



Judicial Council of California

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INVITATION TO COMMENT

[ITC prefix as assigned]-__

Title

Judicial Council–Sponsored Legislation:
Appointment of Non-Court Certified
American Sign Language Interpreters With
Generalist Credentials

Action Requested

Review and submit comments by May 30,
2025

Proposed Effective Date

January 1, 2027

Proposed Rules, Forms, Standards, or Statutes

Evid. Code, § 754

Contact

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Proposed by

Court Interpreters Advisory Panel
Hon. Brian L. McCabe, Chair
Hon. Maurice Sanchez, Vice-Chair

Executive Summary and Origin

The Court Interpreters Advisory Panel recommends that the Judicial Council sponsor legislation amending Evidence Code section 754 to allow courts, for good cause, to appoint American Sign Language (ASL) interpreters who possess a generalist ASL credential and satisfy training, education, and experience requirements approved by the Judicial Council, under a provisional qualification process similar to that for spoken language court interpreters. These amendments seek to address the limited availability of certified ASL court interpreters while ensuring continued language access for deaf and hard-of-hearing individuals. The proposal also includes revisions to statutory language to modernize terminology and clarify the Judicial Council’s role in maintaining a roster of qualified interpreters.

Background

Evidence Code section 754(h)(1) states: “Before July 1, 1992, the Judicial Council shall conduct a study to establish the guidelines pursuant to which it shall determine which testing organizations, agencies, or educational institutions will be approved to administer tests for certification of court interpreters for individuals who are deaf or hard of hearing.” The council first adopted these guidelines on February 21, 1992, and approved two certification entities in

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

1998: the California Coalition of Agencies Serving the Deaf (CCASD) and the Registry of Interpreters for the Deaf (RID). CCASD discontinued its testing program in 2006, and RID ceased its Specialist Certificate: Legal (SC:L) program on January 1, 2016, when its board imposed a moratorium on the credential.

Although the Judicial Council continues to recognize existing SC:L holders for inclusion on the Master List of Certified and Registered Court Interpreters, no new SC:L credentials have been awarded since 2016. By 2023, only 39 certified American Sign Language (ASL) court interpreters remained on the Master List, an insufficient number to meet the growing demand for ASL interpretation services in California courts.

To address this issue, the *2020 Language Need and Interpreter Use Study* (Link A) recommended that the Judicial Council explore and develop a new credentialing process for ASL court interpreters. In response, the Court Interpreters Advisory Panel (CIAP) initiated research into alternative qualification models, including recognition of out-of-state certification programs and tiered pathways for ASL generalist credential holders.

In November 2023, the Judicial Council approved the Texas Board for Evaluation of Interpreters (BEI) as a certifying entity for California ASL court interpreters, for a period of four years, beginning January 1, 2024 (Link B). At that time, the council also directed CIAP to continue exploring the feasibility of qualifying ASL generalist interpreters to interpret in court settings.

On February 21, 2025, the council approved revised *Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons* and an accompanying application form (Link C). The revisions will modernize the application process for program certification, support the recognition of additional ASL court interpreter testing entities as they become available, and maintain rigorous certification standards while expanding the pool of qualified interpreters.

In 2024, the National Center for State Courts (NCSC) conducted research on the feasibility of certifying ASL generalist interpreters for court work. Based on NCSC's findings, this proposal recommends that the Judicial Council sponsor legislation amending Evidence Code section 754 to allow for good cause the appointment of non-court certified ASL interpreters with a generalist ASL credential, provided they satisfy training, education, and experience requirements approved by the Judicial Council.

As of February 2025, the number of certified ASL court interpreters on the Master List has increased to 43, but this remains insufficient to meet the ongoing demand for ASL as the fourth most interpreted language in the California courts.

The Proposal

On February 27, 2025, CIAP discussed the proposed amendments to Evidence Code section 754 and approved the following modifications that are shown in Attachment A to circulate for public comment:

1. Modify section 754(f) to allow courts for good cause to appoint non-court certified ASL interpreters who possess a generalist ASL credential and satisfy training, education, and experience requirements approved by the Judicial Council.
2. Clarify the Judicial Council's responsibility under section 754(o) to maintain a current roster of qualified interpreters certified pursuant to section 754(f), ensuring transparency, accountability, and oversight. By formalizing this requirement, the amendment strengthens the statewide coordination of ASL interpreter services, helping courts efficiently identify and appoint qualified interpreters.
3. Revise statutory language to be gender-neutral, ensuring that laws are inclusive and reflective of all individuals. This update aligns with broader efforts in California to modernize statutory language.

These changes do not eliminate the need for certified ASL court interpreters. Instead, they provide a structured and regulated pathway for qualified ASL generalist interpreters to assist in non-complex matters, such as self-help centers, court-mandated programs, and emergency proceedings, while ensuring that certified ASL court interpreters remain available for complex courtroom proceedings.

The proposed amendments authorize courts to employ a provisional qualification process to be developed by the Judicial Council. Such a process would be modeled after the existing framework for spoken language interpreters under Government Code section 68561(c) (Link D), which has provided courts with greater flexibility while maintaining interpreter quality. The proposed amendments would codify this authority, ensuring greater consistency and predictability in how courts address ASL interpreter shortages.

Alternatives Considered

Several alternatives were considered to address the shortage of certified ASL court interpreters, but each presented significant challenges. One option is to wait for RID to reinstate its SC:L credential, but there is no clear timeline for its return. Even if it is reinstated, rebuilding the interpreter pipeline may take years.

While approving additional ASL court-interpreter certifying entities could help address the interpreter shortage, the Texas BEI remains the only ASL court interpreter certification currently available in the U.S. No other ASL court interpreter certification programs currently exist outside of Texas. Additionally, obtaining BEI certification requires out-of-state travel, testing fees, and other costs, making it less accessible for many prospective interpreters in California.

Establishing a California-specific ASL court interpreter certification was also considered, but this approach is not a viable option as it would require extraordinary time, funding, staffing, and infrastructure to develop, administer, and maintain.

The proposed amendment to Evidence Code section 754 provides the most immediate and cost-effective solution by allowing courts for good cause to appoint non-court certified ASL interpreters with a generalist credential who satisfy requirements approved by the Judicial Council. This approach complements rather than replaces Texas BEI reciprocity, ensuring courts have multiple pathways to expand interpreter access without unnecessary delays or excessive costs. The amendment expands interpreter access while maintaining Judicial Council oversight.

Fiscal and Operational Impacts

The proposed amendments to Evidence Code section 754 are expected to have minimal fiscal impact on the Judicial Council and trial courts, with costs primarily limited to administrative tasks such as developing a Judicial Council–approved provisional qualification process; developing related rules, forms, and guidelines; and updating interpreter rosters. CIAP will need to work with Judicial Council staff to develop training, education, and experience requirements. These costs will be absorbed through existing resources within the Judicial Council’s Language Access Services Program in the Center for Families, Children & the Courts. Operationally, courts may experience an initial adjustment period as they integrate non-court certified ASL interpreters with generalist credentials into non-complex functions, but this is expected to be manageable with appropriate training. Expanding the ASL interpreter pool may reduce costs from interpreter shortages while creating a pathway for more certified ASL court interpreters, ensuring long-term sustainability.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee or other proponent is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), or modifying case management systems?
- About how much time do courts anticipate needing for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Attachment A: Evid. Code, § 754, at pages 6–8

2. Link A: *2020 Language Need and Interpreter Use Study* (March 2020),
<https://languageaccess.courts.ca.gov/sites/default/files/partners/default/2023-07/2020-language-need-and-interpreter-use-study-report-to-the-legislature.pdf>
3. Link B: *Language Access Plan: New Requirements for American Sign Language Court Interpreters* (October 27, 2023),
<https://jcc.legistar.com/View.ashx?M=F&ID=12443593&GUID=86D50238-F331-4F4E-BBA7-A91D30995599>
4. Link C: *Court Interpreters: Guidelines for Approval of Certification Programs for Interpreters for Deaf and Hard-of-Hearing Persons* (January 23, 2025),
<https://jcc.legistar.com/View.ashx?M=F&ID=13703631&GUID=53B28EFC-71FB-44C2-A44B-FF5515F94994>
5. Link D: Gov. Code, § 68561,
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?chapter=2.&lawCode=GOV&title=8.&article=4

Section 754 of the Evidence Code would be amended, effective January 1, 2027, to read:

1 **§ 754**

2
3 (a) As used in this section, “individual who is deaf or hard of hearing” means an
4 individual with a hearing loss so great as to prevent ~~his or her~~ their understanding of
5 language spoken in a normal tone, but does not include an individual who is hard of
6 hearing provided with, and able to fully participate in the proceedings through the use of,
7 an assistive listening system or computer-aided transcription equipment provided
8 pursuant to Section 54.8 of the Civil Code.

9
10 (b) In a civil or criminal action, including an action involving a traffic or other infraction,
11 a small claims court proceeding, a juvenile court proceeding, a family court proceeding
12 or service, or a proceeding to determine the mental competency of a person, in a court-
13 ordered or court-provided alternative dispute resolution, including mediation and
14 arbitration, or in an administrative hearing, where a party or witness is an individual who
15 is deaf or hard of hearing and the individual who is deaf or hard of hearing is present and
16 participating, the proceeding shall be interpreted in a language that the individual who is
17 deaf or hard of hearing understands by a qualified interpreter appointed by the court or
18 other appointing authority, or as agreed upon.

19
20 (c) For purposes of this section, “appointing authority” means a court, department, board,
21 commission, agency, licensing or legislative body, or other body for proceedings
22 requiring a qualified interpreter.

23
24 (d) For purposes of this section, “interpreter” includes an oral interpreter, a sign language
25 interpreter, or a deaf-blind interpreter, depending upon the needs of the individual who is
26 deaf or hard of hearing.

27
28 (e) For purposes of this section, “intermediary interpreter” means an individual who is
29 deaf or hard of hearing, or a hearing individual who is able to assist in providing an
30 accurate interpretation between spoken English and sign language or between variants of
31 sign language or between American Sign Language and other foreign languages by acting
32 as an intermediary between the individual who is deaf or hard of hearing and the
33 qualified interpreter.

34
35 (f) For purposes of this section, “qualified interpreter” means an interpreter who has been
36 certified as competent to interpret court proceedings by a testing organization, agency, or
37 educational institution approved by the Judicial Council as qualified to administer tests to
38 court interpreters for individuals who are deaf or hard of hearing. A court may for good
39 cause appoint a non-court certified ASL interpreter who satisfies requirements approved
40 by the Judicial Council. The court shall follow the good cause and qualification
41 procedures and guidelines adopted by the Judicial Council.
42

1 (g) If the appointed interpreter is not familiar with the use of particular signs by the
2 individual who is deaf or hard of hearing or ~~his or her~~ their particular variant of sign
3 language, the court or other appointing authority shall, in consultation with the individual
4 who is deaf or hard of hearing or ~~his or her~~ their representative, appoint an intermediary
5 interpreter.

