange sets the case level priors count that is used by the bail calculation process. The DMV Priors Data Exchange will also set the number of times a defendant has been convicted of the current charge (count level priors).

- Calculate the priors count once and will continue to use the same count to calculate bail for the life of the case.

The first step in the bail calculation process is to identify the bail amount associated with each count and to build the due amounts on the counts. The following diagram illustrates the process to build the due amount for the counts.



*Fig 3. Calculate due amount on counts*

The count due amount calculation process selects the bail schedule to be used for each of the counts where the:

- Bail schedule is effective for the violation date on the count
- Get the Maximum number of priors on the bail schedule which is less than or equal to the number of priors on the count as stored by the DMV Priors Process.

Once the bail schedule to be used for each count is identified, then the following information is obtained for each of the counts:

## Bail Calculation and Recalculation Process

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- Base Amount from bail schedule
- PA Eligible Indicator
- PA eligible Amount
- PA ineligible amount
- Proof of Correction Indicator
- Proof of Correction Amount
- Special Proof of Correction Amount
- Correctable Mandatory Indicator
- Juvenile Mandatory Appearance Indicator
- Night Court Indicator
- Violation Type
- Bail Category
- Suppress Security Fee Indicator
- Fish and Game Indicator
- School Zone Indicator
- Construction Zone Eligible Indicator
- Safety Zone Indicator
- Traffic School Eligible Indicator (all moving violations need to be TS eligible)
- Compute Bail/Mandatory Appearance Indicator
- Special Schedule (if the special/speed schedule is to be used to compute the bail for this count)

If the proof eligible violation is overridden during citation entry then the count is marked as not proof correctable.

If the bail schedule indicates that a special schedule is required, the appropriate schedule is selected to compute the bail amount. When the speed schedule is used, the base amount is obtained from the speed schedule with the speed range within the posted speed limit on the citation and mph over limit range is within the difference between the safe speed and the actual speed on the citation and the schedule effective for the violation date.

When using the special schedule table, the schedule is retrieved where the schedule type is equal to the schedule type stored on the bail schedule, where the effective date is the most recent that is less than or equal to the violation date, and effective end date is greater than or equal to violation date or equals to null and the over limit amount is less than or equal to the count's over limit amount.

Based on the case category/case type the mandatory appearance indicator for the open counts, the bail calculation process determines whether the Bail needs to be computed. If the bail schedule for the count or the speed schedule indicates that the violation is a mandatory appearance count, the case defendant is marked for mandatory appearance. Also the count due amount for all counts that are open is set to 0 and bail calculation stops for this case. In addition, the proof of correction amounts is computed if the correctable mandatory indicator is set.

The bail calculation process then checks to see if the charge is eligible for construction zone enhancement and the citation has construction zone marked. If the citation meets these conditions, the

count's bail amount, due amount and PA eligible amounts are doubled when the offense level is "Misdemeanor". The base amount, PA eligible amount and due amount are enhanced based on the special schedule using the bail category when the offense level is "Infraction". For more details please refer to Construction Zone Bail Calculation section below.

If the construction zone enhancement is not assessed, the bail calculation process then checks to see if the charge is eligible for school zone enhancements and the citation has school zone marked. If the citation meets these conditions and it is not a construction zone violation, the school zone eligible count's base amount and due amounts are doubled when the offense level is "Misdemeanor". The base amount and due amount are enhanced for school zone eligible counts by one bail category if offense level is "Infraction". For more details please refer to School Zone Bail Calculation section below.

The bail calculation process then checks to see if the charge is an eligible safety zone moving violation and the citation has safety zone marked. If the citation meets these conditions, the safety zone eligible count's base amount and due amounts are doubled when the offense level is "Misdemeanor". The base amount and due amount are enhanced based on the special schedule using the bail category for safety zone eligible counts when the offense level is "Infraction". For more details please refer to Safety Zone Bail Calculation section below.

If there is an active fine sentence on the count, then the due amount is changed to what has been ordered in the fine sentence. This normally happens when a defendant is convicted and ordered to make a payment to the court in the court room.

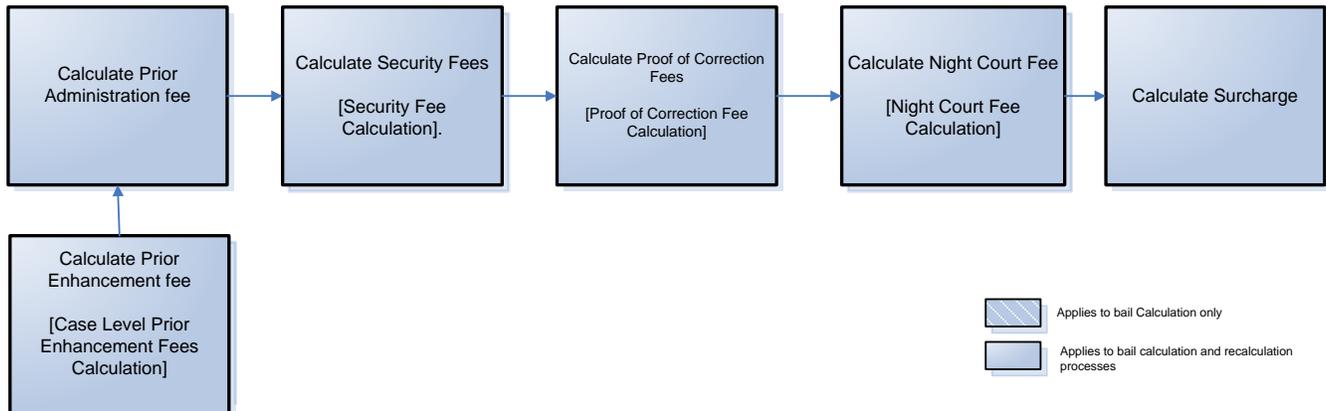
If there is no active fine sentence on the count, then the due amount is set according to the bail schedule. If proof of correction has been accepted or traffic school has been approved, the due amount will be updated according to those processes. If the count has been dismissed, the amount due is set to zero.

