

Revenue Distribution Training Spring 2018



Presented by the
Judicial Council of California
and the State Controller's Office

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INTRODUCTION

Andi Liebenbaum
Judicial Council of California
Governmental Affairs

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San Diego
Opening Remarks

Sean Sander
Jeff Gately

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Sacramento
Opening Remarks

George Lolas
Zlatko Theodorovic

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Good Things to Know

- Restrooms: out the door to the left
- Lunch 60 minutes; provided in lobby
- Attendee Packet
 - Wi-Fi Connection
 - Description of Sessions A and B
 - 2 blank "Question Forms"
 - Evaluation

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More Good Things to Know

- Training Evaluation Questionnaire
 - Your feedback is important to us
 - Complete sections on front and back in real time during the training
 - Place in drop box at registration desk when you leave (or after the break-out session)
- Training Completion Certificate
 - Pick up your training certificate at the registration desk when you leave
 - 3 hours after plenary
 - 5 hours after break-out session

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Training Goals

- Provide an in-person opportunity to learn and share information
- Present information and updates on collections and revenue distribution
- Share resource materials for distribution calculations, analysis, and research
- Review and discuss frequently asked questions about collections and distributions
- Gain hands-on experience using distribution worksheets

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Agenda

- Faculty
- Introduction
- Legislative updates
- Uniform Bail and Penalty Schedule
- Collections updates
- Franchise Tax Board overview
- Trial Court Revenue Distribution Guidelines
- FAQs and other resources
- Distribution Audit Issues

Note: All materials or links to materials available at:
<http://www.courts.ca.gov/revenue-distribution.htm>

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**Breakout Sessions
Using the Distribution Worksheets
1:00-3:00pm**

Session A:

Hands-on experience using worksheets to perform basic calculations and distributions.

Session B:

Hands-on experience using worksheets to perform more complex (special) distributions.

Dismissed at 3:00pm – No Regroup

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Faculty

State Controller's Office

Local Government Programs and Services Division:

Don Lowrie, Policy Analyst

DLowrie@sco.ca.gov

Alexandria Green, Policy Analyst

AGreen@sco.ca.gov

Division of Audits:

Chris Ryan, Audit Manager

CRyan@sco.ca.gov

Public Mailbox: LocalGovPolicy@sco.ca.gov

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Faculty

Franchise Tax Board

Non-Tax Debt Collection Program:

Gretchen Moe, Section Manager Gretchen.Moe@ftb.ca.gov

Court-Ordered Debt Collection Program:

Daniel Srch, Supervisor Daniel.Srch@ftb.ca.gov

Interagency Intercept Collection Program:

Kasia Killgore, Supervisor Kasia.Killgore@ftb.ca.gov

Pubic Mailbox: COD - CODClientServices@ftb.ca.gov
IIC - IICGroup@ftb.ca.gov

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Faculty

Court Experts

Merced Superior Court:

Keri Brasil, Chief Financial Officer

San Bernardino Superior Court:

Michael Garcia, Business Process Specialist II

Ventura Superior Court:

Richard Cabral, Director Collections and Finance

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Faculty

Judicial Council

Criminal Justice Services:

Kim DaSilva, Attorney

Kimberly.DaSilva@jud.ca.gov

Governmental Affairs:

Andi Liebenbaum, Attorney

Andi.Liebenbaum@jud.ca.gov

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Faculty

Judicial Council

Funds and Revenues Unit:

Donna Newman, Fiscal Supervisor

Maria Lira, Senior Fiscal Analyst

Manny Mandapat, Fiscal Analyst

Public Mailbox:

- RevenueDistribution@jud.ca.gov
- Collections@jud.ca.gov

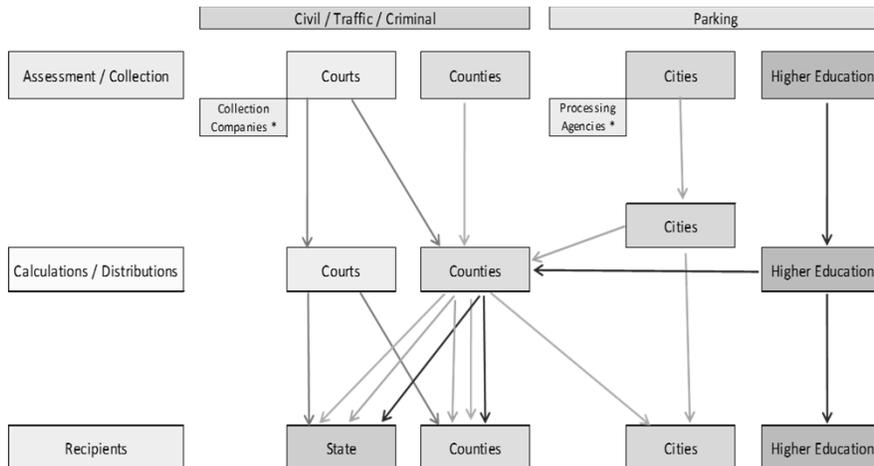
14

Introduction to Distributions

Interrelationships & Resources

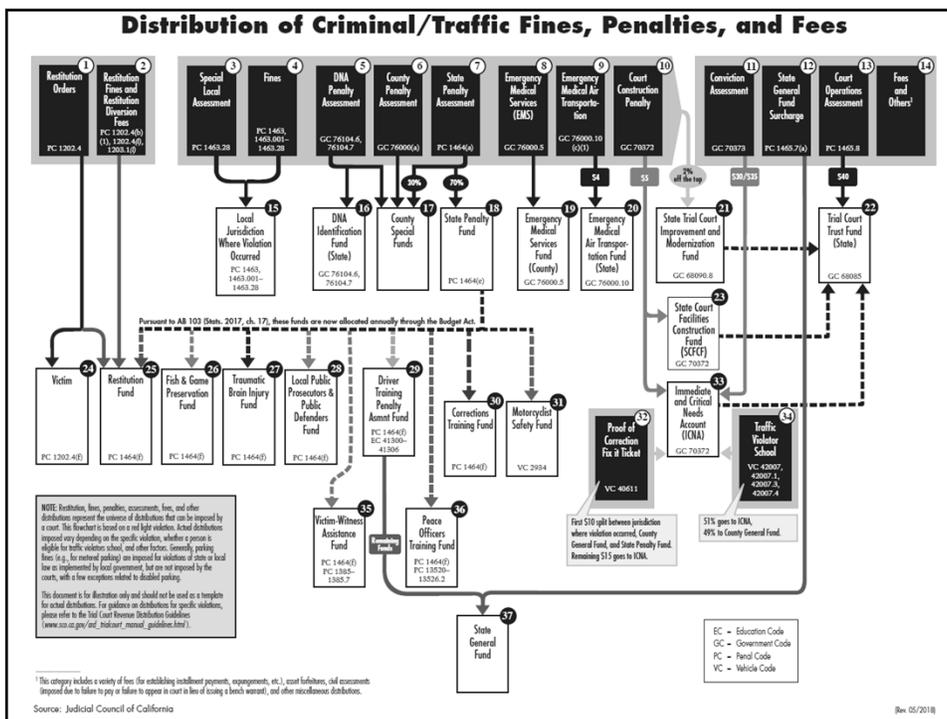
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ASSESSMENT, COLLECTION, AND DISTRIBUTION COMPLEXITY OF THE PROCESS



* Entities under contract to perform collections

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Revenue Distribution Resource Interrelationships

- Statutes
- Trial Court Revenue Distribution Guidelines (formerly Appendix C)
- Uniform Bail and Penalty Schedule
- FAQs
- Revenue Distribution Audit Worksheets

Legislative Update

Judicial Council tracks hundreds of bills in the California Legislature that, if passed and signed into law, may have an impact on fines, fees, assessments and penalties.

