

Breakout Session B— Advanced Revenue Distribution

May 2024

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Housekeeping



Pre-recorded and
"live" presentation.

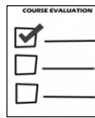
Mute the mic.



RAISE HAND

...or use "Chat"
feature to share
information/ask
question(s).

Tell us how we did—
complete the survey!



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Training Agenda



Review process for preparing a distribution



Research resources for required distributions
and applicable fees/penalties



Review distribution calculations on worksheets

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Panel of Experts

- Angelica Cosio, Yolo Superior Court
- Christy Galindez, Yolo Superior Court
- Julie N. Kelley, Placer Superior Court
- Christina Matta, Alpine Superior Court
- Jennifer Zamora, Orange Superior Court

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Presenters

Judicial Council

- Nicholas Duffy, Fiscal Analyst
- Maria Lira, Senior Fiscal Analyst
- Don Lowrie, Fiscal Analyst

State Controller's Office

- Gene Hughes, Policy Analyst
- Henry Mathews, Policy Analyst

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Distribution of Criminal and Traffic Fines, Penalties & Fees

Revenues from penalties, assessments, fines and other distributions represent the majority of distributions that can be imposed by a court. This document is based on a need for uniformity. Actual distributions imposed vary depending on the specific violation, whether a person is eligible for traffic school and other factors. Generally, parking fees (e.g., for residential parking) are imposed for violations of rules or regulations as implemented by local governments, but are not imposed by this court, with a few exceptions related to disabled parking. This document is for informational purposes and should not be used as a template for actual distributions. For guidance on distributions for specific violations, please refer to the Trial Court Revenue Distribution Guidelines (www.court.ca.gov/court_manual_guidelines.html).



1. Superior Courts (e.g., 2017 Superior Court Budget (July 20, 2016))
 2. This category includes a variety of fees (the majority of revenues from courts, management, etc.)
 3. Distributions to local governments (including counties, cities, and towns) are imposed by local governments.
 4. For all other revenue purposes, when not otherwise stated, County General Fund and State Property.
 5. All revenues are in US dollars (USD).
- Legend:
 ■ Superior Court ■ This is a penalty □ State
 ■ Municipal Court ■ County ■ Local
 ■ District Court ■ Traffic

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Special Distributions

Bail forfeiture	<ul style="list-style-type: none"> • Red light violation • City arrest
Traffic school (TVS)	<ul style="list-style-type: none"> • Red light violation • County arrest
Bail forfeiture	<ul style="list-style-type: none"> • DUI violation • City arrest
Special Base Fine	<ul style="list-style-type: none"> • DUI violation
Multiple violation	<ul style="list-style-type: none"> • <i>Possession of controlled substance</i> • County arrest
Top – down Methods 1 & 2	<ul style="list-style-type: none"> • Speeding

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BASIC CONCEPTS AND TERMS

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Standard Criminal/Traffic Fine Equation

Base Fine + Base Fine Enhancements

=

Total Base Fine

+

State and Local Penalties

=

Initial Penalty

+

Surcharge, Fees, and Assessments

=

Total Bail or Fine

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Base Bail or Base Fine

The amount from which the additional penalties required by PC § 1464; GC §§ 70372, 76000, 76000.5, 76104.6, and 76104.7; and surcharge required by PC § 1465.7 are calculated. UB&PS Section II

Total bail shall not exceed statutory limits.

The 'fine' amount of the total bail shall not exceed the limitations specified by the Vehicle Code. UB&PS Section IV



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Base Fine Enhancements

Enhancement for Prior Vehicle Code (VC) Convictions
UB&PS section VII, pg. viii

Health & Safety Code (H&S) § 11372.5 - Criminal Lab Fee

- Base fine enhancement of \$50 for each violation of the Health and Safety Code sections listed in subdivision (b).

H&S Code § 11372.7 - County Drug Program Fee

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



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State and Local Penalties

Calculated using the "per 10, or part of 10" factor from a **ROUNDED-UP** base fine.

- ▣ PC § 1464 State penalty, \$10 per 10
- ▣ GC § 76104.6 County DNA Identification Fund penalty, \$1 per 10
- ▣ GC § 76104.7 State DNA Identification Fund additional penalty, \$4 per 10
- ▣ GC § 70372(a) state court facilities construction penalty = \$5 per 10
- ▣ GC § 76000(a) County penalty, \$7 per 10 (BOS)
- ▣ GC § 76000.5 County Emergency Medical Services (EMS), \$2 per 10 (BOS)



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20% State Surcharge

PC § 1465.7 –

- Is **calculated on total base fines.**
- Is **NOT** calculated on state and local penalties (PC § 1464, GC § 70372, and GC § 76000.)
- 2% state court automation is **NOT** applicable, because the surcharge is not a fine or penalty.