If the mandatory appearance indicator (non-juvenile cases) or juvenile mandatory indicator on any of the open counts is true, the due amount on all open counts is set to zero and no due amounts are calculated. The Case Balance (FFA Balance) is set to zero. If all the mandatory appearance violations are dismissed, the mandatory appearance indicator will be unchecked and the undisposed count will be recalculated and display the appropriate amount owing.

When the bail calculation process is invoked for the first time, the Traffic School eligibility is assessed and the traffic school status set for the case defendant. The Traffic School Status is set to "Case is not eligible for Traffic School" or "Defendant is not eligible for Traffic School" or "Case is Eligible for Traffic School". The rules for setting the traffic school status are outlined in Traffic School Eligibility Assessment section below.

## Fee Assessment

After computing the due amount for the counts, the standard fees are automatically computed by the process. The diagram below gives an overview of the fees that are computed by the bail calculation and recalculation process.



*Fig 4. Fee Calculation*

The bail calculation process then calculates the Case Level Prior Enhancement Fees and Administration fees. The input to this is from the DMV Prior Data Exchange. The DMV Prior Data Exchanges sets the Case Level Priors for the current case defendant.

The prior fee amount is computed by:

- Select the ‘Priors’ fee with most recent effective begin date less than or equal to the original violation date of the case and end date greater than violation date or null.
- The priors’ amount is computed by multiplying the prior fee amount by the DMV priors received from DMV prior process.

For more details please refer to the “Case Level Prior Enhancement Fee Calculation” section below.

The Prior Administration fee is added when:

- Court is configured to add the Prior Administration fee
- Date of Prior violation returned is in the last 3 years
- Abstract type of Conviction exists and there are prior violations returned irrespective of the points count returned on them

The Prior Administration fee is not removed under the following condition once the fee is added:

- When there are multiple counts on a case if there is at least one non-dismissed priorable count or
- If the dismissal is related to the Proof of Correction and the Proof of Correction Amount is non-zero

Note: The Prior Administration Fee will be removed if all counts are dismissed

The bail calculation process then calculates the security fee for the counts. There are some special scenarios that are handled in calculation of security fee. For more details please refer to “Security Fee Calculation” section.

If any of the counts with due amount > \$0 is night court eligible and the disposition is open or not in the dismissed category or “Dismissed - Traffic School” or “Bail Forfeited - Traffic School not completed”, then a night court fee is added to the case. For more details please refer to the “Night Court Fee Calculation” section.

Finally the surcharge is computed on the total PA eligible count amounts and total PA eligible fees assessment amount. The surcharge rate is obtained from reference table and is configurable by court. The Surcharge Fee is calculated as:

Fine Surcharge = Surcharge Rate \* Sum of (Base Fine Amount) on PA Eligible Non-Zero Due Fine Sentenced counts.

(Note: Fine Surcharge does not apply to bail forfeited amounts, only to counts where the fine is applied in court.)

Surcharge = Surcharge Rate \* Total PA eligible Fee assessment Amount +  
Surcharge Rate \* Total PA Eligible Amount from Non-Fine Sentenced counts that  
are PA Eligible with due amount and PA eligible amount > \$0] +  
Fine Surcharge.

**Note:** There are other fees such as “Restitution Fees” that may also exist on the case, if it was assessed by the other processes. For example, the Restitution Fees may have been ordered in the court room. These fees are not computed by the bail calculation and recalculation process.

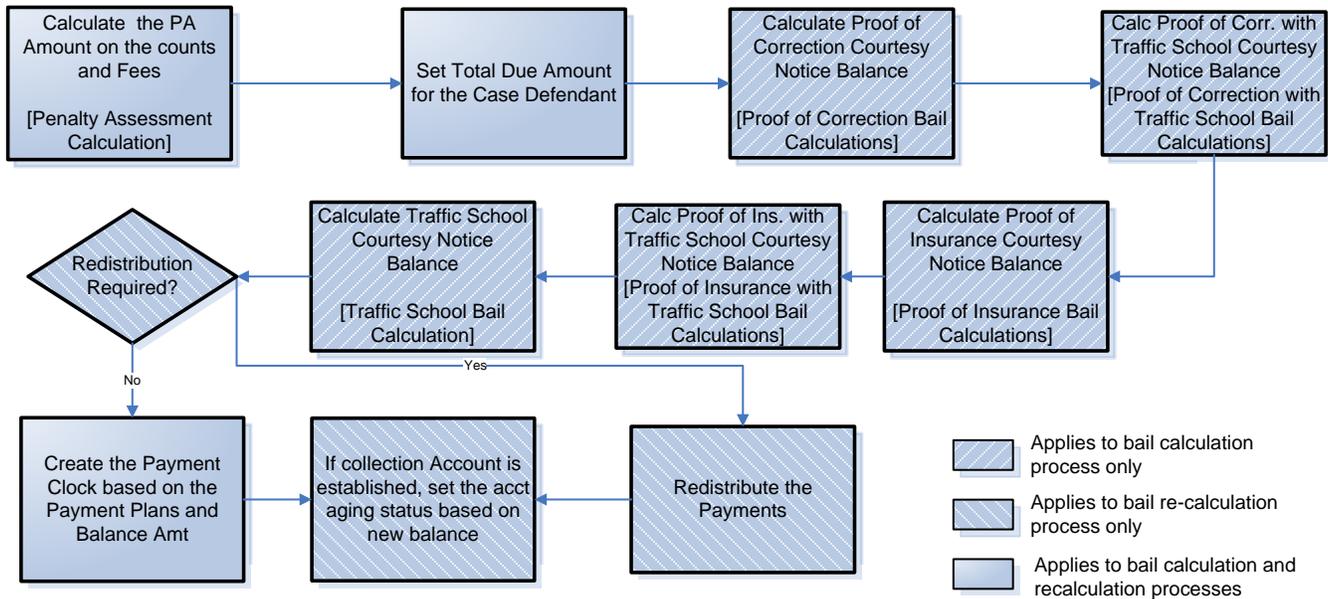
At this point, the Bail Calculation and Recalculation process has computed:

- Due Amounts on the counts
- PA Eligible Amounts on the Counts
- The Fees for the case defendant

### **Penalty Assessment (PA)**

Once the fees are calculated, the next step is to assess the penalty for the penalty eligible counts and fees. The diagram below gives an overview of the penalty assessment process.