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Legislative Update cont'd

Here is a list of the bills we are currently looking at:

- AB 2226
- AB 2260
- AB 2544
- SB 1005
- SB 1132
- SB 1232

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Legislative Update cont'd

If you are interested in watching the progress of these bills in the Legislature, you can go to the courts website at:

<http://www.courts.ca.gov/4121.htm>

Once you are on this page, you can select from a number of options including links for "Active Legislation" and "Legislative Status Charts." We encourage you to check back periodically to see how the bills that you care about are changing over the course of the legislative session.

Or, you can visit California Legislative Information at:

<http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>

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Legislative Update cont'd

California State Senate:

<http://senate.ca.gov/senators?sortbyalpha=DESC>

California State Assembly:

<http://assembly.ca.gov/assemblymembers>

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Questions?

(Evaluation)

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UNIFORM BAIL AND PENALTY SCHEDULES (UBPS)

Every year the Judicial Council is required* to establish a mandatory penalty schedule for:

- traffic infractions

The UBPS also includes suggested base fines for the following schedules:

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

*(See Pen. Code § 1269b(c) and Veh. Code § 40310.)

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EXCEPTIONS TO THE UBPS

The following counties may exceed the UBPS traffic infraction schedule:

- | | | |
|-----------------|-----------------|-----------------|
| 1. Alpine | 11. Lassen | 21. San Joaquin |
| 2. Amador | 12. Los Angeles | 22. Santa Clara |
| 3. Butte | 13. Madera | 23. Sierra |
| 4. Calaveras | 14. Mariposa | 24. Stanislaus |
| 5. Contra Costa | 15. Mendocino | 25. Sutter |
| 6. Del Norte | 16. Modoc | 26. Trinity |
| 7. Fresno | 17. Mono | 27. Tulare |
| 8. Humboldt | 18. Plumas | 28. Tuolumne |
| 9. Kings | 19. San Benito | 29. Yolo |
| 10. Lake | 20. San Diego | 30. Yuba |

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THE UBPS TRAFFIC INFRACTION SCHEDULE

- Unless otherwise specified traffic violations default to the infraction category.
- Traffic infractions are classified into four penalty categories, according to the severity of offenses.
- Certain offenses are eligible for correction and, if the defendant signs the citation signifying his or her promise to correct, only require payment of a \$25 court processing fee.

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

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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 of the 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)."

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Countywide Schedules VS Uniform Bail & Penalty Schedules

Countywide Schedules = Set uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses, except Vehicle Code infractions.

Uniform Bail & Penalty Schedules = Set (1) uniform traffic infraction schedule for the entire state (except for the counties that are the exceptions to this rule) and (2) suggested schedules for traffic misdemeanor offenses and other non-traffic offenses dealing with boating, forestry, fish and game, public utilities, parks and recreation, and business licensing.

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UBPS AS A GUIDE

Although the UBPS began as a penalty schedule for traffic offenses, over time the Council adopted additional schedules under the rule, including boating, forestry, fish and game, public utilities, parks and recreation, and business licensing.

The amounts listed in the non-traffic schedules serve as guidelines for the courts' countywide schedules. Counties are required to review the non-traffic schedules in the UBPS as they develop their own schedules and report back to the Judicial Council where the amounts in their countywide schedules differ from the suggested amounts in the UBPS.

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

Offense	Base Fine /Fee	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bal** /Fee	Category	DMV Points
Failure to Furnish Name and Address to Officer Upon Request	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
Failure to Maintain Registration Card With Vehicle	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
Failure to Maintain Registration Card With Vehicle	25	0	0.00	0	0	0	0	0	0.00	0	0	0	0.00	25.00	4a	0
Failure to Display Temporary Permit-Foreign Commercial Vehicle	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
Failure to Display Temporary Permit-Foreign Commercial Vehicle	25	0	0.00	0	0	0	0	0	0.00	0	0	0	0.00	25.00	4a	0
Reporting Vehicle Sale to the DMV	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
Reporting Vehicle Sale to the DMV	25	0	0.00	0	0	0	0	0	0.00	0	0	0	0.00	25.00	4a	0
Reporting Auction Vehicle Sale to the DMV	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0

UBPS Additional Resources

Judicial Council Bail Schedules:

<http://www.courts.ca.gov/documents/2018-JC-BAIL.pdf>

Contacts

Any questions about bail schedules may be directed to:

- Kimberly DaSilva
 - Phone: (415) 865-4534
 - Email: Kimberly.dasilva@jud.ca.gov

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Questions?

(Evaluation)

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Collections Activities

- Update: Assembly Bill 103 implementation
- Statewide collections RFP

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AB103 Recap

- Eliminated the hold/suspension of drivers license for failure to pay, effective June 27, 2017
 - DMV has released ALL holds/suspension placed on drivers licenses *before* June 27
- Added Government Code (GC) 68514 to require the reporting of additional information on criminal fines and fees related to infractions and misdemeanors, beginning October 1, 2018

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Complying with GC68514

- Pilot group
- Collection Reporting Template (CRT) revisions
- FAQs
- Training
- Reporting

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SAVE THE DATE! CRT WebEx Training

Two sessions:

- June 5, 10:00 a.m. to 12:00 p.m.
- June 6, 2:00 to 4:00 p.m.

Questions? collections@jud.ca.gov

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Due dates to remember:

New data, per GC 68514:

- CRT due July 16
- Report to Legislature due October 1

Other collections data, per PC 1463.010:

- CRT still due September 1
- Report to Legislature due December 31

1 Court/County		Total amount collected by Court/County										
2 Court Contact:		Telephone Number:										
		E-mail Address:										
3 County Contact:		Telephone Number:										
		E-mail Address:										
4 List collection agencies or programs used by order in which data is referred:		1	<input type="checkbox"/>									
		2	<input type="checkbox"/>									
		3	<input type="checkbox"/>									
		4	<input type="checkbox"/>									
		5	<input type="checkbox"/>									
5 Below is a description of the collection components (activities) authorized by Panel Order 1463.010. As required by Government Order 1463.010, for items 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000												
6		Item 4	Check each collection activity referred by Program	Category	Item 5	Total amount collected per collection activity	Item 6a	Total number of cases by activity	Item 6b	Total number of individuals arrested with their case	Item 7	Total administrative time per collection activity
6		<input type="checkbox"/>	1							Enter date or part of Category 2, (activity 1), Row 7 above.		
7		<input type="checkbox"/>	2							Enter date or part of Category 2, (activity 2), Row 7 above.		
8		<input type="checkbox"/>	3							Enter date or part of Category 2, (activity 3), Row 7 above.		
9		<input type="checkbox"/>	4							Enter date or part of Category 2, (activity 4), Row 7 above.		
10		<input type="checkbox"/>	5							Enter date or part of Category 2, (activity 5), Row 7 above.		
11		<input type="checkbox"/>	6							Enter date or part of Category 2, (activity 6), Row 7 above.		
12		<input type="checkbox"/>	7							Enter date or part of Category 2, (activity 7), Row 7 above.		
13		<input type="checkbox"/>	8							Enter date or part of Category 2, (activity 8), Row 7 above.		
14		<input type="checkbox"/>	9							Enter date or part of Category 2, (activity 9), Row 7 above.		
15		<input type="checkbox"/>	10							Enter date or part of Category 2, (activity 10), Row 7 above.		
16		<input type="checkbox"/>	11							Enter date or part of Category 2, (activity 11), Row 7 above.		
17		<input type="checkbox"/>	12							Enter date or part of Category 2, (activity 12), Row 7 above.		
18		<input type="checkbox"/>	13							Enter date or part of Category 2, (activity 13), Row 7 above.		
19		<input type="checkbox"/>	14							Enter date or part of Category 2, (activity 14), Row 7 above.		
20		<input type="checkbox"/>	15							Enter date or part of Category 2, (activity 15), Row 7 above.		
21		<input type="checkbox"/>	16							Enter date or part of Category 2, (activity 16), Row 7 above.		
22		<input type="checkbox"/>	17							Enter date or part of Category 2, (activity 17), Row 7 above.		
23		<input type="checkbox"/>	18							Enter date or part of Category 2, (activity 18), Row 7 above.		
24		<input type="checkbox"/>	19							Enter date or part of Category 2, (activity 19), Row 7 above.		
25		<input type="checkbox"/>	20							Enter date or part of Category 2, (activity 20), Row 7 above.		
26		<input type="checkbox"/>	21							Enter date or part of Category 2, (activity 21), Row 7 above.		
27		<input type="checkbox"/>	22							Enter date or part of Category 2, (activity 22), Row 7 above.		
28		<input type="checkbox"/>	23							Enter date or part of Category 2, (activity 23), Row 7 above.		
29		<input type="checkbox"/>	24							Enter date or part of Category 2, (activity 24), Row 7 above.		
30		<input type="checkbox"/>	25							Enter date or part of Category 2, (activity 25), Row 7 above.		
31		<input type="checkbox"/>	26							Enter date or part of Category 2, (activity 26), Row 7 above.		
32		<input type="checkbox"/>	27							Enter date or part of Category 2, (activity 27), Row 7 above.		
33		<input type="checkbox"/>	28							Enter date or part of Category 2, (activity 28), Row 7 above.		
34		<input type="checkbox"/>	29							Enter date or part of Category 2, (activity 29), Row 7 above.		
35		<input type="checkbox"/>	30							Enter date or part of Category 2, (activity 30), Row 7 above.		
36		<input type="checkbox"/>	31							Enter date or part of Category 2, (activity 31), Row 7 above.		
37		<input type="checkbox"/>	32							Enter date or part of Category 2, (activity 32), Row 7 above.		
38		<input type="checkbox"/>	33							Enter date or part of Category 2, (activity 33), Row 7 above.		
39		<input type="checkbox"/>	34							Enter date or part of Category 2, (activity 34), Row 7 above.		
40		<input type="checkbox"/>	35							Enter date or part of Category 2, (activity 35), Row 7 above.		
41		<input type="checkbox"/>	36							Enter date or part of Category 2, (activity 36), Row 7 above.		
42		<input type="checkbox"/>	37							Enter date or part of Category 2, (activity 37), Row 7 above.		
43		<input type="checkbox"/>	38							Enter date or part of Category 2, (activity 38), Row 7 above.		
44		<input type="checkbox"/>	39							Enter date or part of Category 2, (activity 39), Row 7 above.		
45		<input type="checkbox"/>	40							Enter date or part of Category 2, (activity 40), Row 7 above.		
46		<input type="checkbox"/>	41							Enter date or part of Category 2, (activity 41), Row 7 above.		
47		<input type="checkbox"/>	42							Enter date or part of Category 2, (activity 42), Row 7 above.		
48		<input type="checkbox"/>	43							Enter date or part of Category 2, (activity 43), Row 7 above.		
49		<input type="checkbox"/>	44							Enter date or part of Category 2, (activity 44), Row 7 above.		
50		<input type="checkbox"/>	45							Enter date or part of Category 2, (activity 45), Row 7 above.		
51		<input type="checkbox"/>	46							Enter date or part of Category 2, (activity 46), Row 7 above.		
52		<input type="checkbox"/>	47							Enter date or part of Category 2, (activity 47), Row 7 above.		
53		<input type="checkbox"/>	48							Enter date or part of Category 2, (activity 48), Row 7 above.		
54		<input type="checkbox"/>	49							Enter date or part of Category 2, (activity 49), Row 7 above.		
55		<input type="checkbox"/>	50							Enter date or part of Category 2, (activity 50), Row 7 above.		
56		<input type="checkbox"/>	51							Enter date or part of Category 2, (activity 51), Row 7 above.		
57		<input type="checkbox"/>	52							Enter date or part of Category 2, (activity 52), Row 7 above.		
58		<input type="checkbox"/>	53							Enter date or part of Category 2, (activity 53), Row 7 above.		
59		<input type="checkbox"/>	54							Enter date or part of Category 2, (activity 54), Row 7 above.		
60		<input type="checkbox"/>	55							Enter date or part of Category 2, (activity 55), Row 7 above.		
61		<input type="checkbox"/>	56							Enter date or part of Category 2, (activity 56), Row 7 above.		
62		<input type="checkbox"/>	57							Enter date or part of Category 2, (activity 57), Row 7 above.		
63		<input type="checkbox"/>	58							Enter date or part of Category 2, (activity 58), Row 7 above.		
64		<input type="checkbox"/>	59							Enter date or part of Category 2, (activity 59), Row 7 above.		
65		<input type="checkbox"/>	60							Enter date or part of Category 2, (activity 60), Row 7 above.		
66		<input type="checkbox"/>	61							Enter date or part of Category 2, (activity 61), Row 7 above.		
67		<input type="checkbox"/>	62							Enter date or part of Category 2, (activity 62), Row 7 above.		

Select court/county (see Contact Information worksheet #1)
Use the space below to describe your collection program.

Describe the extent to which your collection program is meeting the Judicial Council approved Collections Best Practices and identify any obstacles or problems that prevent the collections program from meeting those objectives. Of the twenty-five (25) Best Practices listed below please check those which your collection program has implemented. Provide an explanation for the best practices currently not being met, below. Also, identify any new or additional practices that have improved your collections program.

- 1. Develop plan and put in a written MOU that implements and enhances a program in which the court/county collaborate to collect court-ordered debt and monies owed to a court under court order.
- 2. Establish and maintain a cooperative superior court and county collection committee responsible for compliance, reporting and internal enhancements of the joint collection program.
- 3. Meet the components of a comprehensive collection program as required under Penal Code section 1463.007 in order that the costs of operating the program can be recovered.
- 4. Complete all data components in the Collections Reporting Template.
- 5. Reconcile amounts placed in collection to the supporting case management and/or accounting systems.
- 6. Retain the joint court/county collection reports and supporting documents for at least three years.
- 7. Take appropriate steps to collect court-ordered debt locally before referring it to the Franchise Tax Board for collection.
- 8. Participate in the Franchise Tax Board Court-Ordered Debt (COD) collection program.
- 9. Participate in the Franchise Tax Board Interagency Intercept Collections (IIC) program.
- 10. Establish a process for handling the discharge of accountability for uncollectible court-ordered debt.
- 11. Participate in any program that authorizes the Department of Motor Vehicles to suspend or refuse to renew drive when appropriate for a failure to appear in court.
- 12. Conduct trials by written declaration under Vehicle Code section 40903 and, as appropriate in the context of such trials, impose a civil assessment.
- 13. Implement a civil assessment program and follow the Criteria for a Successful Civil Assessment Program.
- 14. Evaluate the effectiveness and efficiency of external collection agencies or companies to which court-ordered debt is referred for collection.
- 15. Accept payments via credit and debit card.
- 16. Accept payments via the Internet.
- 17. Include in a collection program all court-ordered debt and monies owed to the court under a court order.
- 18. Include financial screening to assess each individual's ability to pay prior to processing installment payment plans and account receivables.
- 19. Charge fees as authorized by Penal Code section 1202.4(b).
- 20. Charge fees as authorized by Penal Code section 1205(e).
- 21. Use restitution rebate, as authorized by Government Code section 13963(f), to further efforts for the collection of funds owed to the Restitution Fund.
- 22. Participate in the statewide master agreement for collection services or renegotiate existing contracts, where feasible, to ensure appropriate levels of services are provided at an
- 23. Require private vendors to remit the gross amount collected as agreed and submit invoices for commission fees to the court or county on a monthly basis.
- 24. Use collection terminology (as established in the glossary, instructions, or other documents approved for use by courts and counties) for the development or enhancement of a
- 25. Require private vendors to complete the components of the Collections Reporting Template that corresponds to their collection programs.