6
7 (h) (1) Before July 1, 1992, the Judicial Council shall conduct a study to establish the
8 guidelines pursuant to which it shall determine which testing organizations, agencies, or
9 educational institutions will be approved to administer tests for certification of court
10 interpreters for individuals who are deaf or hard of hearing. It is the intent of the
11 Legislature that the study obtain the widest possible input from the public, including, but
12 not limited to, educational institutions, the judiciary, linguists, members of the State Bar
13 of California, court interpreters, members of professional interpreting organizations, and
14 members of the deaf and hard of hearing communities. After obtaining public comment
15 and completing its study, the Judicial Council shall publish these guidelines. By January
16 1, 1997, the Judicial Council shall approve one or more entities to administer testing for
17 court interpreters for individuals who are deaf or hard of hearing. Testing entities may
18 include educational institutions, testing organizations, joint powers agencies, or public
19 agencies.

20
21 (2) Commencing ~~July 1, 1997,~~ January 1, 2027, court interpreters for individuals who
22 are deaf or hard of hearing shall meet the qualifications specified in subdivision (f).

23
24 (i) Persons appointed to serve as interpreters under this section shall be paid, in addition
25 to actual travel costs, the prevailing rate paid to persons employed by the court to provide
26 other interpreter services unless such service is considered to be a part of the person's
27 regular duties as an employee of the state, county, or other political subdivision of the
28 state. Except as provided in subdivision (j), payment of the interpreter's fee shall be a
29 charge against the court. Payment of the interpreter's fee in administrative proceedings
30 shall be a charge against the appointing board or authority.

31
32 (j) Whenever a peace officer or any other person having a law enforcement or
33 prosecutorial function in a criminal or quasi-criminal investigation or non-court
34 proceeding questions or otherwise interviews an alleged victim or witness who
35 demonstrates or alleges deafness or hearing loss, a good faith effort to secure the services
36 of an interpreter shall be made without any unnecessary delay, unless either the
37 individual who is deaf or hard of hearing affirmatively indicates that he or she does not
38 need or cannot use an interpreter, or an interpreter is not otherwise required by Title II of
39 the federal Americans with Disabilities Act of 1990 (Public Law 101-336) and federal
40 regulations adopted thereunder. Payment of the interpreter's fee shall be a charge against
41 the county, or other political subdivision of the state, in which the action is pending.

1 (k) A statement, written or oral, made by an individual who the court finds is deaf or hard
2 of hearing in reply to a question of a peace officer, or any other person having a law
3 enforcement or prosecutorial function in a criminal or quasi-criminal investigation or
4 proceeding, shall not be used against that individual who is deaf or hard of hearing unless
5 the question was accurately interpreted and the statement was made knowingly,
6 voluntarily, and intelligently and was accurately interpreted, or the court finds that either
7 the individual could not have used an interpreter or an interpreter was not otherwise
8 required by Title II of the federal Americans with Disabilities Act of 1990 (Public Law
9 101-336) and federal regulations adopted thereunder and that the statement was made
10 knowingly, voluntarily, and intelligently.

11
12 (l) In obtaining services of an interpreter for purposes of subdivision (j) or (k), priority
13 shall be given to first obtaining a qualified interpreter.

14
15 (m) Subdivisions (j) and (k) shall not be deemed to supersede the requirement of
16 subdivision (b) for use of a qualified interpreter for an individual who is deaf or hard of
17 hearing participating as a party or witness in a trial or hearing.

18
19 (n) In an action or proceeding in which an individual who is deaf or hard of hearing is a
20 participant, the appointing authority shall not commence the action or proceeding until
21 the appointed interpreter is in full view of and spatially situated to assure proper
22 communication with the participating individual who is deaf or hard of hearing.

23
24 (o) ~~Each superior court~~ The Judicial Council shall maintain a current roster of qualified
25 interpreters certified pursuant to subdivision (f).

26
27
28



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INVITATION TO COMMENT

LEG25-__

Title

Judicial Council–Sponsored Legislation:
Alternative Methods for Family Courts to
Give Notice of Child Custody Mediation

Proposed Rules, Forms, Standards, or Statutes

Amend Fam. Code, § 3176

Proposed by

Family and Juvenile Law Advisory
Committee

Hon. Tari L. Cody, Cochair

Hon. Stephanie E. Hulse, Cochair

Action Requested

Review and submit comments by May 23,
2025

Proposed Effective Date

January 1, 2027

Contact

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Executive Summary and Origin

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council sponsor legislation to amend Family Code section 3176 to allow for alternative methods for the court to give notice to the parties about child custody mediation and require specific content in the notice for cases involving domestic violence. The proposal originates from a group of Family Court Services directors across the state seeking to modernize the procedures for providing notice of child custody mediation by more cost-effective methods, including electronic delivery.

Background

Currently, under Family Code section 3176(b), notice of mediation must be given by certified mail, return receipt requested, postage prepaid, to the last known address. Further, under Code of Civil Procedure section 1010.6(a)(2), if a document is required to be served by certified or registered mail, electronic service of the document is not authorized. Thus, section 3176 does not provide family courts with alternative methods for giving notice of mediation to the parties.

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Section 3176 was last amended, effective 2002. Since that time, the Legislature amended Code of Civil Procedure section 1010.6 to permit parties to file and serve papers electronically and courts to serve documents (such as notices and judgments) electronically (Link A). Further, effective January 1, 2011, the Judicial Council adopted rules of court regarding electronic filing and service of documents and notices (Link B).

The Proposal

Section 3176(b)

The proposal would make a request to the Legislature to delete the requirement in Family Code section 3176(b) that notice of mediation must be given by certified mail, return receipt requested, postage prepaid, to the last known address. Instead, section 3176(b) would specify that notice shall be given by one of the following methods:

- (1) When all parties are present in court for a hearing,
 - (A) In writing;
 - (B) As stated on the record with a court reporter present; or
 - (C) As stated in court and reflected in the minutes.
- (2) In writing from court staff and provided to a party who is present at the courthouse;
- (3) As part of a notice of hearing or court order filed by the court clerk, provided to a party, and required to be served on the other party;
- (4) By mail, express mail, overnight delivery, or facsimile transmission; or
- (5) By electronic notification to parties who are represented by counsel and by the consent of parties who are self-represented as permitted under Code of Civil Procedure section 1010.6 and rule 2.251 of the California Rules of Court.

The proposed six methods would reflect how notice is provided in family court matters unrelated to child custody mediation.

With respect to the proposed amendment in (b)(1), the committee took into consideration that not all family courts have court reporters available to record court hearings and document when notice of mediation is given to court users. (Link C). Because family courts without court reporters do create minutes of the hearings at which the parties are present, the committee proposes an amendment to permit courts three options to give notice of mediation when all parties are present in court for a hearing (in writing, as stated on the record when a court reporter is present, or as stated in court and reflected in

the minutes to document that notice was given when a court reporter is not available). These changes would acknowledge that notice can be given other than just on the record.

Section 3176(c)

In addition, the committee proposes that section 3176(c) be amended to require that the notice of mediation include information about communications involving a mediator be kept confidential and also inform the parties about the right to meet with the mediator separately and at separate times when the case involves domestic violence. The specific language proposed would reference Family Code section 3181 and rule 5.215 of the California Rules of Court.

The proposal:

- Is intended to increase efficiencies in the delivery of the notice of mediation, provide significant cost savings, and reduce reliance on paper.¹ Eliminating the requirement for the mediation notice to be sent exclusively by one costly method would result in considerable savings to the courts.
- Is also intended to increase the parties' access to court services. Eliminating the requirement that the notice of mediation only be served by certified mail, return receipt requested could effectively reduce the waiting period for the parties to participate in mandatory child custody mediation, especially if the parties consent to electronic service of the mediation notice. In turn, this could result in a more timely resolution of the issues, either in mediation or at the court hearing.
- Would help parties understand their right to meet with a mediator separately in cases involving domestic violence, while also helping to ensure that family courts meet their obligation to "...provide information to the parties regarding their options for separate sessions under Family Code section 3181 and rule 5.215 of the California Rules of Court."^{2,3}

¹ In July 2024, the U.S. Postal Service increased the certified mail fee to \$4.85. The PS Form 3811 Return Receipt Green Card increased to \$4.10, and the Electronic Return Receipt increased to \$2.62. See www.usps.com/ship/insurance-extra-services.htm.

² Rule 5.215(d)(6) of the California Rules of Court provides that "[i]n a Family Court Services case in which there has been a history of domestic violence between the parties or in which a protective order as defined in Family Code section 6218 is in effect, at the request of the party who is alleging domestic violence in a written declaration under penalty of perjury or who is protected by the order, the Family Court Services mediator, counselor, evaluator, or investigator must meet with the parties separately and at separate times. When appropriate, arrangements for separate sessions must protect the confidentiality of each party's times of arrival, departure, and meeting with Family Court Services."

³ "Family Court Services must provide information to the parties regarding their options for separate sessions under Family Code sections 3113 and 3181. If domestic violence is discovered after mediation or evaluation has begun, the Family Court Services staff member assigned to the case must confer with the parties separately regarding safety-related issues and the option of continuing in separate sessions at separate times. Family Court

- Would advance a judicial branch goal of facilitating the use of technology in the courts. (Jud. Council of Cal., *Strategic Plan for Technology 2023–2026* (Sept. 2022) (Link D). Specifically, it promotes objective 5.2 of “[e]nsur[ing] current rules and legislation do not inhibit the use of technology solutions.” (p. 18).
- Would advance Goal III of *The Strategic Plan for California’s Judicial Branch* (Modernization of Management and Administration) to “improve operations through innovation, technology, and the sharing of effective practices” and “...efficient processing and resolution of all cases” (Link E).

Alternatives Considered

The committee considered alternative language to amend section 3176(b) to incorporate various methods that family courts currently use to give notice to parties in the proceedings. For example, the committee considered proposing that notice by certified mail, return receipt requested, postage prepaid, to the last known address be among several other optional methods. However, because a document required to be served by certified or registered mail cannot be served by electronic means under section 1010.6(a)(2), the committee decided to propose that the Legislature strike that requirement from the statute.

Fiscal and Operational Impacts

The proposal increases the options that family courts have to give notice of child custody mediation. It does not require the court to give notice by electronic delivery. Thus, courts and parties that are not able to send and receive the notice electronically, or do not consent, would not be impacted. For courts and parties that have access to the technology to facilitate electronic delivery of the notice of mediation, electronic notification would be more efficient, and less costly, than mailing a paper notice.

Services staff, including support staff, must not respond to a party's request for separate sessions as though it were evidence of his or her lack of cooperation with the Family Court Services process.” *Id.*, rule 5.215(d)(6).