## Bail Calculation and Recalculation Process



*Fig 5. Penalty Assessment*

Based on the violation date, identify the proper penalty schedule that needs to be used and the corresponding base amount and penalty amount. This calculation will only be done for the penalty eligible violations.

The PA amount is then computed based on the PA schedule identified, PA eligible amounts from counts and PA eligible assessment amounts from fees. For more details on the penalty assessment calculation, please refer to the “Penalty Assessment Calculation” section.

At this point bail calculation and Recalculation process has computed:

- Due amounts on counts
- Fee assessments and
- Count and Fee penalty amounts.

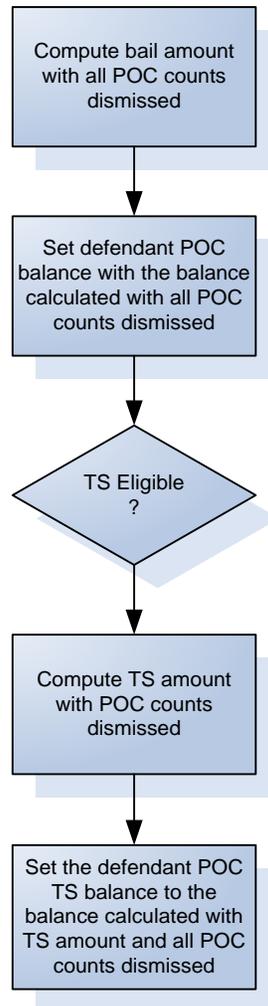
The Case Balance (FFA Balance) is now calculated as:

<b>FFA Balance Amount =</b>	
• <b>Sum of All the Due Amounts on the Counts</b>	+
• <b>Total Penalty Assessment Amount from Counts and Fees for the Case Defendant</b>	
• <b>Sum of All the Fee Amounts on the Case Defendant</b>	+
• <b>Victim Restitution Amount for Case Defendant when balance to be paid through court –</b>	
• <b>Amount Paid for the FFA (Case Balance)</b>	

When processing cases, additional balances may be computed when the bail calculation runs for the first time. They are POC balance, Traffic School balance and POC with Traffic School, Special Reduced

Proof Balance, and Traffic School Special Reduced Proof. These additional balances are maintained as a separate field on the case participant violation table and populated when/as necessary.

The POC balance is computed if the case has proof correctable counts. The POC balance amount for the case is computed by assuming all correctable counts are corrected by the defendant showing proof of correction. The following diagram illustrates the bail amount calculations performed to support POC balances.

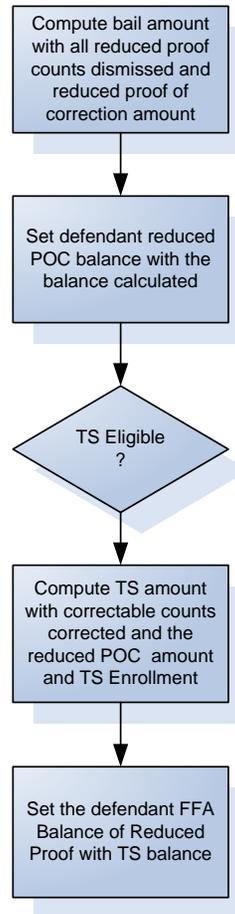


*Fig 6. Bail Calculation for Correctable Offenses*

Details of the POC due amount calculation for correctable offenses are included in the “Proof of Correction Bail Calculation” section below.

If the case has reduced proof offenses, the reduced POC amount is computed for the case assuming all reduced proof offenses are dismissed by the defendant showing proof . The following diagram illustrates the bail amount calculations performed to support reduced proof offenses.

## Bail Calculation and Recalculation Process



*Fig 6(b). Bail Calculation for Reduced Proof Offenses*

Details of the reduced proof due amount calculation for reduced proof are included in the “Reduced Proof Bail Calculation” section.

If any of the non-correctable offenses on the case are traffic school eligible, the POC with traffic school due amount is computed assuming the correctable offenses are corrected and the defendant enrolls in traffic school. Details of the POC with traffic school due amount calculation are included in “Proof of correction with Traffic School Bail Calculation” section.

Finally, the bail calculation routine checks the case for traffic school eligibility, and if the case is eligible, computes the traffic school due amount assuming all non-traffic school counts are bail forfeited. For more details please refer to the “Traffic School Bail Calculation” section.

After a bail re-calculation FFA Line items and FFA Fund Balance Records (if they exist) must be updated with the new due amounts, regardless of the need to redistribute any existing payments. Once the bail calculation routine has completed computing the case balances, if a payment has already been distributed for the case, then the bail calculation process determines whether redistribution is required. Changes on a case at the line item level may necessitate the redistribution of payments received on the case even if the net effect does not result in a change in the total due on the case.