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Fees and Assessments

PC § 1465.8 – Court Operations Assessment
\$40 per conviction, for criminal offenses, including traffic, except parking offenses.

GC § 70373 – Criminal Conviction Assessment
\$30 assessed for each felony/misdemeanor conviction, or \$35 assessed for each infraction conviction.

VC § 42006 – Night Court Special Assessment
\$1 for violation of Vehicle Code or local ordinance adopted if night or weekend court sessions conducted for traffic offenses.



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2% State Court Automation

Transferred from all fines, penalties, and forfeitures (not on surcharges or fees) collected in criminal cases.
GC § 68090.8

Referring to our equation,
2% applies to the:

Base fine	Base fine enhancement	Standard state and local penalties
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Poll # 1

Which of these penalties and assessments is NOT added to the base fine?

- A. State penalty
- B. Court construction penalty
- C. 2% automation assessment
- D. 20% state surcharge
- E. All the above are added to base fine



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Resources: Preparing for Distributions



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Preparing for Distributions

1. Gather case information:

- Codes violated
- Violation and conviction date
- Disposition on each count (conviction, traffic school)
- Arresting agency

- Prior violations
- Base fine and enhancements

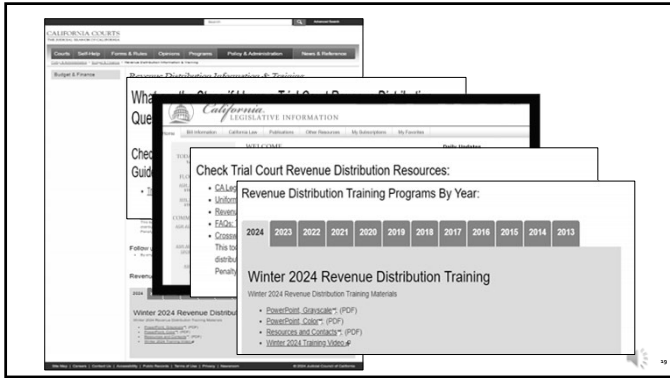
2. Obtain County Board of Supervisors' resolutions

3. Determine other factors

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Case Study 1: Red light violation

Case information:

- Violation Date: 3/10/2024
- Disposition Date: 4/29/2024
- Arresting Agency: City of Roseville Police Department
- Violation = VEH § 214.57 (a), Actions Required at Flashing Red Signal
 - o Base fine: \$ _____
- Violation Type = Infraction
- Disposition = Bail Forfeiture

Local County Penalties:

- LCCF: \$1.00
- LCJF: \$1.00
- EMS: \$1.00
- DNA: \$.75
- Auto Fingerprint: \$1.00
- Additional EMS: \$2.00

Other case/court fees:

- PEN § 1465.8 — Court Operations Assessment \$40.00
- GOV § 70273 — Criminal Conviction Assessment \$35.00
- Night Court Fee — \$1.00

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Gathering Case Information

- Codes violated
- Violation description
- Violation date
- Arresting agency
 - County Sheriff, city police dept., CA Highway Patrol
 - Jurisdiction
- Disposition on each count:
 - conviction date
 - bail forfeiture, traffic school
- Priors

The screenshot shows a detailed court case information form with various fields for case details, including violation codes, dates, and agency information. It also includes a barcode and a QR code at the bottom.

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CA Legislative Information (LegInfo)

County and City	Percentage
Alameda	18
Colfax	8
Lincoln	26
Rocklin	16
Roseville	10
County percentage	14

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Uniform Bail & Penalty Schedules (UBPS)