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Do commenters have alternative or additional language to propose as amendments to Family Code section 3176?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- The proposed amendments do not specify any method for how consent from the self-represented party would be documented. Is this something that courts should address, or already have addressed in other procedures involving giving notice? Should this be addressed in a statute, rule of court, or local rule?
- Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Fam. Code, § 3176, at page 6
2. Link A: Code Civ. Proc., § 1010.6,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP§ionNum=1010.6
3. Link B: Cal. Rules of Court, rules 2.250 to 2.261,
<https://www.courts.ca.gov/cms/rules/index.cfm?title=two>
4. Link C: Fact Sheet: Shortage of Certified Shorthand Reporters in California (June 2024),
5. <https://www4.courts.ca.gov/documents/Fact-Sheet-Shortage-of-Certified-Shorthand-Reporters-June2024.pdf>
6. Link D: *Strategic Plan for Technology 2023–2026* (Sept. 2022),
<https://courts.ca.gov/system/files/file/jctc-court-technology-strategic-plan.pdf>
7. Link E: *The Strategic Plan for California’s Judicial Branch*,
<https://www.courts.ca.gov/3045.htm>

Family Code section 3176 would be amended, effective January 1, 2027, to read:

1 **Family Code section 3176**

2
3 (a) * * *

4
5 (b) ~~Notice shall be given by certified mail, return receipt requested, postage prepaid, to~~
6 ~~the last known address. The notice of mediation shall be given by one of the~~
7 ~~following methods:~~

8
9 (1) When all parties are present in court for a hearing,

10
11 (A) In writing;

12
13 (B) As stated on the record with a court reporter present; or

14
15 (C) As stated in court and reflected in the minutes.

16
17 (2) In writing from court staff and provided to a party who is present at the court
18 house;

19
20 (3) As part of a notice of hearing or court order filed by the court clerk, provided
21 to a party, and served on the other party;

22
23 (4) By mail, express mail, overnight delivery, or facsimile transmission; or

24
25 (5) By electronic service on parties who are represented by counsel and by the
26 consent of parties who are self-represented, as permitted under Code of Civil
27 Procedure section 1010.6 and rule 2.251 of the California Rules of Court.

28
29 (e) ~~Notice of mediation pursuant to Section 3188 shall state that all communications~~
30 ~~involving the mediator shall be kept confidential between the mediator and the~~
31 ~~disputing parties.~~

32
33 (c) The notice of mediation shall state that:

34
35 (1) All communications involving the mediator shall be kept confidential
36 between the mediator and the disputing parties pursuant to Family Code
37 section 3188; and

38
39 (2) Where there has been a history of domestic violence between the parties,
40 including allegations or a finding of domestic violence, or where a protective
41 order is in effect, the mediator appointed shall meet with the parties
42 separately and at separate times as provided by Family Code section 3181
43 and rule 5.215 of the California Rules of Court.



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INVITATION TO COMMENT

[ITC prefix as assigned]-__

Title

Judicial Council–Sponsored Legislation:
Amendments to Collections-Related Statutes

Action Requested

Review and submit comments by May 30,
2025

Proposed Rules, Forms, Standards, or Statutes

Gov. Code, § 68514; Pen. Code, § 1463.007

Proposed Effective Date

January 1, 2027

Proposed by

Judicial Branch Budget Committee
Hon. Ann C. Moorman, Chair
Mr. David H. Yamasaki, Vice-Chair

Contact

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Executive Summary and Origin

The Judicial Branch Budget Committee recommends that the Judicial Council sponsor legislation amending Government Code section 68514¹ and Penal Code section 1463.007² to improve compliance with the reporting requirements for collection programs.

The recommendations originate from an ad hoc collections working group of court and county subject matter experts to amend relevant statutes to clarify responsibilities for performing authorized collections activities.

Background

Penal Code section 1463.010³ governs the imposition and enforcement of court-ordered debt and instructs the Judicial Council to identify, improve, and seek to expand access to mechanisms and

¹ Gov. Code, § 68514,

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=68514.&lawCode=GOV.

² Pen. Code, § 1463.007,

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1463.007.&lawCode=PEN.

³ Pen. Code, § 1463.010,

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1463.010&lawCode=PEN.

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tools that will enhance efforts to collect court-ordered debt. Penal Code section 1463.010(c) requires the Judicial Council to submit an annual report to the Legislature and the Department of Finance that includes information related to the collection of court-ordered debt, as specified in Government Code section 68514(a). The 58 court and county comprehensive collection programs jointly submit required collections information on the Judicial Council–approved Collections Reporting Template for inclusion in the annual report. (Attachment A)

Assembly Bill 103 (Committee on Budget; Stats. 2017, ch. 17) added Government Code section 68514, which imposed additional reporting requirements related to the collection activities specified in Penal Code section 1463.007. Under Penal Code section 1463.007, collection programs may recover costs associated with the collection of delinquent court-ordered fines, fees, forfeitures, penalties, and assessments imposed on infraction, misdemeanor, and felony cases, before revenues are distributed pursuant to statute. To be eligible to recover collection costs, each collection program must engage in at least 10 of 16 collection activities authorized by Penal Code section 1463.007(c).

Beginning in fiscal year 2017–18, collection activities were combined into nine categories to simplify the process and comply with the reporting requirement. Additionally, the Collections Reporting Template was reformatted to capture the newly required data elements outlined in Government Code section 68514.

Because the collection programs were not previously mandated to report on the collection activities as required by Government Code section 68514(a) and (b), case management and accounting systems were not configured to track delinquent court-ordered debt collections information by collection activity. Examples of collection activities include contacting the debtor by mail and telephone, the use of skip tracing services to locate debtors, and contracting with third-party programs such as the Franchise Tax Board and private agencies. While some collection programs have developed various methods to calculate or estimate activity totals, reported values may not reflect an accurate correlation between revenue collected and the specific activity that resulted in the collection of the debt.

Collection programs have consistently reported challenges in tracking, reconciling, and reporting complete and accurate collections information by activity since the implementation of Government Code section 68514. According to the collection programs, it is common practice to utilize multiple activities simultaneously, making it problematic, if not impossible, to attribute revenue collected, costs, and case count to a single collection activity. As noted in the annual reports to the Legislature and the Department of Finance, several collection programs cannot provide the required information because of limitations within case management and accounting systems. The challenges in reporting required collections information because of limitations within their systems prompted review of the reporting requirements.

To address reported challenges with the current reporting requirements, in August 2024, an ad hoc collections working group was convened to review and make recommendations to amend, as necessary, collections-related policies, procedures, and statutes to improve the collection,

reporting, and distribution of court-ordered debt. The group consists of 14 court and county collection entities, including the Superior Courts of Alpine, Amador, Kern, Los Angeles, Mendocino, Orange, and San Bernardino Counties and the counties of Lake, Orange, Sacramento, San Bernardino, San Diego, Sonoma, and Stanislaus.

The Proposal

On March 14, 2025, the Judicial Branch Budget Committee approved the proposed amendments to Government Code section 68514 and Penal Code section 1463.007 to circulate for public comment:

- Amendments to Government Code section 68514 would change the requirements to report total amount collected, total number of cases, and total operating costs by collection activity to reporting by collection entity, such as court, county, Franchise Tax Board, private agency, or other entity. Other changes include minor technical edits to mirror the proposed language in Penal Code section 1463.007.
- Amendments to Penal Code section 1463.007 are primarily technical in nature. The amendments restate the statute to clearly identify the collection entities that programs may use to collect delinquent debt, including three entities formerly listed as possible collection activities. The amendments also remove one activity no longer authorized and add the use of administrative offsets to collect debt as a potential activity. As a result, the number of potential collection activities is reduced from 16 to 13, and the total number of required activities is reduced from 10 to 8. The proposed amendments also update the terminology to reflect current collection practices, among other revisions.

These changes would help the court and county collection programs with compliance and the ability to report consistent data, especially reporting data by program instead of by individual collection activity. The approved amendments will be applied to the Collections Reporting Template in the fiscal year 2026–27 reporting period and will be reflected in the annual report to the Legislature and the Department of Finance by December 31, 2027.

Alternatives Considered

None.

Fiscal and Operational Impacts

The proposed amendments to Government Code section 68514 and Penal Code section 1463.007 are expected to have minimal operational impacts on the court and county collections programs and the Judicial Council. Any added workload will be limited to administrative tasks such as revising existing reports to align with the new reporting format and are not expected to have a financial impact.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from court and county collection programs on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts and counties—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), or modifying reports to conform to the new format?
- Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in collection programs of different sizes?

Attachments and Links

1. Gov. Code, § 68514, at pages 5–6
2. Pen. Code, § 1463.007, at pages 7–9
3. Attachment A: Collections Reporting Template
4. Link A: Gov. Code, § 68514,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=68514.&lawCode=GOV
5. Link B: Pen. Code, § 1463.007,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1463.007.&lawCode=PEN

Government Code section 68514 would be amended, effective January 1, 2027, to read:

1 **§ 68514**

2
3 (a) Beginning October 1, 2018, and annually on or before December 31 thereafter, the
4 Judicial Council shall report to the Department of Finance, the Legislature, and the Joint
5 Legislative Budget Committee the total amount of revenue collected in the prior fiscal
6 year, by each court and county, from criminal fines, fees, forfeitures, penalties, restitution
7 fines described in subdivision (b) of Section 1202.4 of the Penal Code, and assessments
8 related to infractions, misdemeanors, and felonies. The report shall include, but not be
9 limited to, the following information:

10
11 (1) Total nondelinquent revenue collected and the number of cases associated with
12 those collections.

13
14 (2) Total delinquent revenue collected and the number of cases associated with those
15 collections, as reported by each superior court and county pursuant to Section 1463.010
16 of the Penal Code.

17
18 (3) Total amount of fines and fees dismissed, discharged, or satisfied by means other
19 than payment.

20
21 (4) A description of the collection activities used by the program or its contracted
22 entities pursuant to Section 1463.007 of the Penal Code.

23
24 (5) The total amount collected per collection ~~activity~~ entity.

25
26 (6) The total number of cases by collection ~~activity~~ entity and the total number of
27 individuals associated with those cases.

28
29 (7) Total operating costs per collection ~~activity~~ entity.

30
31 (8) The percentage of fines or fees that are defaulted on.

32
33 (9) The extent to which each court or county is meeting the collections best practices
34 and performance ~~measures and benchmarks~~ metrics, developed pursuant to subdivision
35 (c) of Section 1463.010 of the Penal Code, for its collection program.

36
37 (10) Any changes necessary to improve the performance of collection programs
38 statewide.

39
40 (b) The Judicial Council shall separately list the information required in subdivision (a)
41 for fines and fees assessed ~~in a year~~ before the current reporting year that had outstanding
42 balances in the current reporting year.

1 (c) To the extent a court or county cannot provide the information listed in subdivisions
2 (a) and (b), the Judicial Council shall notify the Department of Finance and the Joint
3 Legislative Budget Committee and shall provide a plan for how to obtain this information
4 in the future. The Department of Finance may approve alternate metrics if a court or
5 county does not have this information.

6
7
8

Penal Code section 1463.007 would be amended, effective January 1, 2027, to read:

1 **§ 1463.007**

2
3 (a) Notwithstanding any other law, a county or court that operates a comprehensive
4 collection program may deduct the costs of operating that program, excluding capital
5 expenditures, from any revenues collected under that program. The costs shall be
6 deducted before any distribution of revenues to other governmental entities required by
7 any other law. A county or court operating a comprehensive collection program may
8 establish a minimum base fee, fine, forfeiture, penalty, or assessment amount for
9 inclusion in the program.