## Bail Calculation and Recalculation Process

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- If the change only involves the addition of one or more FFA line items (Fees or Counts), redistribution is necessary only when there is an existing overage amount on the case. But corresponding FFA Fund balance records will be created.
- If the change also involves the elimination of FFA line items (Fees or Counts), but no money has yet been applied to the associated FFA Fund Balance records, redistribution is not necessary. The case distribution records for those line items are marked inactive.
- If the change involves the elimination of FFA line items (Fees or Counts) and money has been applied to any of the associated FFA Fund Balance records, redistribution is necessary.
- If the change involves reducing the total due on one or more FFA line items and the new amount due is less than the amount previously distributed to the FFA line items, redistribution is necessary and any overage amount will need to be allocated to an overage fee or overage trust accordingly.
- If the change involves reducing the total due on one or more FFA line items and the new amount due is greater than or equal to the amount previously distributed to the line items, redistribution is not necessary.
- Any changes (add, change, remove) to the Victim Restitution Amount when payable through court, and there was a payment made to fee or fines, redistribution is necessary.

The redistribution process is:

1. Mark the current FFA Fund Balance Records for the FFA as inactive;
2. Reverse the affected payment line records on the FFA;
3. Recalculate the FFA Fund Balance Records amounts for the FFA;
4. Create a new payment line record for each payment that was reversed;
5. Reapply the new payment lines in chronological order;
6. Redistribution for payments applied to fine and then victim restitution balance is established

After the bail calculation or recalculation, the case balance may be different. If the case has a collection account established, the collection status and the collection balances are updated.

**Mandatory Appearance:**

A case is flagged for a mandatory appearance when:

- any of the open counts on the case has the mandatory appearance indicator set and the case is not a juvenile case or
- the case is a juvenile case and the juvenile mandatory indicator is set or
- there exists a speeding violation and the approximate speed that the defendant was driving makes him/her eligible for a mandatory appearance

**Special Schedule:**

These are the schedules that are used to compute the base amount of a charge or to enhance the base and penalty of the charge.

*Speed Schedule:* This is normally the schedule used when it is a speeding violation and the speed schedule is selected in the bail schedule. This normally contains the following information (sample values):

Speed Zone range (Mph)	Over the Limit Range(Mph)		Base Amount	Traffic School	Mandatory Appearance
	Start	End			
41-50Mph	1	10	35	Y	N
41-50Mph	11	20	70	Y	N
51-60Mph	1	10	40	Y	N
51-60Mph	11	20	80	Y	N

Based on the above table when the defendant is driving at 48 Mph in the 45 Mph zone, the base amount of \$35 will be assessed.

When a defendant is driving at 71 MPH in a 55 MPH zone, then the base amount of \$80 will be assessed.

In addition to the above information, the speed schedule also contains whether the defendant is eligible for traffic school based on the amount over the limit in the speed zone and whether mandatory appearance is required.

*Overweight Schedule:* This contains the following information (sample values):

Lbs Over Limit		Base Amount	Per Pound
Start	End		
1000	1100	200	N
1101	1200	300	N
1201	1300	.4	Y

## Bail Calculation and Recalculation Process

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In the above table, when the over limit is between 1000 and 1100 lbs, the base amount of \$200 will be assessed because it is not a per pound amount. But when the Over the Limit weight is 1250, then the base amount will be calculated as  $.4 * 1250 = \$500$ . Whenever it is a per pound value, then the amount over the limit on the violation is multiplied by the base amount, otherwise the base amount for the weight over the limit is used.

*Catch Limit Schedule:* This schedule is normally used for fish and game violations and when the defendant caught more fish than what he should have. Please find some sample values for this schedule below:

Amount Over Catch Limit		Additional Base Amount
Start	End	
1	10	40
11	20	50
21	30	60

In the above table whenever it is a fish and game and the defendant caught between 1 and 10 fish over the limit, the base amount will be enhanced by 40 and between 11 and 20 fish; base will be enhanced by \$50.

*Bail Category Schedules:*

For infractions, these categories are normally used to enhance the base and penalty in case of construction zone violations and enhance base amount in case of safety and school zone violations.

Based on the bail category defined in the bail schedule for the violation, the base amount and/or penalty is/are enhanced by one bail category. This normally contains following information (sample values):

Bail Category	Base Amount
1	25
2	35
3	70

If the safety zone violation has a bail category of 1 and the base amount on the bail schedule is \$35, then the base amount will be enhanced by one bail category. i.e. the Base Amount on the Bail Category 2 is \$35. So the Difference between the Bail Category 1 (Safety Zone Violation) and Bail Category 2 is \$10. So the base amount for this violation would be  $\$35 + \$10$  (Enhanced Base Amount) = \$45.

**Construction Zone Bail Calculation:**

When the citation has the Construction Zone marked, for each of the violations eligible for construction zone as indicated by the bail schedule:

If Offense Level is “Misdemeanor”:

- Set the Base Amount = 2 \* Base Amount
- Set the Due Amount = 2 \* Base Amount
- Set the PA Eligible Amount = PA Eligible Amount \* 2

If Offense Level is “Infraction”:

- Select the Enhanced Bail Amount from the Special Schedule where the Schedule Type is Bail Category and the amount Over Limit is the Bail Schedule.Bail Category+1
- Set the Base Amount = Enhanced Bail Amount from the Special Schedule
- Set the Due Amount = Enhanced Bail Amount from the Special Schedule
- Set the PA Eligible Amount = Enhanced Bail Amount from the Special Schedule – the Bail Schedule PA ineligible amount.