Please identify areas in collections or distribution (check all that apply) in which program staff would like to receive training, assistance, or additional information.

<input type="checkbox"/> Civil Assessment	<input type="checkbox"/> Revenue Distribution	<input type="checkbox"/> Private Collection Vendor Selection
<input type="checkbox"/> Cost Recovery	<input type="checkbox"/> Discharge from Accountability	<input type="checkbox"/> Other Collections-Related Issues

Comments or explanations:



Select court/county (see Contact Information worksheet #1)
Use the space below to discuss your collection program.

Please provide any comments on your Gross Recovery Rate or Success Rate for the reporting period, by Current Period, Prior Periods Inventory, and Combined.

Please explain the extent of your reporting capabilities in terms of providing the new information required by GC68514. If data cannot be provided at this time or if the reported data differs from the instructions, please describe the submitted data and any plans for providing this information in the future.

Additional operational information about your collections program for the reporting period.

REPORTING PERIOD		Col. A													
1	Beginning Date - First Day of Reporting Period	01-Jul-17													
2	Ending Date - Last Day of Reporting Period	30-Jun-18													
CURRENT PERIOD: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS															
	Number of Cases with Delinquent Balances	Value of Cases with Delinquent Balances	Number of Cases with Payments Received (Items 1 and 2)	Gross Revenue Collected	Amount Collected (Panel Code 1463.997)	Adjustments: Amount Added/ Subtracted, Suspended, Dismissed or Alternative	Discharges from Accountability (Item 3)	Change in Value (Col. C - E - G - H)	Value of Cases on Installment Agreement (Item 8)	Default Balance Installment Agreement (Item 8)	Percentage of Debt Satisfied by Installment Item 3 (Col. K / Col. J)				
3	Item 3	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L			
4	Item 4														
5	Item 5														
6	Item 6														
7	Item 7														
8	Item 8														
9	Item 9														
10	Item 10														
11	Item 11														
12	Item 12														
13	Item 13														
14	Item 14														
15	Item 15														
16	Item 16														
17	Item 17														
18	Item 18														
COMBINED BEGINNING AND ENDING BALANCES; FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS															
	Number of Cases with Delinquent Balances	Value of Cases with Delinquent Balances	Gross Revenue Collected	Cost of Collection (Panel Code 1463.997)	Adjustments	Discharges from Accountability	Change in Value	Number of Cases on Installment Agreement	Value of Cases on Installment Agreement	Error Message					
19	Item 19	Col. X	Col. Y	Col. Z	Col. AA	Col. AB	Col. AC	Col. AD	Col. AE	Col. AF	Col. AG	Col. AH	Col. AI		
20	Item 20														
21	Item 21														
22	Item 22														
23	Item 23														
24	Item 24														
25	Item 25														
26	Item 26														
27	Item 27														
COLLECTIONS METRICS FOR FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS															
28	Metric	Current Period	Prior Inventory	Combined	Example	Definition									
28	Col. AH	Col. AI	Col. AJ	Col. AK	Col. AL	Col. AM									
29	Gross Revenue Rate				Collection: Minimum/Maximum/Standard	Measure a collection program's ability to recover delinquent court-ordered debt, including alternative sentences, community service, suspended sentences and discharge.									
30	Success Rate				Collection: (Minimum/Maximum/Standard)	Measure the amount of revenue collected on delinquent court-ordered debt and total delinquent accounts collected after adjustments and discharge, including NSF checks.									
VICTIM RESTITUTION AND OTHER JUSTICE RELATED REIMBURSEMENTS															
	Number of Cases with Delinquent Balances	Value of Cases with Delinquent Balances	Number of Cases with Payments Received	Gross Revenue Collected	Adjustments	Gross Revenue Collected: Victim Restitution (PC 1463.997)	Change in Value	Number of Cases on Installment Agreement	Value of Cases on Installment Agreement	Error Message					
31	Item 31	Col. AN	Col. AO	Col. AP	Col. AQ	Col. AR	Col. AS	Col. AT	Col. AU	Col. AV	Col. AW	Col. AX	Col. AY		
32	Item 32														
33	Item 33														
34	Item 34														
35	Item 35														
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100	Item 100														

Statewide Collections RFP

- Process
- Statement of Work
- Current Master Agreements expire December 2018
- New Master Agreements effective January 2019

RFP will be posted here: <http://www.courts.ca.gov/procurementservices.htm>

Questions?

(Evaluation)

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STATE OF CALIFORNIA
Franchise Tax Board



STATE OF CALIFORNIA
Franchise Tax Board

Revenue Distribution Training

An Overview of FTB's Non-Tax Debt Programs

Daniel Srch, Court-Ordered Debt Collection Program

Kasia Killgore, Interagency Intercept Collection Program

May 2018



Court-Ordered Debt (COD)

- Program Overview

COD Objectives



- Background and Funding
- Program Eligibility and Enrollment
- How the Program Works
- Automated System Process
- Detailed Collection Cycle and Collection Notices
- Distribution of Funds
- Online Services
- Program Statistics and Case Highlights
- Keys to our Success and What's Ahead
- Program Support

Background

- In 1994, the State Legislature authorized the FTB to collect delinquent court-ordered debt as a pilot program.
- In 2004, the Legislature made the program permanent and expanded it statewide. (California Revenue and Taxation Code Sections 19280–19282).

Funding

- Funding is provided by the participating courts and agencies. These costs cannot exceed 15 percent of the amount COD collects on behalf of their clients.

Program Eligibility

- State Agencies:
 - Any type of restitution orders and fines imposed by Juvenile or Superior Court of the State of California.
- Courts:
 - Any type of fines, state or local penalties, bail and forfeitures.
 - All offenses involving a violation of the Vehicle Code, and any amounts due pursuant to Section 903.1 of the Welfare and Institutions Code.