10
11 (b) Once debt becomes delinquent, it continues to be delinquent and may be subject to
12 collection by a comprehensive collection program. Debt is delinquent and subject to
13 collection by a comprehensive collection program if any of the following conditions is
14 met:

15
16 (1) A defendant does not post bail or appear on or before the date on which the
17 defendant promised to appear, or any lawful continuance of that date, if that defendant
18 was eligible to post and forfeit bail.

19
20 (2) A defendant does not pay the amount imposed by the court on or before the date
21 ordered by the court, or any lawful continuance of that date.

22
23 (3) A defendant has failed to make an installment payment on the date specified by the
24 court.

25
26 (c) For the purposes of this section, a “comprehensive collection program” is a separate
27 and distinct revenue collection activity that meets each of the following criteria:

28
29 (1) The program identifies and collects amounts arising from delinquent court-ordered
30 debt, whether or not a warrant has been issued against the alleged violator.

31
32 (2) The program complies with the requirements of subdivision (b) of Section
33 1463.010.

34
35 (3) The program is administered by a county and superior court working in
36 cooperation, although by mutual agreement one or the other may serve as the primary
37 administrator of the program. The program may contract with one or more of the
38 following entities to collect delinquent debt:

39
40 (A) Franchise Tax Board’s Court-Ordered Debt Collections Program.

41
42 (B) Franchise Tax Board’s Interagency Intercept Collections Program.

43

1 (C) One or more private debt collectors.

2
3 (D) Other government entities, when approved by the program and after the Judicial
4 Council has been notified.

5
6 ~~(3)~~ (4) The program, or at least one of its contracted entities, engages in each of the
7 following activities:

8
9 ~~(A) Attempts telephone contact with delinquent debtors for whom the program has a~~
10 ~~telephone number to inform them of their delinquent status and payment options.~~

11
12 ~~(B)~~ (A) Notifies delinquent debtors for whom the program has an address in writing
13 of their outstanding obligation within 95 days of delinquency.

14
15 (B) Attempts technological or telephonic contact with delinquent debtors to inform
16 them of their delinquent status and payment options.

17
18 (C) Generates internal monthly reports to track collections data, such as age of debt
19 and delinquent amounts outstanding.

20
21 (D) Uses Department of Motor Vehicles information to locate delinquent debtors.

22
23 (E) Accepts electronic payment of delinquent debt by credit or debit card, electronic
24 funds transfer, or other accepted online payment methods, as accepted by the
25 program.

26
27 ~~(4)~~ (5) The program, or at least one of its contracted entities, engages in at least ~~five~~
28 three of the following activities:

29
30 ~~(A) Sends delinquent debt to the Franchise Tax Board's Court-Ordered Debt~~
31 ~~Collections Program.~~

32
33 ~~(B) Sends delinquent debt to the Franchise Tax Board's Interagency Intercept~~
34 ~~Collections Program.~~

35
36 ~~(C) Initiates driver's license suspension or hold actions when appropriate for a failure~~
37 ~~to appear in court.~~

38
39 ~~(D) Contracts with one or more private debt collectors to collect delinquent debt.~~

40
41 ~~(E)~~ (A) Sends monthly bills payment reminders or account statements to all
42 delinquent debtors.

1 ~~(F)~~ (B) Contracts with local, regional, state, or national skip tracing or locator
2 resources or services to locate delinquent debtors.

3
4 ~~(G)~~ (C) Coordinates with the probation department to locate debtors who may be on
5 formal or informal probation.

6
7 ~~(H)~~ (D) Uses Employment Development Department employment and wage
8 information to collect delinquent debt.

9
10 ~~(I)~~ (E) Establishes wage and bank account garnishments where appropriate.

11
12 (F) Uses administrative offsets to collect delinquent debt, including but not limited to
13 the withholding of funds as authorized by statute.

14
15 ~~(J)~~ (G) Places liens on real property owned by delinquent debtors when appropriate.

16
17 ~~(K)~~ (H) Uses an automated ~~dialer or automatic call~~ message distribution system to
18 manage technological or telephone telephonic calls contacts.

19
20 (d) A comprehensive collection program shall also administer nondelinquent installment
21 payment plans ordered pursuant to Section 68645.2 of the Government Code, and may
22 recover up to and including thirty-five dollars (\$35) per nondelinquent installment plan.

23
24
25

1	Court/County	Select court/county (see Contact Informat
---	--------------	---

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 debt is referred:	1. <input type="text"/>
		2. <input type="text"/>
		3. <input type="text"/>
		4. <input type="text"/>
		5. <input type="text"/>

5	Item 4	Category	Item 5	Item 6a	Item 6b	Item 7
Below is a description of the collections components (activities) authorized by Penal Code section 1463.007. As required by Government Code section 68514, for Items 4, 5, 6a, 6b and 7, input the requested information for each collection activity that the court/county program currently uses:		Check each collections activity performed by program	Total amount collected per collection activity	Total number of cases by activity	Total number of individuals associated with those cases	Total administrative cost per collection activity
6	a. Attempts telephone contact with delinquent debtors for whom the program has a telephone number to inform them of their delinquent status and payment options.	<input type="checkbox"/>	1		Enter data as part of Category 3, (activity c)	
7	b. Notifies delinquent debtors for whom the program has an address in writing of their outstanding obligation within 95 days of delinquency.	<input type="checkbox"/>	2			
8	c. Generates internal monthly reports to track collections data, such as age of debt and delinquent amounts outstanding.	<input type="checkbox"/>	3			
9	d. Uses Department of Motor Vehicles information to locate delinquent debtors.	<input type="checkbox"/>	4			
10	e. Accepts payment of delinquent debt by credit card.	<input type="checkbox"/>	3	Enter data as part of Category 3, (activity c), Row 8 above.		
11	a. Sends delinquent debt to the Franchise Tax Board's Court-Ordered Debt Collections Program.	<input type="checkbox"/>	5			
12	b. Sends delinquent debt to the Franchise Tax Board's Interagency Intercept Collections Program.	<input type="checkbox"/>	6			
13	c. Initiates driver's license suspension or hold actions when appropriate for a failure to appear in court.	<input type="checkbox"/>	7			
14	d. Contracts with one or more private debt collectors to collect delinquent debt.	<input type="checkbox"/>	8			
15	e. Sends monthly bills or account statements to all delinquent debtors.	<input type="checkbox"/>	2	Enter data as part of Category 2 (activity b), Row 7 above.		
16	f. Contracts with local, regional, state, or national skip tracing or locator resources or services to locate delinquent debtors.	<input type="checkbox"/>	4	Enter data as part of Category 4, (activity d) in Row 9 above.		
17	g. Coordinates with the probation department to locate debtors who may be on formal or informal probation.	<input type="checkbox"/>	4	Enter data as part of Category 4, (activity d) in Row 9 above.		
18	h. Uses Employment Development Department employment and wage information to collect delinquent debt.	<input type="checkbox"/>	4	Enter data part of Category 4, (activity d) Row 9 above.		
19	i. Establishes wage and bank account garnishments where appropriate.	<input type="checkbox"/>	9			
20	j. Places liens on real property owned by delinquent debtors when appropriate.	<input type="checkbox"/>	9	Enter data as part of Category 9, (activity i) Row 19 above.		
21	k. Uses an automated dialer or automatic call distribution system to manage telephone calls.	<input type="checkbox"/>	1	Enter data as part of Category 1, (activity a) Row 6 above.		
22	TOTAL:			\$0	0	\$0

Category Key: (See Category tab for task/activities list)		
1= Telephone Contact	4= Skip tracing	7= DL Hold
2= Written Notice(s)	5= FTB-COD	8= Private agency
3= Lobby/counter	6= FTB-IC	9= Wage/bank garnishments and Liens

Is the program qualified as a comprehensive collection program?

No

**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-one (21) 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 Conduct trials by written declaration under Vehicle Code section 40903 and, as appropriate in the context of such trials, impose a civil assessment.
- 12 Evaluate the effectiveness and efficiency of external collection agencies or companies to which court-ordered debt is referred for collection.
- 13 Accept payments via credit and debit card.
- 14 Accept payments via the Internet.
- 15 Include in a collection program all court-ordered debt and monies owed to the court under a court order.
- 16 Include financial screening to assess each individual's ability to pay prior to processing installment payment plans and account receivables.
- 17 Use restitution rebate, as authorized by Government Code section 13963(f), to further efforts for the collection of funds owed to the Restitution Fund.
- 18 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 economical cost.
- 19 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.
- 20 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 collection program.
- 21 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"/> Audits (Judicial Council) | <input type="checkbox"/> Revenue Distribution | <input type="checkbox"/> Adjustments | <input type="checkbox"/> Cost Recovery |
| <input type="checkbox"/> Audits (SCO) | <input type="checkbox"/> Discharge from Accountability | <input type="checkbox"/> Ability to Pay Program | <input type="checkbox"/> Other Collections-Related Issues |

Comments or explanations:

The number of best practices used is: 0

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

Please provide any comments on your performance for the reporting period, by Current Period, Prior Period Inventory, and Combined, that you wish included in the Individual Program Report that will be attached in the Report to the Legislature.

Please explain the extent of your reporting capabilities in terms of providing the information required by GC § 68514. 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.

Select court/county (see Contact Information worksheet #1)