**School Zone Bail Calculation:**

When citation has School Zone marked, for each of the violations eligible for school zone and the violation date effective for the school zone assessment date range:

If Offense Level is “Misdemeanor”:

- Set the Base Amount = 2 \* Base Amount
- Set the Due Amount = 2 \* Due Amount

If Offense Level is “Infraction”:

- Select the Enhanced Bail Amount from the Special Schedule where the Schedule Type is Bail Category and the amount Over Limit is the Bail Schedule.Bail Category+1
- Set the Base Amount = Enhanced Bail Amount from the Special Schedule
- Set the Due Amount = Enhanced Bail Amount from the Special Schedule

*\*Note that the PA base amount is not enhanced for School Zone offenses*

**Safety Zone Bail Calculation:**

When the citation has Safety Zone marked, for each of the violation eligible for safety zone:

If Offense Level is “Misdemeanor”:

- Set the Base Amount = 2 \* Base Amount
- Set the Due Amount = 2 \* Due Amount

If Offense Level is “Infraction”:

- Select the Enhanced Bail Amount from the Special Schedule where the Schedule Type is Bail Category and the amount Over Limit is the Bail Schedule.Bail Category+1
- Set the Base Amount = Enhanced Bail Amount from the Special Schedule
- Set the Due Amount = Enhanced Bail Amount from the Special Schedule

*\*Note that the PA base amount is not enhanced for School Zone offenses*

**Proof of Correction Due Amount Calculation:**

If the Disposition on the count is “Dismissed Proof of Correction” or “Bail Forfeiture Fish and Game POC” and the count is proof correctable, then:

- Set the Due Amount to POC amount on the bail schedule
- If the POC amount is greater than zero (>\$0), set the PA eligible amount to ( POC amount – PA ineligible amount ) on the bail schedule

**Reduced Proof of Correction Due Amount Calculation:**

An alternative proof of correction calculation is available to be used for insurance violations if the court elects to configure the bail schedule to support it. The purpose of the alternative POC is to provide a reduced bail amount if the defendant acquired insurance after the date of violation for the ‘no proof of insurance’ offense.

If the insurance was not in effect on the date of the violation, then the system reduces the bail using the following process:

If the Disposition on the count is “Bail Reduced for Correction,” then:

- Set the Due Amount to reduced POC amount on the bail schedule
- Set the PA eligible amount to (Reduced POC amount – PA ineligible amount ) on the bail schedule

If the insurance was in effect on the date of the violation, then the system reduces the bail using the following process:

If the Disposition on the count is “Bail Reduced for Correction,” then:

- Set the Due Amount to POC amount on the bail schedule
- Set the PA eligible amount to (POC amount – PA ineligible amount ) on the bail schedule

**Traffic School Eligibility Assessment:**

Traffic School Status is set to “**Case is eligible for Traffic School**” when the following condition is met:

- Any open count is traffic school eligible and
- If there is a speeding violation and the speed schedule indicates that the defendant is eligible for Traffic School

Traffic School Status is set to “**Case is not eligible for Traffic School**” when the following condition is met:

- Case does not meet both of the above traffic school eligibility criteria
- Citation type is not eligible for traffic school or it is Owner’s responsibility. Currently the citation type of “Bike” and “Pedestrian” are the types not eligible for traffic school. We will configure this to make sure the design is flexible.

Traffic School Status is set to “**Defendant not eligible for Traffic School**” when the Case meets Traffic Eligibility criteria and the defendant meets one of the following criteria:

- Defendant has a commercial driver’s license
- Defendant was driving a commercial vehicle at the time of the offense
- Defendant is an enterprise
- The defendant is approved for traffic school on another case.
- It has been less than 18 months (from violation date to violation date) since the defendant has attended Traffic School.

**Case Level Prior Enhancement Fee Calculation:**

Note:

Once a case goes to court and a fine is assessed, it is no longer eligible for case level prior fees. The check for the photo enforcement citation will be configured by the court. If the court does not have this configuration, the rule will not be checked.

1. Assess the PRIOR fee when:
  - There is an open count that has bail schedule indicator 'Eligible for DMV Priors' and
  - There is at least one count with disposition in “Bail Forfeiture Category” or “Traffic School Distribution” Category that is ‘Eligible for DMV Priors’
  - The case is not designated as a photo enforcement citation
2. Remove PRIOR Fees when:
  - There is a convicted count (Disposition in Convicted Category or Active Sentence on the counts ) and
  - No open counts that are eligible for priors
  - No disposition in the “Bail Forfeiture Category” or “Traffic School Distribution” Category on a prior eligible count
3. The calculation if the PRIORS fee is due is as follows:

PRIORS Fee Amount = Priors count retrieved from DMV \* PRIOR FEE

**Security Fee Calculation:**

The processing for the security fee assessment is designed to support three approaches to the fee assessment. First, prior to a designated date (prior to the statute going into effect), no security fees are assessed on the case. Second, for a designated period, a single security fee is assessed per case with any convicted counts. Finally, for the timeframe after the once per case period, a security fee is assessed per convicted count. The single security fee per case and security fee assessed per convicted count are both supported since most courts initially implemented this statute to assess just once per case, but after an appeals court ruling, the courts began charging the fee once per convicted count.

At a high level the Security fees for the eligible counts are assessed as follows:

- No Security Fee is assessed when the Count Violation Date is before the Single Security Fee Effective Date [unless there is an override to assess the security for each of the eligible counts]
- One Security Fee is assessed when the Count Violation Date is after the Single Security Fee Effective Date and before the Multiple Security Fee Effective Date [unless there is an override to assess the security for each of the eligible counts]
- One Security Fee is assessed for each of the counts where the count violation date is after the Multiple Security Fee Effective Date

Do not calculate security fee for the case if any one of the following condition is met:

- Defendant is Juvenile and Suppress Juvenile Security Fee is set to true on the court configuration
- All the bail schedules used for the counts have suppress security fee turned on
- All the counts have “waive security fee” turned on
- Case Defendant has “waive security fee” turned on
- The date of violation/bail forfeiture or conviction is prior to the configured ‘start date’ for security fee assessment

Consider only the counts that meet the following criteria for the security fee calculation:

1. Open Counts with no:
  - “Suppress security fee” on the bail schedule and
  - “Waive security fee”
2. Counts with disposition:
  - Disposition in “Assess Security Fee” category and
  - no “suppress security fee” on the bail schedule and
  - no “Waive Security Fee” on the Count

**Note:** If the court has turned on the “use conviction date for non compute bail counts” configuration, then the conviction date on the count will be used for the security fee assessment instead of the violation date.