Enrollment

- Memorandum of Understanding
- Onboarding
- Testing

Debt Criteria

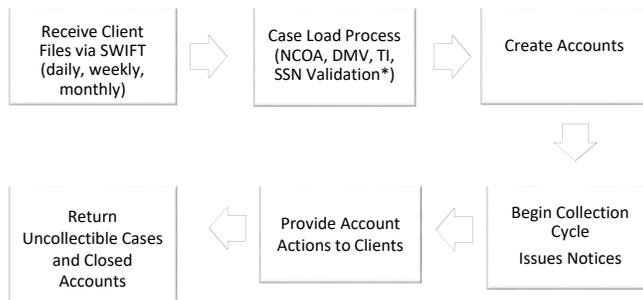
The following criteria must be met when submitting cases:

- Your case should be 90 days or more delinquent
- Minimum case balance must be \$25.00
- Minimum account balance due of \$100.00
- Must include your debtor's first and last name
- Must have either a social security number, date of birth, or drivers license number
- Addresses must be complete

How the Program Works

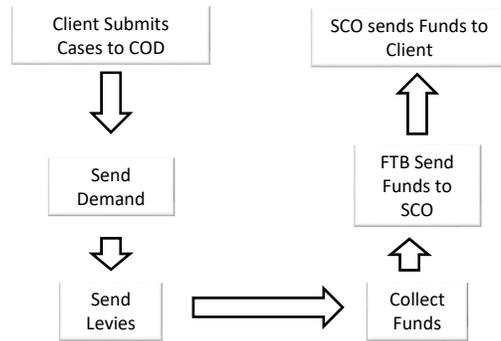
- Validate Information
- Create a COD account
- Begin the collection cycle
 - Demand Notice
 - Wage Garnishment
 - Bank Levy
- We will return the case if:
 - We are unable to locate a good SSN
 - Case is deemed uncollectable

Automated System Process

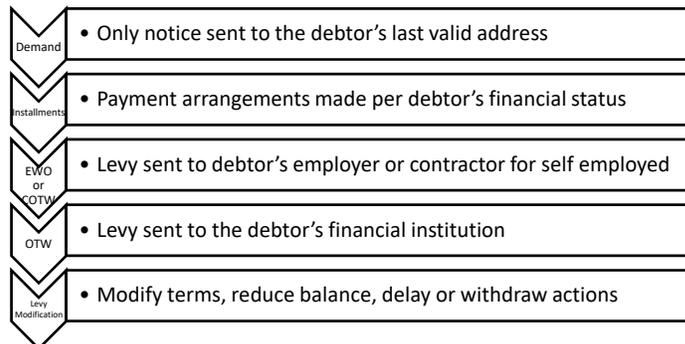


*National Change of Address, Department of Motor Vehicles, Taxpayer Information and Social Security Number Validation

Detailed Collection Cycle



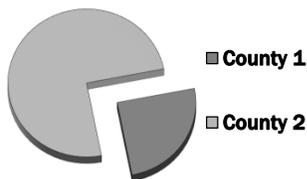
Collection Notices



Distribution of Funds

Payments collected are pro-rated

If a debtor has multiple cases with you, or cases in addition to yours with another county, the money is prorated and disbursed among all cases with the largest case balance receiving the largest portion.



Online Services

A screenshot of the MyFTB website interface. The top navigation bar includes the CA.gov logo, the Franchise Tax Board logo, and a search bar. Below the navigation bar, there are tabs for 'Individuals', 'Businesses', 'Tax Professionals', and 'Contact Us'. The main content area is titled 'My Court-Ordered Debt (COD) Account' and features a 'My COD Account' section with a list of actions: 'View your balance due', 'View your last 25 payments', 'Make a payment', and 'Complete an Installment Agreement request if you are unable to pay in full'. There is also a 'Log in' section with a list of required information: 'Billing Number (Demand for Payment or Installment Agreement)', 'Last Name', and 'Social Security Number'. A 'Time limit' section states: 'You will receive a two-minute warning and an option to continue your session. You will automatically be logged out after 20 minutes of inactivity.' On the right side, there is a 'MyFTB' login/register box and a sidebar menu with links to 'Program Overview', 'Payment Options', 'Withholding Calculator', 'My COD Account', 'FAQs - Debtor', 'Representative Seeking Account Information', 'Earnings Withholding Order - Employer Info', 'Record Layout', and 'Contact Info'.

2016-2017 Fiscal Year Collection Totals			
<i>Case Inventory</i>		<i>Collection Notices</i>	
Beginning Inventory	1,346,908	Demand Notices	898,604
Accepted Cases	524,623	Installment Agreements	69,761
Withdrawn Cases	80,347	Bank Levies	357,715
Returned Cases	563,419	Wage Garnishments	1,449,775
Ending Inventory	1,235,521	Total Collection Activities	2,785,085



Case Highlight

- Client: SANTA BARBARA PROBATION DEPARTMENT
- Balance due: \$19,737.11
- Agent received a call from a debtor who was embarrassed after he received a wage garnishment. The agent explained that we will collect through his employer unless he pays in full. Debtor made a \$19,737.11 payment immediately and the case was closed.

Case Highlight

- Client: SACRAMENTO COUNTY DEPARTMENT OF REVENUE
- Balance due: \$86,064.99
- Case received July 2007 but returned in January 2010 after we were unable to locate assets. The case was then resubmitted December 2013 and a bank levy was issued. The bank levy captured \$86,064.99 and paid the account in full. The debtor never contacted the client or our department regarding the collection action.

Non-Tax Debt Collection | Franchise Tax Board 61

Keys to our Success

- Experienced Contact Center Staff
- Client Services Staff
- IT Help Desk
- Interactive Voice Response
- Web Services

Non-Tax Debt Collection | Franchise Tax Board 62

What's Ahead

- Interactive Voice Response(IVR) Installment Agreement Set-up
- Non-Tax Debt Collection System
- Electronic Fund Transfer Installment Agreements

Program Support

Court-Ordered Debt Client Services

Phone: 916.845.7503

Email: CODClientServices@ftb.ca.gov



Interagency Intercept Collections (IIC)

- Program Overview

IIC Objectives



- Background and Program Eligibility
- Annual Timeline and How the Program Works
- Notice to Debtors
- Account Modifications
- Your Role and Responsibility
- Reports, Fund Disbursements, and Reversals
- How to Participate/Forms
- Program Cost and the Benefits of the Intercept Program
- Program Statistics and a Case Highlight
- What's Ahead and Program Support

Background

- Began in 1975.
- Authorized by Govt. Code Sections 12419.2-3, 12419.5, 12419.7-12.
- Administered by FTB on behalf of the State Controller's Office (SCO).
- Types of intercepted payments:
 - Personal Income Tax Refunds
 - Lottery Winnings
 - Unclaimed Property Disbursements

In 2017, the program redirected 946,790 payments valued at over \$344 million dollars.

Program Eligibility

- State agencies
Any type of debt.
- Courts, Counties and cities
Property taxes, delinquent fines, bails, and other permitted debts.
- California colleges
Delinquent registration, tuition, bad check fees, and other permitted debts.
- Special districts
Water bills, waste disposal fees, and fire inspection fees.

Annual Timeline

September

- You must submit all forms.
- You must mail all pre-notices.

November

- You must submit the annual load file to FTB.

December

- FTB purges all current year accounts mid month.
- FTB loads all new annual accounts by end of month.

May

- SCO bills all participants for prior year services.

How the Program Works

- Participating agencies submit debtor accounts via Secure Web Internet File Transfer.
- Debt Criteria:
 - Debt type qualifies under the Intercept Program authority.
 - 30 days have passed since the Pre-Intercept Notice has been mailed.
 - Debt amount is at least \$10.
 - Debtor is not in an active bankruptcy.
 - Debtor has a valid social security number.
 - There is one sum total debt amount for each debtor.
- We flag accounts with an offset indicator.
- When an offset takes place, we will mail the debtor a notice.