Section	Offense	Base Rate	Count	ENL P/A	Count	AMS	Surcharge	County Fee	AP Fee	Fund Bal	County	DMV Points
23803 (66)(3)	Red Signal Violable Responsibility	100	75	30	20	20	400	80	15	0	200	4
23803 (6)	Red Signal Violable Responsibility with Right Turn	15	40	20	1	1	150	80	15	0	250	2
23803 (6)	Red Signal Violable Responsibility	25	30	21	1	1	117	80	15	0	100	0
23804 (6)	Law On Red Control Signal	100	75	30	20	20	400	80	15	0	200	4
23804 (6)	Law On Parking Violate Control Signal	15	40	20	1	1	150	80	15	0	250	2
23805 (6)	Traffic Control Signal of Other Than Intersection	10	20	7	1	1	150	80	15	0	250	1
23807 (6)	Action Required at Parking Red Signal	100	75	30	20	20	400	80	15	0	200	4
23807 (6)	Action Required at Parking Yellow Signal	40	20	1	1	1	80	15	0	0	20	1
23800 (4)(3)	Impinge Upon Other Driver's Lawful Right of Way	40	20	1	1	1	80	15	0	0	20	1
23800 (6)	Impinge Upon Other Driver's Lawful Right of Way	40	20	1	1	1	80	15	0	0	20	1
23801 (6)	Drive Failure to Obey Signal	40	20	1	1	1	80	15	0	0	20	1
23802 (6)	Drive Failure to Obey Signal	40	20	1	1	1	80	15	0	0	20	1
23802 (6)	Disobedience of Officer or Traffic Monitor at Traffic Control Signal	40	20	1	1	1	80	15	0	0	20	1
23802 (6)	Disobedience of Officer or Person in Control of an Animal at Traffic Control Signal	25	30	21	1	1	117	80	15	0	100	0

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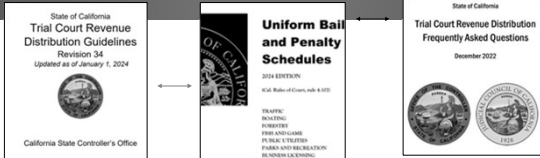
Trial Court Revenue Distribution Guidelines (Guidelines)

Code Section	Violation	From	To	Fund User/Special Provision	Priority of Requirement Payments
PEN 1463.11 — Horn Light Violations	Any of the following: VEH 21453(a) and (b), VEH 21454(a), and VEH 28888(a)	After deducting the 2% surcharge, 30% of PEN 1463.001, PEN 1464, GOV 70372(a), and GOV 76000	If offense occurred within County, to County General Fund	Not specified.	3
		30% includes state surcharge and other penalty assessments, such as, GOV 76000.5, (E), GOV 76304.6, (D), and GOV 76305.1 (D).	If offense occurred within City, to City General Fund.	Not specified.	
VEH 42007.3 — Traffic Violator School for Adult Light Violations, Fees	Fees equal to the total bail for the original offense from every person ordered to attend a traffic violator school or other court supervised program of driving instruction for violations of VEH 21453(a) or (b), VEH 21454(a), or VEH 28888(a).	30% of VEH 42007 fee to the City or County, based on jurisdiction of arrest.	If offense occurred within County, to the County General Fund.	See PEN 1463.001 (Table 1), PEN 1464, PEN 1468, GOV 70372(a), and GOV 76000, on a pro-rata basis.	4
		Remainder of VEH 42007 fee.	If offense occurred within City, to the City General Fund.	Not specified.	

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LegInfo: PEN § 1463.11

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How does the Crosswalk work?

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Crosswalk Sample

JUDICIAL COUNCIL OF CALIFORNIA
CROSSWALK BETWEEN TRIAL COURT REVENUE DISTRIBUTION GUIDELINES, THE UNIFORM BAIL & PENALTY SCHEDULES, AND FAQ

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

Index	Code Section	Trial Court Revenue Distribution Guidelines (Rev. 34) 1-1-2024	Violations	FAQ	Uniform Bail & Penalty Schedules 2024
2.1	PEN 1463.3	Restoration of Court and Adm'n's Fees to Processing Agency for Offending Motorist or Vehicle Forfeiture	PC 1742.1	Not listed. Also is just a post-norec'd item.	
			PC 1742.2		
2.2	PEN 1463.11	Red Light Violations	VEH 21111	Missing Legal Substance on Highway	10
			VEH 21112	Debris on Highway	10
			VEH 21113	Debris on Highway - Right of Way	10
			VEH 21114	Debris on Highway - Material From Highway	10
2.3	PEN 1463.11	Red Light Violations	VEH 21451	Red Light Violation - Reciprocity	0
			VEH 21452	Red Light Violation - Reciprocity	0
			VEH 21453	Red Light Violation - Reciprocity	0
			VEH 21454	Red Light Violation - Reciprocity	0

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Poll # 2

The base fine is always distributed 100% to the county.

- True
- False



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Spreadsheet Walk-through

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Training Evaluation

- Your feedback is very important to us — it guides planning of future training sessions.
- Please complete the SurveyMonkey evaluation.

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Questions and Resources

Judicial Council Funds and Revenues Unit

Public mailbox: revenue@jud.ca.gov

State Controller's Office

Public mailbox: LocalGovPolicy@sco.ca.gov

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Thank You!

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