**Proof of Correction Fee Calculation:**

The Proof of Correction Fee is assessed when at least one count meets all the following criteria:

- Count is eligible for proof of correction
- Vehicle Code Count
- Dismissed with “Dismissed proof of correction” disposition
- Reduced bail amount on the count is \$0.

**Note:** Only one Proof of Correction Fee is assessed per case defendant.

**Night Court Fee Calculation**

The Night Court fee is assessed when the court location to which the case is assigned is eligible for night court fee assessment and any of the following conditions is met:

- There is an open count eligible for NC assessment with Due Amount > \$0 or
- There is a disposed count eligible for NC assessment with:
  - disposition not in “Dismissed Category” with the exception of “Dismissed - Traffic School” and “Bail Forfeited - Traffic School not completed” and
  - with due amount > \$0

**Note:** Only one Night Court Fee is assessed per case defendant.

**Surcharge Fee Calculation:**

The Surcharge is computed based on all the PA eligible count and PA Eligible fees, with the Surcharge Rate obtained from a reference table. The Surcharge Rate has historically been set at 20%.

The Surcharge Fee is calculated as:

- Fine Surcharge = Surcharge Rate \* Sum of (Base Fine Amount – PA Ineligible Amount) on the fine counts that are PA Eligible and due amount > \$0
- Surcharge = Surcharge Rate \* [Total assessment from PA eligible fees + Total PA Eligible Amount from counts that are PA Eligible and not associated with a sentence] + Fine Surcharge.

When the Surcharge is > \$0, the Surcharge Fee is created for the Case Defendant in the Fees Table.

**Penalty Assessment Calculation:**

Use the Penalty Assessment formula given below when any following condition is met:

1. There is a PA eligible Count(FFA Line Item) with due amount > \$0 or
2. There is a fee eligible for Penalty Assessment

The formula for calculating the PA Amount is as follows:

1. Determine which counts on the case are PA eligible
2. Group counts by applicable PA schedule (Compare PA schedule effective date to violation date) and sum the PA eligible amounts, creating the PA eligible count amount for the PA schedule.
3. Group PA eligible fees by applicable PA schedule and Sum the Assess Amounts, creating the (total PA eligible assessed fee amount). (Compare PA schedule effective date to the fee assessment date)
4. For each PA schedule with a positive bail amount, divide the [total PA eligible count amount + total PA eligible assessed fee amount] by the PA base amount, adding +1 if there is a remainder >\$0
5. Multiply the number derived in Step 4 by the PA assessment amount to get the Penalty Amount for the Counts and Fees grouped for the PA Schedule and add to the Total PA amount
6. Prorate the penalty amount derived in Step 5 to the individual counts and fees associated to the PA schedule entry

If there is an active total fine sentence, then prorate the total PA amount on fine sentence to the PA eligible counts associated with the total fine sentence.

### **Bail Calculation Routines**

The following sections describe the variations on the case balance calculations that are then stored as courtesy notice balance in the case part violation table and included on the initial courtesy notices sent to the defendants. These calculations are in addition to the case balance routine that reflects the bail forfeiture amount on a forfeitable case.

### **Proof of Correction Bail Calculation:**

The following bail calculation process determines the amount the defendant would be required to pay if all proof of correction (POC) eligible counts were corrected. The resulting amount can then be included on the initial courtesy notice.

Set the Count Due Amount to Sum (all due amounts) on the charges that are not Proof Correctable (Non-Proof Correction Amount)

Add to the "Count Amount Due" the Sum (all due amounts) on the charges that are Proof Correctable where the Proof Correctable amount > \$0 (Reduced bail amount)

i.e., Total Count Amount Due = Non-Proof Correction Amount + Proof of Correction Amount

Set the "Fees Total" to Sum (All Fees that are not "PRIOR Enhancement Fee", "Night Court Fee", "Security Fee" and "Surcharge")

Add to the "Fees Total", the POC fee when there exists a count with Vehicle Code violations that are eligible for POC and the POC Amount on the bail schedule is \$0

Add to the “Fees Total”, the “Night Court Fee” when there exists a count with a due amount > \$0 that is night court eligible

Add to the “Fees Total”, any “PRIOR ENHANCEMENT FEE” and ‘PRIOR ADMIN FEE’ assessed to the case when there is a non-proof correctable, and Prior Eligible charge associated with the Case Defendant.

Add to the “Fees Total”, all “SECURITY FEE(s)” that will be assessed if the proof is shown.

The Penalty Total = Penalty Assessment on the following amounts based on PA Schedule:

- PA Eligible amount on non POC charges +
- (POC Amount – PA Ineligible Amount) on the POC eligible non-insurance violations +
- Fees Amount that are eligible for PA

**Note:** The Prior Enhancement Fee will get added to the PA Calculation only when there is a violation which is not correctable and eligible for prior.

Calculate Surcharge Fee as

- Surcharge Rate \* PA Eligible amount on non POC charges +
- Surcharge Rate \* (POC Amount – PA Ineligible Amount) on the POC eligible non-insurance violations+
- Surcharge Rate \* PRIOR Enhancement Fees assessed amount when there exists a non-proof correctable violation eligible for Prior Fee +
- Surcharge Rate \* any other fees other than PRIOR Enhancement fees that are eligible for PA.

Set the Proof of Correction Balance as Penalty Total + Fees Total + Count Amount Due + Surcharge.