Notice to Debtors

Notice of Intercepted Funds (Various FTB 4141 forms)

- Debtor's account number with the agency.
- Agency's public contact information.
- Original payment amount.
- Offset amount.
- Remaining refund amount.
- Government code authorizing the Intercept Program.
- New in 2018 – IIC phone number

Account Modifications

- Add
 - New debts throughout the year.
- Change
 - When payment is made directly to your agency.
- Delete
 - Closed
 - Paid in full
 - Bankruptcy

Your Role and Responsibility

- Modify accounts when balances change.
- Refund debtors any overpayments.
- Provide timely customer service to debtors.
- Pay the annual Intercept Program service fee.
- Follow the confidentiality guidelines.
- Recognize that unauthorized disclosure of confidential information is a crime.

Reports

Weekly Offset Reports

Separate reports for each payment type:

- Tax refunds
- Lottery winnings
- Unclaimed property

If there is no offset activity, we will not generate a report.

Fund Disbursements and Reversals

- SCO disburses payments monthly
 - Payments disbursed via a fund transfer or check warrant.
- Reversals
 - Reduce your next monthly payment by the reversal amount.
 - Send you a reversal notice.

How to Participate

Apply with SCO

- Initial Request to Participate (FTB 2282 PC)

Participate with FTB

1. Intent to Participate (FTB 2280 PC)
2. Vendor/Contractor Confidentiality Statement (FTB 7904)
3. Copy of your Pre-Intercept Notice

Initial Request to Participate

Initial Request to Participate (FTB 2282 PC)



STATE OF CALIFORNIA
Franchise Tax Board

Initial Request to Participate
Interagency Intercept Collection Program

The _____ requests authorization to participate
Agency/College/District

in the Interagency Intercept Collections Program beginning with the 20__ process year.

We are a:

State agency

1. Intent to Participate



STATE OF CALIFORNIA
INTERAGENCY INTERCEPT COLLECTION PROGRAM MS A116
FRANCHISE TAX BOARD
PO BOX 2966
RANCHO CORDOVA CA 95741-2966

Mark this box if you are making revisions.

Email: iicgroup@ftb.ca.gov
Telephone: 916.845.5344
Fax: 916.843.2460

Intent to Participate
Complete both sides of this form, sign, and either fax or mail it to us.

Part 1 – Agency type

Part 2 – Agency

Part 3 – Public contact unit (provide an address and phone number for your debtors to contact you directly.)

Part 4 – FTB Intercept Program liaisons

Part 5 – Agency mailing address

Part 6 – SWIFT agency contact information

Part 7 – Select your agency type (select only one)

Agency Certification

2. Confidentiality Statement

 STATE OF CALIFORNIA FRANCHISE TAX BOARD PO BOX 2086 RANCHO CORDOVA CA 95741-2086	Contract Number	Begin:
		Ends:

Vendor/Contractor Confidentiality Statement

FTB Information

Unit Number	Unit Name
Contact Person	
Phone Number	

Contractor/Vendor Information

Your Department/Company Name				
Business Address Where Work Will Be Performed				
Street	City	State	ZIP Code	FEIN

3. Pre-Intercept Notice

Sending a Pre-Intercept Notice to each debtor is **required**.

The Pre-Notice must provide the following:

- Government Codes Section(s) authorizing your agency to submit the debt for intercept.
- 30 days written notice to resolve or dispute the liability before submitting the debt.
- Address or telephone number for your agency.

Program Cost

SCO charges a fee to reimburse the administrative costs of the program.

- Fee based on actual costs incurred.
- Varies each year.
- Approximately \$2 per offset.

Bills are sent in April/May for each successful offset we collect during the previous calendar year.

Benefits of the Intercept Program

- Additional revenue source
- Low cost collection alternative
- Types of intercepted payments:
 - Personal income tax refunds
 - Lottery winnings
 - Unclaimed property disbursements

2017 Participation Year Collection Totals			
<i>Intercepts</i>		<i>Redirected Revenue</i>	
PIT Intercepts	885,028	PIT Intercept	\$326,533,643
Lottery Winnings	6,885	Lottery Winnings	\$5,304,856
Unclaimed Property	53,957	Unclaimed Property	\$10,699,328
CDTFA	283	CDTFA	\$1,041,601
EDD	637	EDD	\$853,940
		Total Intercepted	\$344,433,368



Non-Tax Debt Collection | Franchise Tax Board 83

Case Highlight

- Client: CONTRA COSTA SUPERIOR COURT
- Balance due: \$72,495.00
- Contra Costa submitted a debt in the amount of \$72,495.00 in their annual load file in December 2017. The debt originated in 1994 and was for victim restitution. In February 2018, the debtor played the lottery and was due to receive a payment of \$135,457.88, but not until we collected the full \$72,495.00 for Contra Costa Superior Court first.

Non-Tax Debt Collection | Franchise Tax Board 84

What's Ahead

- ID Lookup
- New Agency Codes
- Eliminating Five Debt Limitation
- Annual Load via SWIFT
- Updated Forms on Website

Program Support

Program staff can:

- Help your staff answer debtor questions.
- Provide copies of missing reports.
- Help you reconcile your weekly reports and payments.
- Register you for SWIFT.
- Answer your billing questions.

Phone: 916.845.5344
Fax: 916.843.2460
Email: iicgroup@ftb.ca.gov

Questions?

Non-Tax Debt Collection | Franchise Tax Board 87



STATE OF CALIFORNIA
Franchise Tax Board

Questions?

(Evaluation)

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Trial Court Revenue
Distribution Training
May 2018



BETTY T. YEE
California State Controller

Introduction

Trial Court Revenue Distribution Guidelines

- Don Lowrie, Policy Analyst
- Alexandria Green, Policy Analyst

Common Audit Findings

- Christopher Ryan, Audit Manager

If you have any questions related to trial court revenue distribution, please email LocalGovPolicy@sco.ca.gov.



BETTY T. YEE
California State Controller

Overview of SCO Guidance

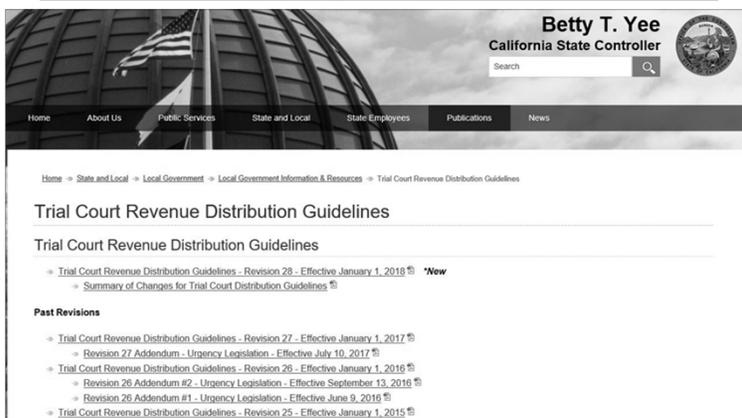
- Our Website
- Overview of the *Trial Court Revenue Distribution Guidelines*
- Research and Using the *Guidelines*
- Updates to the *Guidelines*
- ListServ, TC-31s, and Frequently Asked Questions



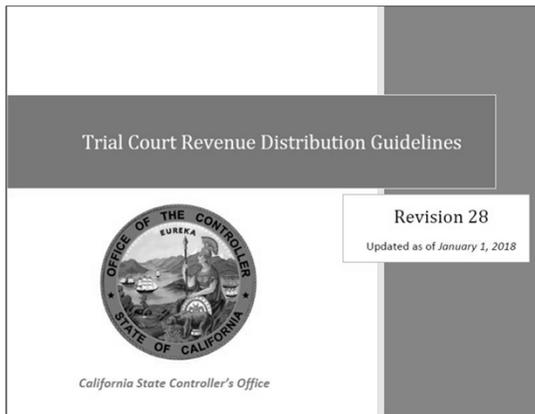
BETTY T. YEE
California State Controller