REPORTING PERIOD		Col. A										
1	Beginning Date-First day of Reporting Period	01-Jul-23										
2	Ending Date-Last day of Reporting Period	30-Jun-24										
CURRENT PERIOD (NEWLY-ESTABLISHED) DELINQUENT DEBT: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS												
		Number of Cases Established or Referred as Delinquent	Value of Cases Established or Referred as Delinquent	Number of Cases with Payment(s) Received (Items 1 and 2)	Gross Revenue Collected	Cost of Collections (Penal Code 1463.007) enter as negative number	Adjustment: Amount satisfied by Court-ordered Suspension, Dismissal or Alternative Sentence (Item 3)	Discharge from Accountability (Item 3)	Net Value of Newly-Established Delinquent Debt at End of Period (Col. C - E - G - H)	Value of Cases on Installment Agreement (Item 8)	Default Balance Installment Agreement (Item 8)	Percentage of Debt Defaulted On (Installment Agmt.) (Col. K / Col. J)
Row	Program	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L
3	Non-Delinquent Collections											
4	Court Collection Program											
5	County Collection Program											
6	Private Agency											
7	FTB Court-Ordered Debt											
8	FTB Interagency Intercept Collection											
9	Intra-Branch Program											
10	Other											
11	Sub-total Delinquent											
PRIOR PERIOD (PREVIOUSLY-ESTABLISHED) DELINQUENT DEBT: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS												
		Number of Delinquent Cases at Period Beginning (Ending Balance from Transfer Worksheet)	Value of Delinquent Cases at Period Beginning (Ending Balance from Transfer Worksheet)	Number of Cases with Payment(s) Received	Gross Revenue Collected	Cost of Collections (Penal Code 1463.007) enter as negative number	Adjustment: Amount satisfied by Court-ordered Suspension, Dismissal or Alternative Sentence	Discharge from Accountability	Net Value of Previously-Established Delinquent Debt at End of Period (Col. N - P - R - S)	Value of Cases on Installment Agmt. (Ending Balance from Prior Year)	Default Balance Installment Agreement	Percentage of Debt Defaulted On (Installment Agmt.) (Col. V / Col. U)
Row	Program	Col. M	Col. N	Col. O	Col. P	Col. Q	Col. R	Col. S	Col. T	Col. U	Col. V	Col. W
12	Non-Delinquent Collections											
13	Court Collection Program											
14	County Collection Program											
15	Private Agency											
16	FTB Court-Ordered Debt											
17	FTB Interagency Intercept Collection											
18	Intra-Branch Program											
19	Other											
20	Sub-total Delinquent											
COMBINED: BEGINNING AND ENDING BALANCES; FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS												
		Number of Cases Beginning Balance	Value of Cases Beginning Balance	Gross Revenue Collected	Cost of Collections (Penal Code 1463.007)	Adjustments	Discharge from Accountability	Net Change in Value	Number of Cases - Ending Balance	Value of Cases-Ending Balance	Error Messages	
Row	Program	Col. X	Col. Y	Col. Z	Col. AA	Col. AB	Col. AC	Col. AD	Col. AE	Col. AF	Col. AG	
21	Non-Delinquent Collections											
22	Court Collection Program											
23	County Collection Program											
24	Private Agency											
25	FTB Court-Ordered Debt											
26	FTB Interagency Intercept Collection											
27	Intra-Branch Program											
28	Other											
29	Total Delinquent											
COLLECTIONS FROM CASES SUBJECT TO ABILITY TO PAY DETERMINATION												
	Period	Online ATP Revenue: Nondelinquent	Online ATP Revenue: Delinquent	Online ATP Revenue: Combined	In-Person ATP Revenue: Nondelinquent	In-Person ATP Revenue: Delinquent	In-Person ATP Revenue: Combined	Online ATP Cases w/ Installment Payments: Nondelinquent	Online ATP Installment Costs Claimed: Nondelinquent	In-Person ATP Cases w/ Installment Payments: Nondelinquent	In-Person ATP Installment Costs Claimed: Nondelinquent	
Row	Col. AH	Col. AI	Col. AJ	Col. AK	Col. AL	Col. AM	Col. AN	Col. AO	Col. AP	Col. AQ		
30	Current Period											
31	Prior Period											
32	Combined Periods											
VICTIM RESTITUTION (PC 1202.4)												
		Number of Cases - (Ending Balance from Prior Year)	Value of Cases - (Ending Balance from Prior Year)	Number of Cases Established/ Referred/ Transferred in Period	Value of Cases Established/ Referred/ Transferred in Period	Gross Revenue Collected	Balance Modifications	Net Change in Value	Number of Cases - Ending Balance	Value of Cases - Ending Balance	Error Messages	
Row	Program	Col. AR	Col. AS	Col. AT	Col. AU	Col. AV	Col. AW	Col. AX	Col. AY	Col. AZ	Col. BA	
33	Non-Delinquent Collections											
34	Court Collection Program							0				
35	County Collection Program							0				
36	Private Agency							0				
37	FTB Court-Ordered Debt							0				
38	FTB Interagency Intercept Collection							0				
39	Intra-Branch Program							0				
40	Other							0				
41	Total Delinquent							0				
Reviewed by Court						Reviewed by County						
Printed Name			Signature			Printed Name			Signature			
Date			Title (Court Executive or Presiding Judge)			Date			Title (County Auditor-Controller or other)			

Collector Effective Index	Current	Prior	Combined

First Year Resolution Rate	
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Spend Efficiency Score	Current	Prior	Combined
Court Collection Program			
County Collection Program			
Private Agency			
FTB Court-Ordered Debt			
FTB Interagency Intercept Collection			
Intra-Branch Program			
Other			

Cost to Referral Ratio	Current	Prior	Combined

Adjustment Score	Adjustments	Score
		\$0

Discharge Score	Discharges	Score
		\$0

Risk Monitor	
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Please provide any brief comments on your performance measures you wish included in the Dashboard for your program. (500 character maximum)

Quality Criteria Checklist

Row	Quality Checklist	CURRENT PERIOD: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS
1	<input type="checkbox"/>	Row 3, Column D, includes revenues collected for non-delinquent infraction, misdemeanor, and felony cases that were paid in full on or before the due date, or current installment or accounts receivable (A/R) payment plan. Row 3, Column E includes the number of cases associated with non-delinquent revenue collections reported in Row 3, Column D.
2	<input type="checkbox"/>	Rows 4-10 include all fines, fees, forfeitures, penalties, and assessments on traffic, criminal, and juvenile delinquency case types (infraction, misdemeanors, and felony), except victim restitution (see Rows 33-41 for more information).
3	<input type="checkbox"/>	Rows 4-10, include newly established/referred/transferred cases, gross revenue collected, adjustments, or discharges posted during the reporting period.
4	<input type="checkbox"/>	Rows 4-10, Column B, include the total number of new cases established, referred, or transferred within the reporting period. Any cases that were previously established, but never referred or transferred to collections, are considered new cases and should be reported in this column (the corresponding value of these cases should be reported in Column C). If multiple cases were bundled into one case, only one (1) case should be reported in Column B.
5	<input type="checkbox"/>	Rows 4-10, Column C, include the total value of the corresponding cases in Column B, that were established, referred, or transferred during the reporting period only.
6	<input type="checkbox"/>	Rows 4-10, Column D, include the number of cases with payment(s) received during the reporting period. The number of cases reported may be equal to but not greater than the number of cases established in Column B.
7	<input type="checkbox"/>	Rows 4-10, Column E, include all monies received towards the satisfaction of delinquent court-ordered debt, including installment payments.
8	<input type="checkbox"/>	Rows 4-10, Column F, include the cost of collections that, pursuant to PC 1463.007, is allowable to offset revenue prior to distribution to other governmental entities. Cost of collections is entered in Column F as a negative number unless posting a reversal.
9	<input type="checkbox"/>	Value reported in Column G includes the total value of court-ordered debt satisfied by court-ordered dismissal, suspension, or by means other than payment. An amount satisfied by means other than payment includes alternative sentences (e.g., community service or time served in custody in lieu of fine) or non-cash adjustment that decreases or increases the amount outstanding for individual debt items.
10	<input type="checkbox"/>	Value reported in Column H includes all debt deemed uncollectible that was established and discharged in the reporting period, per Government Code section 25257-25259.95.
11	<input type="checkbox"/>	Column I is the change in value of Cases Referred/Established/Transferred minus (-) Gross Collections, Adjustments, and Discharged debt. (Column C - E - G - H).
12	<input type="checkbox"/>	Rows 4-10, Column J, includes the value of all cases set-up on an installment agreement (A/R or monthly installment payment plan) by the court or collecting entity.
13	<input type="checkbox"/>	Rows 4-10, Column K, includes the balances from delinquent cases where the individual is non-compliant with the terms of the agreement (i.e., payments have not been received) and the plan was not reinstated at the end of the fiscal year.
14	<input type="checkbox"/>	Column L is formula driven and calculates the percentage of fines and fees defaulted on by dividing the installment agreement balance (amount defaulted on) by the initial value of court-ordered debt set-up on payment plan (Col. K/ Col. J)
PRIOR PERIODS INVENTORY: FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS		
15	<input type="checkbox"/>	Row 12, Column P, includes revenues collected for non-delinquent infraction, misdemeanor and felony cases that were paid in full on or before the due date, or current installment or accounts receivable (A/R) payment plan. Row 12, Column O includes the number of cases associated with non-delinquent revenue collections reported in Row 12, Column P.
16	<input type="checkbox"/>	Rows 13-19 include all fines, fees, forfeitures, penalties, and assessments on traffic, criminal, and juvenile delinquency case types (infraction, misdemeanors, and felonies), except victim restitution (see Row 33-41 for more information).
17	<input type="checkbox"/>	Rows 13-19 include all cases in inventory referred or transferred to a collections program in a prior period, and gross revenue collected, court-ordered adjustments, or discharges that were received and posted during the current reporting period.
18	<input type="checkbox"/>	Rows 13-19, Column O, include the number of cases with payments received during the reporting period. Note: any late postings from prior year should be reported in Column M, and the case value should be reported in Column N as part of the ending balance from prior year.
19	<input type="checkbox"/>	Rows 13-19, Column P, include all monies received towards the satisfaction of delinquent court-ordered debt.
20	<input type="checkbox"/>	Rows 13-19, Column Q, include the cost of collections that, pursuant to PC 1463.007, is allowable to offset revenue prior to distribution to other governmental entities. Cost of collections is entered in Column Q as a negative number unless posting a reversal.
21	<input type="checkbox"/>	Rows 13-19, Column R, includes the total value of court-ordered debt satisfied by court-ordered dismissal, suspension, or by means other than payment. An amount satisfied by means other than payment includes alternative sentences (e.g., community service or time served in custody in lieu of fine) or non-cash adjustment that decreases or increases the amount outstanding for individual debt items.
22	<input type="checkbox"/>	Value reported in Column S includes all previously established debt deemed uncollectible and discharged in the reporting period, per Government Code section 25257-25259.95.
23	<input type="checkbox"/>	Value reported in Column T is the change in Value of Cases (Ending Balance from Prior Year) minus (-) Gross Collections, Adjustments, and Discharged debt. (Column N - P - R - S).
24	<input type="checkbox"/>	Column U is the value of cases carried over from the prior year for all cases on an installment agreement that remained unpaid at the end of the year.
25	<input type="checkbox"/>	Column V includes the balance from all cases on an installment agreement carried over where payment(s) were not received in the reporting period.
26	<input type="checkbox"/>	Column W captures the percentage of delinquent fines and fees payable in installments that were defaulted on. The cell is formula driven and calculates a percentage by dividing the rolling balance by the value of cases (carried over) on installment agreements. (Column V/Column U)
COMBINED: ENDING BALANCE FINES, FEES, FORFEITURES, PENALTIES AND ASSESSMENTS		
27	<input type="checkbox"/>	Row 21, Column Z, includes the combined total of non-delinquent gross revenue collected.
28	<input type="checkbox"/>	Rows 22-28, Columns X, Y, Z, AA, AB, AC and AD include the combined case number and value of new and prior period inventory, change in value, gross revenues, cost of collections, and adjustments, and discharge from accountability.
29	<input type="checkbox"/>	Rows 22-28, Columns X, Y, Z, AA, AB, AC and AD are formula driven, no input required. Value of Cases reported in Columns Y and AF reconcile to figures reported from underlying systems and vendors.
30	<input type="checkbox"/>	Value reported in Column AE includes the total number of cases at the end of the reporting period for each program.
31	<input type="checkbox"/>	Values reported in Column AF balance to value of cases at beginning of period (Col. Y), minus the change in value reported in Col. AD (which is the sum of the amounts shown in Col. Z, AB and AC.)
32	<input type="checkbox"/>	An Error Message in Column AG indicates that the beginning balance in Column Y, minus the value of transactions reported in Column AD does not equal the ending balance reported in Column AF.
COLLECTIONS FROM CASES SUBJECT TO ABILITY-TO-PAY DETERMINATION		
33	<input type="checkbox"/>	Row 30 includes revenues collected, number of cases, and cost of administering those cases which have been subject to an ability to pay (ATP) determination for cases newly established during the reporting period. This information should ALSO be reported as part of the revenues reported in Rows 3-10 above.
34	<input type="checkbox"/>	Row 31 includes revenues collected, number of cases, and cost of administering those cases which have been subject to an ATP determination for cases in inventory at the beginning of the reporting period. This information should ALSO be reported as part of the revenues reported in Rows 12-19 above.
35	<input type="checkbox"/>	Column AH includes revenue collected for nondelinquent ATP cases processed through the online tool established by Government Code section 68645.
36	<input type="checkbox"/>	Column AI includes revenue collected for delinquent ATP cases processed through the online tool established by Government Code section 68645.
37	<input type="checkbox"/>	Column AK includes revenue collected for nondelinquent ATP cases processed in-person, using a paper form, or other methods aside from the online ATP tool.
38	<input type="checkbox"/>	Column AL includes revenue collected for delinquent ATP cases processed in-person, using a paper form, or other methods aside from the online ATP tool.
39	<input type="checkbox"/>	Column AN includes the number of nondelinquent ATP cases with installment plans processed through the online tool established by Government Code section 68645.2.
40	<input type="checkbox"/>	Column AO includes the administrative cost (up to \$35 per case) for nondelinquent ATP cases with installment plans processed through the online tool established by Government Code section 68645.2.
41	<input type="checkbox"/>	Column AP includes the number of nondelinquent ATP cases with installment plans processed in-person, using a paper form, or other methods aside from the online ATP tool.
42	<input type="checkbox"/>	Column AQ includes the administrative cost (up to \$35 per case) for nondelinquent ATP cases with installment plans processed in-person, using a paper form, or other methods aside from the online ATP tool.
VICTIM RESTITUTION		
43	<input type="checkbox"/>	Row 33 includes only non-delinquent cases referred/established and revenue collected during the reporting period.
44	<input type="checkbox"/>	Rows 34-40 include victim restitution not included in Rows 3-10 or 12-19
45	<input type="checkbox"/>	Rows 34-40, include cases referred/established, revenue collected, and balances modified during the reporting period.
46	<input type="checkbox"/>	Column AR includes the number of victim restitution cases in inventory at the beginning of the period. Column AS includes the value of victim restitution cases in inventory at the beginning of the period.
47	<input type="checkbox"/>	Column AT represents the number of victim restitution cases added during the reporting period through establishment, referral, or transfer. Column AU includes the total amount of victim restitution added during the reporting period through establishment, referral, or transfer.
48	<input type="checkbox"/>	Column AV represents the number of cases which reported payment of victim restitution during the reporting period. Column AV includes the total amount of restitution owed to a victim by court order under Penal Code section 1202.4(f) collected by each collections program during the reporting period. Row 29 includes non-delinquent restitution collections.
49	<input type="checkbox"/>	Column AW includes the net total of balance modifications applied to victim restitution balances by court order during the reporting period.
50	<input type="checkbox"/>	Column AX includes the value of Col. AS plus the Col. AU less the amounts shown in columns AV and AW (this field is formula-driven, so no separate calculation or entry is required).
51	<input type="checkbox"/>	Column BA is blank unless errors or potential errors are detected in the worksheet. If an out of balance message appears correct the identified error or explain in Performance Report.