**Proof of Correction with Traffic School Bail Calculation:**

Set the Count Due Amount to Sum (all due amounts) on the charges that are not Proof Correctable and ineligible for Traffic School (No-Proof No-Traffic School Amount)

Add to the “Count Amount Due” the one Max (due amount) of all charges that are Traffic School Eligible (Traffic School Count Amount)

Add to the “Count Amount Due” the Sum (all due amounts) on the charges that are Proof Correctable and Traffic school ineligible where the Proof Correctable amount > \$0 (Proof of Correction Amount)

i.e., Total Count Amount Due = No-Proof No-Traffic School Amount + Traffic School Count Amount + Proof of Correction Amount

Set the “Fees Total” to Sum (All Fees that are not “PRIOR Enhancement Fee”, “PRIOR ADMIN FEE”, “Night Court Fee”, “Security Fee” and “Surcharge”)

## Bail Calculation and Recalculation Process

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Add to the “Fees Total”, the POC fee when there exists a count with Vehicle Code violations that are eligible for POC and POC Amount on the bail schedule is \$0

Add to the “Fees Total”, the Traffic School fee because there is a count that is traffic school eligible

Add to the “Fees Total”, the Traffic School in-county traffic school Admin fee when the county allows the in-county traffic school and the defendant address city is present as one of the in-county cities for the county.

Add to the “Fees Total”, the “Night Court Fee” when there is a non-dismissed count which is non-proof correctable and night court eligible

Add to the “Fees Total”, any “PRIOR FEE” and “PRIOR ADMIN FEE” assessed to the case when there is a non-proof correctable, and Prior Eligible non dismissed count associated with the Case Defendant.

Add to the “Fees Total”, all “SECURITY FEES” that will be assessed if the proof is shown and traffic school is approved.

The Penalty Total = Penalty Assessment on the following amounts based on PA Schedule:

- PA Eligible amount on non Proof Correctable and traffic school ineligible counts +
- (POC Amount – PA Ineligible Amount) on the Proof of Correction eligible, traffic school ineligible non-insurance violations counts +
- PA Eligible amount on the one Maximum Due Amount Traffic School Eligible Counts +
- Fees Amount that are eligible for PA

**Note:** The Prior Enhancement Fee will get added to the PA Calculation only when there is a violation which is not correctable and eligible for prior.

If there exists multiple counts with different PA schedule, for each schedule the Penalty will be assessed based on the Violation Date and PA Schedule Effective and End Date

Calculate Surcharge Fee as

- Surcharge Rate \* PA Eligible amount on non Proof Correctable and traffic school ineligible counts +
- Surcharge Rate \* (POC Amount – PA Ineligible Amount) on the Proof of Correction eligible, traffic school ineligible non-insurance violations +
- Surcharge Rate \* PA Eligible amount on the Maximum Due Amount on Traffic School Eligible Counts +
- Surcharge Rate \* PRIOR assessed amount when there exists a non-proof correctable violation eligible for Prior Fee +
- Surcharge Rate \* any other fees amount other than PRIOR fees that are eligible for PA.

Set the Proof of Correction Balance with Traffic School as Penalty Total + Fees Total + Count Amount Due + Surcharge.

**Proof of Insurance Bail Calculation:**

Set the Count Due Amount to Sum (all due amounts) on the charges that are not Proof Correctable (Non-Proof Correction Amount) and not insurance violations.

Add to the “Count Amount Due” the Sum (all due amounts) on the charges that are Proof Correctable where the Proof Correctable amount > \$0 (Proof of Correction Amount) and it is not an insurance violation.

Add to the “Count Amount Due” the Sum (all reduced proof amounts) on the charges that are insurance violation.

i.e., Total Count Amount Due = Non-Proof Correction non-Insurance Amount + Proof of Correction Amount non-insurance amount + Reduced Proof Amount.

Set the “Fees Total” to Sum (All Fees that are not “PRIOR Enhancement Fee”, “PRIOR Admin Fee”, “Night Court Fee”, “Security Fee” and “Surcharge”)

Add to the “Fees Total”, the POC fee when there exists a count with Vehicle Code violations that are eligible for POC and POC Amount on the bail schedule is \$0

Add to the “Fees Total”, the “Night Court Fee” when there is a non-proof correctable, and night court eligible non-dismissed count

Add to the “Fees Total”, any “PRIOR ENHANCEMENT FEE” and “PRIOR ADMIN FEE” assessed to the case when there is a count with a due amount > \$0

Add to the “Fees Total”, all “SECURITY FEE(s)” that will be assessed assuming the proof of correction is shown. The security fee will be assessed for counts with bail reduced but the count is not dismissed.

The Penalty Total = Penalty Assessment on the following amounts based on PA Schedule:

- PA Eligible amount on non POC charges +
- (POC Amount – PA Ineligible Amount) on the POC eligible non-insurance violations +
- Fees Amount that are eligible for PA +
- (Special Reduced POC Amount – PA Ineligible Amount) on the insurance violations

**Note:** If there is a prior’s eligible count with a due amount > \$0, then the PRIORS Enhancement Fee will be added in the PA Calculation.

Calculate Surcharge Fee as

- Surcharge Rate \* PA Eligible amount on non POC charges +
- Surcharge Rate \* (POC Amount – PA Ineligible Amount) on the POC eligible non-insurance violations +

## Bail Calculation and Recalculation Process

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- Surcharge Rate \* (Special POC Reduced Amount – PA Ineligible Amount) on the insurance violations +
- Surcharge Rate \* PRIOR Enhancement Fees assessed amount when there exists a non-proof correctable violation eligible for Prior Fee +
- Surcharge Rate \* Any other fees other than PRIOR fees that are eligible for PA

Set the Proof of Insurance Balance as Penalty Total + Fees Total + Count Amount Due + Surcharge.

### **Proof of Insurance with Traffic School Bail Calculation:**

Set the Count Due Amount to Sum (all due amounts) on the charges that are not Proof Correctable and ineligible for Traffic School (No-Proof No-Traffic School Amount)

Add to the “Count Amount Due” the one Max (due amount) of all the charges that are Traffic School Eligible (Traffic School Count Amount)

Add to the “Count Amount Due” the Sum (all due amounts) on the charges that are Proof Correctable and Traffic school ineligible where the Proof Correctable amount > \$0 (Proof of Correction Amount) and the Count is not an insurance violation.