SCO Trial Court Website

The Trial Court Revenue Distribution Guidelines can be found at:
http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html



Trial Court Revenue Distribution Guidelines



The **Trial Court Revenue Distribution Guidelines** provide direction on the distribution of fees, fines, forfeitures, penalties, and assessments resulting from criminal and civil violations. (*Government Code §71380*)

Types of Trial Court Revenue

Fees – a sum paid or charged for a service

Fines – a sum imposed as punishment

Forfeitures – the loss of property or money through seizure

Penalties/Assessments – a sum imposed as punishment in addition to a fine

Standard Criminal/Traffic Fine Equation

$$\begin{array}{r}
 \text{Base Fine + Base Fine Enhancements} \\
 = \\
 \textbf{Total Base Fine} \\
 + \\
 \text{Penalties (State, Local, EMS, DNA, Construction, etc.)} \\
 + \\
 \text{State Surcharge} \\
 + \\
 \text{Fees and Assessments} \\
 = \\
 \textbf{Total Bail or Fine}
 \end{array}$$

Fines, Penalties, and Assessments: Part I

Base fines are typically increased by the following:

State Penalty: \$10 for every \$10*

Local Penalty: Up to \$7 for every \$10*

EMS Additional Penalty: \$2 for every \$10*

State & Local DNA Penalties: \$5 for every \$10*

State Court Facilities Construction Penalty: \$5 for every \$10*

**(or portion thereof – round UP)*

In other words, up to **\$29 for every \$10** in base fine (or portion thereof) is added, plus **State Surcharge** (20% of the base fine).

These penalties apply to all criminal fines unless otherwise specified.

Fines, Penalties, and Assessments: Part II

All criminal convictions are subject to:

Criminal Conviction Assessment: (\$35/infractions; \$30/felonies and misdemeanors)

Court Operations Assessment: (\$40)

Vehicle Code convictions are subject to:

Emergency Medical Air Transportation Penalty: \$4

These apply only to convictions. They do **not** apply to offenses adjudicated in juvenile proceedings, unlike the penalty assessments on the previous slide.

Sample Traffic Fine: Vehicle Code §24400(b)

“A motor vehicle, other than a motorcycle, shall be operated during darkness, or inclement weather, or both, with at least two lighted headlamps...”

Base Fine:	\$ 35
State Penalty (\$10 x 4):	\$40
Local Penalty (\$7 x 4):	\$28
DNA Penalties (\$5 x 4):	\$20
Court Construction Penalty (\$5 x 4):	\$20
EMS Penalty (\$2 x 4):	\$ 8
Total Penalties:	\$116
State Surcharge (\$35 x 20%):	\$ 7
Criminal Conviction Assessment:	\$35
Court Operations Assessment:	\$40
EMAT Penalty:	\$ 4
Total Assessments:	\$ 79
TOTAL BAIL/FINE:	\$237

Distribution of Trial Court Revenue

PC §1463.001 tells how the collected fines, penalties, service charges, and allocations are distributed each month:

1. Penalties and assessments added to base fines are distributed to the proper funds, according to law.
2. Unless specified, base fines are distributed as follows:
 - County arrests** are distributed 100% to **county**.
 - City arrests** are split between **city and county** pursuant to **PC §1463.002**.
3. Base fines **with** a specified distribution are allocated to the proper funds, as described in the Guidelines.

Penal Code §1463.002

PC §1463.002:

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

Sacramento	
Folsom	31
Galt	25
Isleton	13
North Sacramento	10
Sacramento	21
County percentage	26

Note that these percentages represent the **county’s** share of the base fine. For cities and other local agencies not listed, the “County percentage” is used.

For example, the base fine resulting from an arrest by the Elk Grove Police Department would be split 26% to Sacramento County and 74% to the City of Elk Grove.

Research: Four Steps

Question:

How should I distribute the fee for petitioning to dismiss charges from a pre-realignment offense (PC 1203.42)?

Step One: Search the Guidelines using keywords or the code section to find the distribution.

(PC 1203.42, dismissal of charge, pre-realignment, etc.)

Step Two: Confirm current law at <http://leginfo.legislature.ca.gov>.

Step Three: Check the online FAQs at http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html.

Step Four: Contact us at LocalGovPolicy@sco.ca.gov.

Research: Using the Guidelines

The Guidelines can be accessed in electronic format, either by going to our website or by downloading the PDF document onto your desktop. Use CTRL+F to open a search box and research your question using key words.

The Guidelines can also be printed out in hardcopy format and stored in a handy binder. The Table of Contents will point you to the various types of court revenue, and the Index in the back of the document lists each entry by Code and section number.

Legislative Information: LegInfo

LegInfo, the free website for California laws and bills, can be found at: <https://leginfo.legislature.ca.gov/>

The screenshot shows the homepage of the California Legislative Information website. The header includes the California State Capitol logo and the text "California LEGISLATIVE INFORMATION". Navigation links include "skip to content", "home", "accessibility", "FAQ", "feedback", and "login". A main navigation bar contains "Home", "Bill Information", "California Law", "Publications", "Other Resources", "My Subscriptions", and "My Favorites".

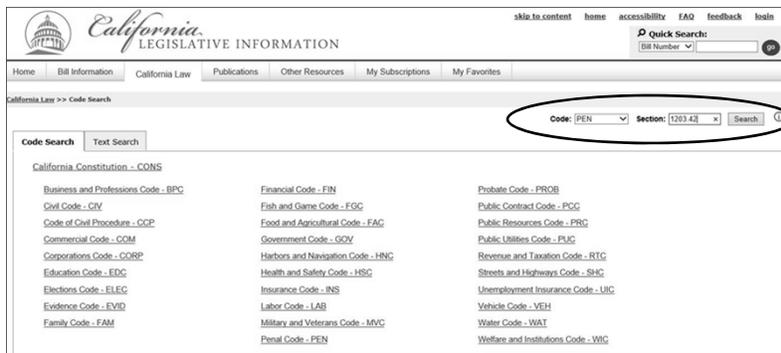
The main content area is divided into several sections:

- TODAY'S SCHEDULE**: Tue, Feb 20, 2018
- FLOOR SCHEDULE**:
 - ASSEMBLY FLOOR SESSION: STATE CAPITOL, 1:00 PM
 - SENATE FLOOR SESSION: STATE CAPITOL, 1:00 PM
- COMMITTEE HEARINGS**:
 - ASB RULES: 10 minutes prior to Session
 - SEN. TRANSPORTATION AND HOUSING: 10 a.m.
- WELCOME**: A message stating the website has been updated to include legislative publications starting with the 2017 session and forward. It mentions a "Daily Updates" report feature and provides a link to an archive of measures prior to 1999.
- Quick Bill Search:** Includes input fields for "Bill Number" and "Keywords(s)", and a "Go" button.
- Quick Code Search:** Includes a "Code" dropdown menu, "Code Section" and "Keywords(s)" input fields, and a "Go" button.
- Daily Updates:** Links to "Assembly Updates", "Senate Updates", and "Daily Files".
- Quick Links:** Links to "Assembly", "Senate", "Senate Video Archive", "Assembly Video Archive", "Downloadable Database", "CA Agency Reports", and "Register to Vote".

At the bottom, a small disclaimer states: "Pursuant to Section 10248.5 of the Government Code, the information described in subdivision (a) of Section 10248 of the Government Code and made available on this Web site to within the public domain and the State of California retains no copyright or other proprietary interest in the information."