	Number of Delinquent Cases at Period Beginning (Ending Balance from Prior Year – Col. AE)	Value of Delinquent Cases at Period Beginning (Ending Balance from Prior Year – Col. AF)	Number of Cases Transferred Between Programs	Value of Cases Transferred Between Programs	Adjusted Number of Delinquent Cases at Period Beginning (Enter in Col. M)	Adjusted Value of Delinquent Cases at Period Beginning (Enter in Col. N)
Program	Col. 1	Col. 2	Col. 3	Col. 4	Col. M	Col. N
Non-Delinquent Collections						
Court Collection Program					-	-
County Collection Program					-	-
Private Agency					-	-
FTB Court-Ordered Debt					-	-
FTB Interagency Intercept Collection					-	-
Intra-Branch Program					-	-
Other					-	-
Sub-total Delinquent	-	-	-	-	-	-

PC 1463.007 Collections Activity	Category	Task/Activity
3a. Attempts telephone contact with delinquent debtors for whom the program has a telephone number k. Uses an automated dialer or automatic call distribution system to manage telephone calls.	1= Telephone Contact	Outbound Call Inbound Call Dialer blast messaging
3b. Notifies delinquent debtors for whom the program has an address in writing of their outstanding obligation within 95 days of delinquency. 4e. Sends monthly bills or account statements to all delinquent debtors.	2=Written Notice(s)	Delinquent Notice (Failure to Appear or Failure to Pay) Handle all collections-related mail correspondence E-mail received Email sent
3c. Generates internal monthly reports to track collections data, such as age of debt and delinquent amounts outstanding. 3e. Accepts payment on delinquent debt by credit card.	3= Lobby/Counter	Receive/post cash, check and credit card payments Provide case information to individuals Establish payment plan agreements including amendments to existing plan Schedule walk-in arraignment, upon individual's request to go before a judge Update DMV, if needed Enter notes on the case, etc. Work the Out of Court--Collection Queue (Judge orders case be handled in collections) Process all criminal and juvenile probation orders; update financials and establish payment plans. Process all criminal and juvenile DA forms; update financials and establish payment plans Process payments from Intra-branch, generate weekly payment report Process payments and commission credit adjustments from private agency. Assist vendor w/case info., account balances, email them any directives from Judge on case and prepare commission checks at the end of month. Process all payments and commission credit adjustments from FTB-COD. Contact FTB-COD for additional information such as account balances, levy actions, etc.
3d. Uses Department of Motor Vehicles information to locate delinquent debtors. 4f. Contracts with local, regional, state, or national skip tracing or locator resources or services to locate delinquent debtors. 4g. Coordinates with the probation department to locate debtors who may be on formal or informal probation. 4h. Uses Employment Development Department employment and wage information to collect delinquent debt.	4=Skip Tracing	Perform skip tracing (DMV, internet, third party vendors) Obtain debtor information from probation and/or EDD
4a. Sends delinquent debt to the Franchise Tax Board's Court-Ordered Debt Collections Program.	5=FTB-COD	Refer case to FTB-COD
4b. Sends delinquent debt to the Franchise Tax Board's Interagency Intercept Collections Program.	6= FTB-IIC	Refer case to FTB-IIC
4c. Initiates driver's license suspension or hold actions when appropriate for a failure to appear in court.	7=DL Hold/Suspension	Send abstract to DMV for Failure to Appear driver's license hold/suspension
4d. Contracts with one or more private debt collectors to collect delinquent debt.	8= Private Agency	Refer case to private collection agency
4i. Establishes wage and bank account garnishments where appropriate. 4k. Places liens on real property owned by delinquent debtors when appropriate.	9= Wage/bank Garnishments and Liens	Wage and/or bank accounts are garnished Place liens

Sample list of activities/tasks to be used to report activities utilized in the collection of delinquent court-ordered debt. See corresponding "Category" on the Contact and Other Information Sheet, Items 5, 6 and 7.

Instructions for Completing the Collections Reporting Template

1. About the Collections Reporting Template (CRT)

Under Government Code section 68514 and Penal Code section 1463.010, as amended by Assembly Bill 1818, (Stats. 2019, Ch. 637), each superior court and county shall jointly report each year on the collection of revenue from criminal fines and fees, including information related to specific collections activities, the use of best practices, and amount of outstanding court-ordered debt. This report shall be submitted to the Judicial Council on or before September 1, using a template provided by the Council.

The following worksheets include the data elements required by both Government Code section 68514 and Penal Code section 1463.010. The worksheets must be completed and submitted by the date indicated below to the Judicial Council as part of the CRT:

- Contact and Other Information
- Program Report
- Performance Report
- Annual Financial Report

2. Due Date

The CRT must be submitted to the Judicial Council as part of the report *due on or before September 1*, per Penal Code section 1463.010. If September 1 falls on a weekend or holiday, the report shall be due the next business day.

3. Reporting Period

The CRT should be completed for the period of July 1 of the prior calendar year through June 30 of the calendar year the report is prepared. For example, for the 2023 report, the reporting period is July 1, 2022–June 30, 2023. The reporting period may also be referred to as the current period, the current year, the fiscal year, the reporting year, the year, or similar terms.

4. What Should Be Reported

The following should be reported in the CRT:

- All delinquent court-ordered fines, fees, forfeitures, penalties, and assessments, as well as victim restitution, imposed by law or court order in criminal (infraction, misdemeanor, and felony) cases, including juvenile delinquency cases, and the number of cases associated with those collections.
- All revenues generated by each collection program (e.g., court, county, private agency, Franchise Tax Board (FTB), intra-branch, or other program) from delinquent cases during the reporting period and the number of cases associated with those collections.
- All revenues generated from non-delinquent cases during the reporting period and the number of cases associated with those collections.

- The value and number of new cases established or referred during the reporting period, as well as the value and number of cases from prior period inventory which are still outstanding.

Fees collected in non-criminal cases (e.g., civil, probate, family, mental health, and juvenile dependency) **should not be** reported in the template.

5. Worksheet 1: Contact and Other Information

This worksheet captures contact information and data in response to Items 4, 5, 6, and 7 of the reporting requirements under Government Code section 68514 (highlighted in green). Required data corresponding to Items 1, 2, 3 and 8 is captured in the Annual Financial Report. Refer to sections that follow for instructions on how to complete the Contact and Other Information worksheet. See Crosswalk tool to help map each item listed in Government Code section 68514 to corresponding worksheet(s) in the CRT (page 17).

Penal Code section 1463.007 requires that each program engage 10 of 16 collections activities, including each of the first five activities listed. The collections programs may collectively meet the requirement. For the purposes of this report, the collection activities were grouped into nine (9) categories. (See the Category Key).

NOTE: Based on the number of activities checked, the worksheet will indicate whether your collections program has fulfilled that component of the requirements of a comprehensive collection program.

The **Category** column identifies the number assigned to each activity. Each activity utilized in the collection of delinquent court-ordered debt should be reported by Category. See the Categories tab for a non-exhaustive list of tasks/activities.

Item 4: In this column, check each activity that is met by at least one of the collections programs (e.g., court, county, private agency, FTB, and intra-branch program). This complies with the reporting requirement for a description of the collection activities used pursuant to Penal Code section 1463.007. It is expected that if a collection activity is marked on this Worksheet that is also listed as a best practice on the Program report, it will be marked there as well.

Item 5: In this column, for each case, track and record payment(s) received per collection activity and report the total amount collected in the corresponding Category at the end of the fiscal year.

NOTE: The total in Item 5, Row 22, should reconcile with the Gross Revenue Collected, Column Z, Row 29, of the Annual Financial Report.