Add to the “Count Amount Due” the Sum (all reduced proof amounts) on the charges that are insurance violation.

i.e., Total Count Amount Due = No-Proof No-Traffic School Amount + Traffic School Count Amount + Proof of Correction Amount which are not insurance violations + Reduced Proof Amount

Set the “Fees Total” to Sum (All Fees that are not “PRIOR Enhancement Fee”, “PRIOR Admin Fee”, “Night Court Fee”, “Security Fee” and “Surcharge”)

Add to the “Fees Total”, the POC fee when there exists a count with Vehicle Code violations that are eligible for POC and POC Amount on the bail schedule is \$0

Add to the “Fees Total”, the Traffic School fee because there is a count that is traffic school eligible

Add to the “Fees Total”, the Traffic School in-county traffic school Admin fee when the county allows the in-county traffic school and the defendant address city is present as one of the cities listed in the in-county table.

Add to the “Fees Total”, the “Night Court Fee” when there is a non dismissed count which is non-proof correctable, traffic school ineligible and night court eligible

Add to the “Fees Total”, any “PRIOR ENHANCEMENT FEE” assessed to the case when there is a non-proof correctable, and Prior Eligible non dismissed count associated with the Case Defendant.

Add to the “Fees Total”, all “SECURITY FEE(s)” that will be assessed if the proof is shown and traffic school is approved. The security fee will be assessed for counts with bail reduced but the count is not dismissed.

The Penalty Total = Penalty Assessment on the following amounts based on PA Schedule:

- PA Eligible amount on non Proof Correctable and traffic school ineligible counts +
- (POC Amount – PA Ineligible Amount) on the Proof of Correction eligible, traffic school ineligible non-insurance violations +
- PA Eligible amount on the Maximum Due Amount on Traffic School Eligible Counts +
- Fees Amount that are eligible for PA+
- (Special Reduced POC Amount – PA Ineligible Amount) on the Proof of Insurance eligible, traffic school ineligible violations

**Note:** The Prior Enhancement Fee will get added to the PA Calculation only when there is a violation which is not correctable and eligible for prior.

If there exists multiple counts with different PA schedule, for each schedule the Penalty will be assessed based on the Violation Date and PA Schedule Effective and End Date

Calculate Surcharge Fee as

- Surcharge Rate \* PA Eligible amount on non Proof Correctable and traffic school ineligible counts +
- Surcharge Rate \* (POC Amount – PA Ineligible Amount) on the Proof of Correction eligible, traffic school ineligible non-insurance violations +
- Surcharge Rate \* (Special Reduced POC Amount – PA Ineligible Amount) on the Proof of Insurance eligible, traffic school ineligible violations +
- Surcharge Rate \* PA Eligible amount on the Maximum Due Amount on Traffic School Eligible Counts +
- Surcharge Rate \* PRIOR assessed amount when there exists a non-proof correctable violation eligible for Prior Fee +
- Surcharge Rate \* Any other fees other than PRIOR fees that are eligible for PA.

Set the Proof of Insurance Balance with Traffic School as Penalty Total + Fees Total + Count Amount Due + Surcharge.

**Traffic School Bail Calculation:**

Set the Count Due Amount to Sum (all due amounts) on the charges that are not eligible for Traffic School (Non-Traffic School Amount)

Add to the “Count Amount Due” the one highest due amount of all the charges that are Traffic School Eligible (Traffic School Count Amount)

i.e., Total Count Amount Due = Non-Traffic School Amount + Traffic School Count Amount

Set the “Fees Total” to Sum (All Fees that are not “Security Fee” and “Surcharge”)

Add to the “Fees Total”, the Traffic School fee because there is a traffic school eligible count

Add to the “Fees Total”, the Traffic School in-county traffic school Admin fee when the county allows the in-county traffic school and the defendant address city is present as one of the cities listed in the in-county table.

Add to the “Fees Total”, the “SECURITY FEE(s)” for all eligible counts if traffic school is approved.

The Penalty Total is calculated as Penalty based on the Penalty Assessment Schedule for

- PA Eligible amount on non traffic school counts +
- PA Eligible amount on the Highest Due Amount Count on Traffic School Eligible Counts +
- Fees Amount that are eligible for PA

**Note:** If there exists multiple counts with different PA schedules, for each schedule the Penalty will be assessed based on the Violation Date or the date the fee was assessed and the PA Schedule Effective and End Date

Calculate Surcharge Fee as

- Surcharge Rate \* PA Eligible amount on non traffic school counts +
- Surcharge Rate \* PA Eligible amount on the Maximum Due Amount on Traffic School Eligible Counts +
- Surcharge Rate \* PRIOR Fees assessed amount assessed on the case defendant +
- Surcharge Rate \* Any other fees other than PRIOR fees that are eligible for PA

Set the Traffic School Balance as Penalty Total + Fees Total + Count Amount Due + Surcharge.

### **Bail Calculation Triggers**

The following section describes the triggers for the Bail Calculation process in the system. The Bail Calculation indicator (BAIL\_CALC\_IND) should be set to ‘Y’ when one of the following happens at the case defendant level for Felony, Misdemeanor, Infraction or Juvenile (Juv 601, Juv 602 & Juv Traffic Court) cases:

- Case level information is updated. This includes changes to:
  - Filing Agency
  - Originating Agency
  - Violation Location
- Count level information is updated. This includes changes to any of the following:
  - Addition or Removal of Counts
  - Disposition of counts
  - Fine Sentences
  - Over Limit Value
  - Violation Date

## Bail Calculation and Recalculation Process

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- No Proof Indicator
- Citation Information is updated. This includes changes to any of the following:
  - Speed related information
  - Violation Location
  - Construction Zone Indicator
  - School Zone
  - Safety zone
- Any changes to the fees tied to the Case Balance (add, adjustment or removal)
- When a Victim Restitution is added/modified/removed  
Set the Flag to 'Y' only when
  - Victim Restitution is payable through is by court.