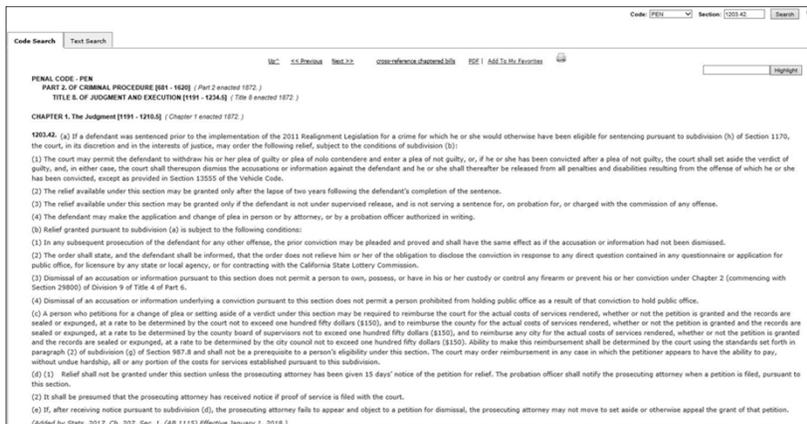
LegInfo: Researching the Codes

LegInfo allows one to enter a specific code section directly, or browse through one of California's 29 codes.



LegInfo: Viewing the Codes

Here is Penal Code §1203.42 for your viewing pleasure.



Reading Entries in the *Guidelines*

1. **Code Section** – The law involved, along with a description.
2. **Violation/Situation** – The laws being violated, or the circumstances in which the revenue is to be paid.
3. **Distribution** – Which agencies receive the revenue, and the percentages and/or conditions that apply.
4. **Applicable Fund** – The fund receiving the revenue.
5. **Fund Use/Special Provision** – Any limitations on use of the collected funds.
6. **Priority of Installment Payments** – The priority given to paying this charge according to Penal Code §1203.1d *(for criminal cases only)*.

Reading Entries in the *Guidelines*

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION
GC 7285.1 – Permitting Entry of Immigration Enforcement Agent Without a Warrant <i>Effective January 1, 2018</i>	An employer, or person acting on behalf of the employer, who consents to an immigration enforcement agent entering a nonpublic area of a place of labor without a warrant is liable for a civil penalty of \$2,000 to \$5,000 for a first violation, and \$5,000 to \$10,000 for each subsequent violation.	To the State.	Labor Enforcement and Compliance Fund.	Available upon appropriation, to be spent by the Department of Industrial Relations, in support of the activities of the Division of Labor Standards Enforcement, as specified. <i>(description found in LC 62.5)</i>

GOVERNMENT CODE 7285.1

(A) except as otherwise required by federal law, an employer, or a person acting on behalf of the employer, shall not provide voluntary consent to an immigration enforcement agent to enter any nonpublic areas of a place of labor. This section does not apply if the immigration enforcement agent provides a judicial warrant.

(B) an employer who violates subdivision (a) shall be subject to a civil penalty of two thousand dollars (\$2,000) up to five thousand dollars (\$5,000) for a first violation and five thousand dollars (\$5,000) up to ten thousand dollars (\$10,000) for each subsequent violation. If a court finds that an immigration enforcement agent was permitted to enter a nonpublic area of a place of labor without the consent of the employer or other person in control of the place of labor, the civil penalty shall not apply. "Violation" means each incident when it is found that subdivision (a) was violated without reference to the number of employees, the number of immigration enforcement agents involved in the incident, or the number of locations affected in a day.

(C) this section shall not preclude an employer or person acting on behalf of an employer from taking the immigration enforcement agent to a nonpublic area, where employees are not present, for the purpose of verifying whether the immigration enforcement agent has a judicial warrant, provided no consent to search nonpublic areas is given in the process.

(D) the exclusive authority to enforce this section is granted to the labor commissioner or the attorney general and enforcement shall be through civil action. Any penalty recovered shall be deposited in the labor enforcement and compliance fund.

(E) this section applies to public and private employers.

(Added by Stats. 2017, Ch. 492, Sec. 1. (AB 450) effective January 1, 2018.)

Updates to Revision 28

Revision 28 of the *Trial Court Revenue Distribution Guidelines* was released in December 2017, and reflected changes due to legislation signed into law last year. Those changes are on the following slide.

Most became effective January 1, 2018. Some changes were made as part of the budget bills last summer, and took effect immediately. Those entries are highlighted in bold font.

Updates to Revision 28, cont.

Added, Amended Or Removed	Code Section	Description
Added	B&P 17533.6.5	Prohibits nongovernmental entities from soliciting a fee for copy of a public record without specified disclosures.
Removed	B&P 19360	Repealed (provisions consolidated with B&P 26038).
Amended	B&P 26038	Consolidated civil penalties for violations of Medicinal and Adult-Use Cannabis Regulation and Safety Act.
Added	CCP 384	Changed the distribution of unclaimed class action settlements or judgments.
Added	GC 6223	Prohibits the presenting for recording or filing a document related to conveyance of federal lands without certificate of compliance from State Lands Commission.
Added	GC 65589.5	Imposes fines on local agencies for failure to comply with Housing Accountability Act, as specified.
Added	GC 7285.1	Prohibits employers from admitting immigrant enforcement agents to non-public areas of business without a warrant.
Added	GC 7285.2	Prohibits employers from permitting immigration enforcement agents access to employee records without a warrant or subpoena.
Amended	GC 76000.10	Renamed EMAT Fund as Emergency Medical Air Transportation and Children's Coverage Fund and extended sunset date for collection to January 1, 2020.
Amended	H&S 103625	Extended the \$2 fee for the Umbilical Cord Blood Collection Fund to January 1, 2023.
Amended	LC 1305	Violations of Labor Code provisions related to employment of minors.
Added	LC 98.7	Employers failing to comply with court orders concerning specified Labor Code subject to civil penalties.
Added	PC 851.92	Unauthorized distribution of information related to a sealed arrest subject to civil penalty.
Amended	PC 987.8	Defendants convicted of misdemeanors and felonies may be required to reimburse counties for cost of counsel, other legal assistance.
Amended	PC 1203.1ab	Defendants over 21, if able, to pay cost of drug testing as required by probation officer.
Added	PC 1203.42	Permits felons who would have been sentenced to county jail after 2011 realignment to petition for have guilty plea or verdict set aside, under specified condition.
Removed	PC 1463.23	\$50 of base fine for specified offenses allocated to AIDS education programs. Repealed January 1, 2018.
Amended	PC 1464	Made the distribution of State Penalty Fund subject to the Budget Act.
Amended	R&T 34016	Cannabis-related businesses; fine for failure to allow inspection of premises or filing of false tax reports.
Amended	WC 1847	Updated code references for unauthorized diversion or use of water for cannabis cultivation.
Amended	W&I 903.1	The parents or other adults liable for the support of a minor are not liable for the costs of legal services related to delinquency jurisdiction.

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Repeal of PC §1463.23

PC §1463.23, which required that \$50 of each fine for several specified violations be deposited into a special account for AIDS education programs, was repealed by SB 239.

The language in nine other code sections which authorized the collection of up to \$70 in additional fine to be used "in accordance" with PC §1463.23, was not repealed. Those code sections are:

- B&P §4338
- H&S §11350(c), H&S §11377(c), H&S §11550(d)
- PC §264(b), PC §265.1(e)(3), PC §286(m), PC §288a(m), and PC §647.1

If the additional penalty is collected, use the distribution which applies to the base fine (PC §1463.001 or H&S §11502, as appropriate).