Item 6: For the purposes of this report, item 6 is interpreted as requesting information on each case plus a unique person (one individual).

In Column Item 6a, track and record each case by activity that the program engages (utilizes) as part of the collection effort and report the total number of cases by Category at the end of the fiscal year, whether or not the activity resulted in collections.

In Column Item 6b, track and record one individual in Category 3 regardless of the number of associated case(s) in 6a and report the total number of individuals at the end of the fiscal year.

NOTE: Since a program may utilize one or more of the 16 activities during the collections process, the number of cases by activity in 6a will always be equal to or greater than the associated number of individuals reported in 6b.

Item 7: In this column, for each case, track and record total operating costs per collection activity and report total costs in the corresponding category, as a negative (–) entry, at the end of the fiscal year.

For purposes of this report, operating costs are as defined in the [Guidelines and Standards for Cost Recovery](#). Operating costs should be calculated and recovered using the *Guidelines* approved methodologies.

NOTE: The total in Row 22, Item 7, must reconcile with Cost of Collections, Column AA, Row 29, of the Annual Financial Report.

**Wondering how to report data on CRT?
See an Example of the Process on page 16**

6. Worksheet 2: Program Report

The report lists the Best Practices currently recommended for collections programs and may be revised to reflect changes in legislation. Programs should mark each Best Practice currently being implemented by one or more of the agencies performing collection activities on their behalf.

Programs should provide a description of the extent to which Judicial Council–approved Collections Best Practices are being met and any obstacles or problems that prevent the program from meeting the best practices. In the bottom section, indicate areas (by checkmark) in which training, assistance, or additional information is necessary. If additional space is required, please submit the information as an attachment in Microsoft Word format.

If a best practice on this report matches a collection program or activity on either Worksheet 1 or Worksheet 4 which shows activity, it should be checked as being used on this report as well.

7. **Worksheet 3: Performance Report**

Programs should provide a summary of the collection program’s performance during the reporting year, including the extent of the program’s reporting capabilities as it relates to the information required by Government Code section 68514. If data cannot be provided at this time or if the reported data differs from these Instructions, please describe the submitted data and any plans for providing this information in the future. If additional space is required, please submit the information as an attachment in Microsoft Word format.

8. **Worksheet 4: Annual Financial Report**

The Annual Financial Report worksheet captures the total revenue collected during the reporting period (i.e., July 1–June 30) and the number of cases associated with those collections, court-ordered adjustments, discharged debt, and cost of collections. Data in response to Items 1, 2, 3 and 8 of the reporting requirements under Government Code section 68514 are captured in this worksheet. Information related to the collection of victim restitution and cases subject to ability to pay determinations are also captured on this worksheet in separate sections.

NOTE: This worksheet is protected, and data entry is required only in unshaded cells. Refer to sections that follow for instructions on how to complete the Annual Financial Report worksheet.

9. **Worksheet 5: Transfer Worksheet**

If accounts with previously established debt are transferred from one collection program to another during the reporting period, the transfer worksheet should be used to record those transfers, so that any collections, adjustments, or discharges which occur are correctly attributed in the Annual Financial Report. *Use of this form is optional but encouraged if needed to clearly show the net transfer of accounts between the programs.*

10. **Worksheet 6: Performance Metrics**

The new performance metrics align to reporting requirements, as required in statute, and are intended to effectively track and measure each program’s performance. The worksheet is formula driven and captures information on the programs’ individual performance.

The performance indicators are designed to gauge an entity’s performance across a variety of metrics including collection of referrals and cost control:

- **Collector Effective Index (CEI)**— gauges an entity’s effectiveness at collecting from referrals of groups defined by the age of the court-ordered debt by calculating the percentage of cases with payment for debts of those groups.
- **First Year Resolution Rate**— provides the percentage of “current” referral balance that is resolved within the first year or how effective an entity is at resolving first-year referrals.
- **Spend Efficiency Score (SES)**— measures the cost to collect \$1 in delinquent referrals for each component and age group.

- **Cost to Referral Ratio**— reflects the average dollars spent (costs) per referral.

The normalizing metrics are designed to assist entities better understand any unique conditions and will provide additional context to an entity’s performance:

- **Risk Monitor**— assesses the potential of an entity’s current year referrals becoming delinquent to help the entity set expectations for performance on specific referrals.
- **Adjustment Score**— represents the value of debt resolved through non-cash means.
- **Discharge Score**— represents the value of debt discharged by an entity.

Any comments provided in the worksheet (500 character maximum) will be included in the program’s dashboard and attached to the report to the legislature.

HOW TO COMPLETE THE ANNUAL FINANCIAL REPORT: STEP-BY-STEP

CURRENT PERIOD (NEWLY-ESTABLISHED) DEBT: Fines, Fees, Forfeitures, Penalties, and Assessments

For each collections program, (e.g., court, county, private agency, FTB, or an intra-branch program) enter all transactions on newly established and referred cases that occurred during the reporting period, also known as current period debt. “Newly established and referred cases” includes all cases for which criminal fines, fees, forfeitures, penalties, and assessments became delinquent during the fiscal year. It also includes forthwith payments on cases established during the reporting year, which are reported as a single total not assigned to specific collection programs. Victim restitution should NOT be included as part of current period debt, but reported separately in its own section.

- In row 3, report only the number of non-delinquent cases for which payments were received (e.g., traffic bail forfeitures, forthwith payments, accounts receivable, and payment plans for non-delinquent debt), in column D, and the amount of non-delinquent gross revenue collected, in column E.
- In rows 4–10, report the number (column B) and value (column C) of cases newly established or referred as delinquent during the reporting period; detailed explanations for each column are below.
 - the number of cases for which payments were received – column D,
 - gross revenue collected – column E,
 - cost of collections – column F,
 - adjustments – column G,
 - discharges posted during the year on newly-delinquent cases only – column H. Discharge can only be performed by the court or the county (rows 4 or 5)

NOTE: As a reminder, programs which have contracted with another court or county to handle collections should report all collections activity on Row 8, for Intra-Branch Program.

- In row 10, enter amounts that cannot be broken out or attributed to a single collection program. These amounts may include revenue collected by the Department of Motor Vehicles (DMV).

NOTE: If revenue is received from FTB-IIC in a case that is also assigned to another program, the value of the inventory should be reported on row 8 and subtracted from the other program's reported value.

Column B: Number of Cases Established or Referred as Delinquent

Enter the total net number of new cases established or referred to each respective collection program within the reporting year. Cases that were previously established, but never referred to collections, are considered new cases and should be reported in Col. B. Report newly delinquent debt only.

To avoid double-counting, a case should be reported only once, under the collection program that has the case in inventory at year end (June 30th). If a case is fully resolved through payment, adjustment, or discharge, it should be reported under the program that has the case when it is resolved.

Example: If an individual has two delinquent cases: Case 1 is a DUI and Case 2 includes two Vehicle Code violations, two cases are reported in Col. B, regardless of the number of violations. For cases that are "bundled" into one case for referral to a collections program (i.e., the Franchise Tax Board), only one case should be reported in Col. B.

NOTE: Reporting an accurate case count is as important as reporting an accurate value of delinquent debt. Both are required reporting elements under Government Code section 68514.

Column C: Value of Cases Established or Referred as Delinquent

Enter the total net value of cases identified in Col. B that were newly established or referred as delinquent during the reporting period. Delinquent debt which was established or referred to a program in prior years should be reported in Col. N.

Column D: Number of Cases with Payment(s) Received

In row 3, include the number of cases associated with non-delinquent collections reported in Col. D. In rows 4 through 10, enter the number of newly delinquent cases with payment(s) received (including payment(s) on an installment agreement) during the fiscal year that are directly associated with the total delinquent revenues reported in Col. E.

NOTE: Report the number of cases with payment received, non-delinquent and delinquent, not the number of payments. The number of cases with payments received (Col. D) cannot be greater than the number of cases reported in Col. B.

Using example in Column B above: If at the end of the year six installment payments are received on Case 1 and three on Case 2, the number of cases reported in Column D is two, regardless of the number of payments received.

Column E: Gross Revenue Collected

As noted above, in row 3 include non-delinquent traffic bail forfeitures, forthwith payments, accounts receivable, and current payment plans. In rows 4 to 10, enter the total amount of delinquent revenue collected by each collections program on newly delinquent debt during the reporting year, including payment(s) from an accounts receivable or installment payment plan. If revenue cannot be separated between the current and prior periods, report all revenue, and the associated number of cases, in the prior reporting period.

Column F: Cost of Collections

Enter as a *negative number* the cost of collections allowable for recovery under Penal Code section 1463.007. If cost of collections cannot be distinguished by period, prorate and report costs based on the value of revenue collected in each period.

Column G: Adjustments

Enter the total dollar value of court-ordered debt satisfied by means other than payment that decreases or increases the outstanding debt amount. This includes court-ordered adjustments, such as dismissals, suspensions, and waivers of all or part of the total fine, and alternative payments such as community service or post sentence service of time in custody in lieu of fine, or other non-cash adjustments that occurred during the reporting period. It also includes changes resulting from legislation which affect outstanding court-ordered debt.

This total should be entered as a positive number if the net effect is to reduce the amount of debt outstanding or a negative (–) number if the net effect is to increase the amount of debt outstanding. For example, charges for a bad check would be entered as a negative (–) dollar amount, as this would increase the amount of debt outstanding.

Column H: Discharge from Accountability

Enter the total dollar value of accounts established as delinquent **and** discharged during the current year, per Government Code sections 25257 to 25259.95. The value should be entered as a positive number as the net effect is to reduce the amount of debt outstanding.

Column H should include *only* debt established in the current period, otherwise report the value in Column S. For example, if a \$600 debt being collected by the county is discharged, +\$600 would be entered in Col. H, row 5.

Column I: Net Value of Newly Established Delinquent Debt at End of Period

The amount in Column I is formula driven; no data entry required. The formula calculates the change in value of transactions reported in columns C, E, G, and H, as follows: (Column I= C– E– G– H), or the value of cases established, minus all collections, adjustments, and discharges.

Column J: Value of Cases on Installment Agreements

In Column J, enter the original value of all delinquent cases set-up on an installment agreement, by the court or collecting entity, for installment payment(s) on newly established delinquent court-ordered debt.

The value of cases on installments cannot be greater than the value of cases reported in Column C.

Column K: Default Balance Installment Agreements

In Column K, enter the balance of newly established delinquent cases set-up on an installment agreement where the individual did not fulfill their payment obligation, i.e., payment(s) have not been received as promised and the plan was not reinstated at the end of the fiscal year. Include only the value of installment plans where the individual failed to comply with the terms of the installment agreement.

A delinquent case that is set-up on an installment payment plan as part of the collections process is considered “*defaulted on*” if the individual fails to fulfill his/her payment obligation, per the terms of the agreement. The default balance should not include the unpaid balance of cases set up on installment plans that are “current”, i.e., installment payment(s) have been made according to the agreement terms.

Column L: Percentage of Debt Defaulted On (Installment Agreements)

The amount in Column L is formula-driven; no data entry required. The formula calculates the percentage of court-ordered debt *defaulted on* by dividing the default balance by the original case value set-up on an installment agreement. (Col. K / Col. J)

NOTE: Court-ordered debt should be reported separately, by Current and Prior Periods. If any portion of court debt established in the Current Period cannot be accurately distinguished from debt established in a Prior Period, report the combined total in Prior Period. In the Performance Report explain when the program anticipates reporting collections information as required by statute.

**PRIOR PERIOD (PREVIOUSLY-ESTABLISHED) DELINQUENT DEBT:
Fines, Fees, Forfeitures, Penalties, and Assessments**

In response to the reporting requirement under Government Code section 68514, the Annual Financial Report captures data by Current Period (Newly Established Delinquent Debt), Prior Period (Previously Established Delinquent Debt), and Combined total.

Data reported in the Previously Established Delinquent Debt, or Prior Period, section will be used to comply with subdivision (b) of Government Code section 68514, which requires a section that lists information on fines and fees which were established prior to the current reporting period that had outstanding balances in the current year. Victim restitution should NOT be included as part of prior period debt, but reported separately in its own section.

For each collections program, (e.g., court, county, private agency, FTB, or an intra-branch program), enter all transactions that occurred during the current fiscal year, as follows:

- In row 12 report only the number of non-delinquent cases from which payments were received (e.g., traffic bail forfeitures, forthwith payments, accounts receivable, and payment plans for non-delinquent debt), in column O, and the amount of gross revenue collected, in column P. This includes installment payments or accounts receivable which were established prior to July 1 but received payments during the reporting period.

- In rows 13–19, like rows 4-10 in the current period, report on cases previously established as delinquent. Detailed explanations are below:
 - report the number of cases in inventory from the prior year – column M
 - value of cases in inventory from the prior year – column N
 - the number of cases for which payments were received – column O
 - gross revenue collected – column P
 - cost of collections – column Q
 - adjustments – column R
 - discharges from accountability on all cases in inventory which were established prior to the current year – column S
- In row 18, report collections activity from contract with another court or county to handle collections through an Intra-Branch Program.
- In row 19, enter amounts that cannot be broken out or attributed to a single collection program. These amounts would include revenue collected by the DMV.

NOTE: If revenue is received from FTB-IIC in a case that is also assigned to another program, the value of the inventory should be reported on row 17 and subtracted from the other program's reported value.

Column M: Number of Delinquent Cases at Period Beginning (Ending Balance from Prior Year)

Enter the total number of cases initially referred or established in each respective collection program in prior fiscal years, which remain in inventory. This number should be the same as the ending number of cases reported in the previous year (Column AE), as modified by any transfers between collection programs reported on the Transfer Worksheet, if necessary. Any variance from the previous year's ending balance not included on the Transfer Worksheet (if used) should be reported and explained in the Performance Report worksheet.

Example: The ending number of cases for the county collection program on the previous year's report is 1,000. During the current reporting period, 300 cases are transferred to the private agency and 200 cases are transferred to Franchise Tax Board Court-Ordered Debt (FTB-COD). On the Transfer Worksheet, report a reduction of 500 cases for the county collection program, an increase of 300 cases for the private agency, and an increase of 200 cases for FTB-COD. These modified amounts are entered into Col. M.

Column N: Value of Delinquent Cases at Period Beginning (Ending Balance from Prior Year)

Enter the total net value of cases identified in Col. M that were referred or established in prior reporting periods which remain in inventory, following adjustments for transfers between collection programs. This value represents the ending balance reported at the end of the previous year (Column AF), as modified by transfers between collection programs during the reporting period as reported on the Transfer Worksheet, if necessary. Any variance between the ending balance on the previous year's report and the value reported in Column N not included on the Transfer Worksheet (if used) should be reported and explained in the Performance Report worksheet.

Example: The ending balance for the county collection program on the previous year's report is \$25,000. During the current reporting period, \$10,000 is transferred to the private agency and \$5,000 is transferred to FTB-COD. On the Transfer Worksheet, report a \$15,000 reduction in the balance of the county collection program, a \$10,000 increase in the balance of the private agency, and a \$5,000 increase in the balance of FTB-COD. These modified amounts are entered into Col. N.

Column O: Number of Cases with Payment(s) Received

In row 12, include the number of cases associated with non-delinquent collections reported in Col. P. In rows 13–19, enter the number of cases with payments received (including cases on installment plans) during the current reporting year from previously-established cases, which are associated with the gross revenue collected in Col. P. As stated regarding Column D above, report the number of cases with payments, not the number of payments received.

Column P: Gross Revenue Collected During the Period

As noted above, in row 12, include non-delinquent traffic bail forfeitures, forthwith payments, accounts receivable, and current payment plans. In rows 13–19, enter the total amount of delinquent revenue collected during the current reporting period by each collection program from previously-established cases. If revenue cannot be separated between the current and prior periods, please report all revenue, and the associated number of cases, in the prior reporting period.

Column Q: Cost of Collections

Enter as a negative number the cost of collections (operating costs) allowable for recovery under Penal Code section 1463.007.

Column R: Adjustments

Enter the total dollar value of court-ordered debt satisfied by means other than payment that decreases or increases the amount outstanding for individual debt item. This includes court-ordered adjustments, such as suspensions and dismissals, and alternative payments such as community service or post sentence service of time in custody in lieu of fine, or other non-cash adjustments that occurred during the current reporting period. It also includes changes resulting from ability to pay determinations and legislation which affect outstanding court-ordered debt.

This total should be entered as a positive number if the net effect is to reduce the amount of debt outstanding or a negative (–) number if the net effect is to increase the amount of debt outstanding. For example, charges for a bad check would be entered as a negative (–) dollar amount, as this would increase the amount of debt outstanding.

Column S: Discharge from Accountability

Enter the total dollar value of accounts previously established, referred or transferred that were discharged during the current fiscal year, per Government Code sections 25257–25259.95. The value should be entered as a positive number as the net effect is to reduce the amount of debt outstanding.

For example, if a \$600 debt being collected by the county is discharged, +\$600 would be entered in column S, row 14.

Column T: Net Value of Previously Established Delinquent Debt at End of Period

This is formula driven, no data entry required. The formula calculates the change in value of transactions reported in columns N, P, R, and S as follows: (Column T= N– P– R– S), or beginning value minus all collections, adjustments, and discharges on previously-existing debt.

Column U: Value of Cases on Installment Agreement (Ending Balance from Prior Year)

Enter the value carried over from the prior year for all cases on an installment agreement that were defaulted on, i.e., payment(s) were not received as promised and the plan was not reinstated at the end of the fiscal year. The value carried over should not include the unpaid balance of cases set-up on installment plans that are “current”, i.e., installment payment(s) have been received according to the agreement terms.

The value of cases on installment plans cannot be greater than the value of cases reported in Column N.

Column V: Default Balance Installment Agreement

Enter the default balance from all delinquent cases on an installment agreement carried over from the prior year with no payment(s) received in the current year.

Column W: Percentage of Debt Defaulted On (Installment Agreements)

Column W is formula-driven, no separate calculation or data entry required. The formula calculates the percentage of court-ordered debt *defaulted on* by dividing the default balance by the value carried-over from prior year. (Col. V / Col. U)

NOTE: Court-ordered debt should be reported separately, by Current and Prior
COMBINED DELINQUENT DEBT:
Beginning and Ending Balance Fines, Fees, Forfeitures, Penalties, and Assessments
total in Prior Period. In the Performance Report explain when the program anticipates reporting collections information as required by statute.

The Combined Beginning and Ending Balances section includes the number and value of ALL cases; new and previously established. Except for Columns AE and AF, information from the Current Period (Newly Established) and Prior Period (Previously Established) Delinquent Debt sections is captured by formula for each program; no separate calculation or entry is required.

Column X: Number of Cases—Beginning Balance

Column X calculates the total number of cases on inventory at the beginning of the period plus the total number of newly delinquent cases established during the reporting period. (Col. B + Col. M)

Column Y: Value of Cases—Beginning Balance

Column Y calculates the total value of cases in inventory at the beginning of the year or newly established during the reporting year. (Col. C + Col. N)

Column Z: Gross Revenue Collected

Column Z calculates all payments received towards the satisfaction of delinquent court-ordered debt during the current fiscal year. (Col. E + P)

Column AA: Cost of Collections

Column AA calculates the combined total cost of collections which, pursuant to Penal Code section 1463.007 is allowable to offset revenue prior to distribution to other governmental entities. Cost of collections should be reported as a negative (–) number unless posting a reversal. (Col. F + Col. Q)

Columns AB: Adjustments

Column AB calculates the total amounts satisfied by means other than payment that decreased or increased the amount outstanding for individual debt items during the current fiscal year. (Col. G + Col. R)

Column AC: Discharge from Accountability

Column AC calculates the total amount of debt deemed uncollectible that was discharged during the reporting period, per Government Code sections 25257-25259.95. (Col. H + Col. S)

Column AD: Change in Value

Column AD calculates the value of transactions in columns Z, AB, and AC, or the total amount of revenue collected, adjustments, and discharges.
=SUM (Z+ AB+ AC)

Column AE: Number of Cases—Ending Balance

Enter the total number of cases at the end of the fiscal year for each program.

Column AF: Value of Cases—Ending Balance

Enter the total net value of cases at the end of the reporting year for each program. The value of cases at end of period (Col. AF) should equal the value of cases at beginning of period (Col. Y), minus the value reported in Column AD (which is the sum of Columns Z, AB and AC).

Column AG: Error Messages

This data field displays “Out of Balance” if the ending balance in Col.AF does not equal the beginning balance in Col. Y, minus the value of transactions reported in Col. AD.

- If the beginning balance for the County Collection Program in column Y, row 23 is \$10,000,000; and
- The gross revenue collected in Col. Z, row 23 is \$2,000,000; and
- The value of adjustments in Col. AB, row 23 is \$250,000, and
- The value of discharged debt in Col. AC, row 23 is \$250,000.
- Then the ending balance reported in Col. AF, row 23 should be \$7,500,000, because:

$$\$10,000,000 - \$2,000,000 - \$250,000 - \$250,000 = \$8,000,000.$$

If the ending balance in Col. AF reconciles to the program’s case management and/or accounting system but does not reconcile to the information input in columns Y, AZ, AB, and AC, explain the “Error Message” in the Performance Report worksheet.

Collections from Cases Subject to Ability to Pay (ATP) Determination

This section was added to meet mandated reporting requirements for the ability to pay program, and to help the branch and stakeholders better understand court debt repayment. Requested information includes the total amount collected from nondelinquent and delinquent cases which have been subject to an ability to pay (ATP) determination whether or not it resulted in a reduction of the amount owed. Include cases eligible for ATP determination through the online tool ([MyCitations](#)) established by Government Code section 68645, even if the application is made in person, using a paper application, or other means as well as the online tool.

Also, as authorized by Government Code section 68645.2, an administrative cost of up to \$35 per installment plan approved may be claimed on nondelinquent cases. Report administrative costs for nondelinquent ATP cases in the Cost Recovery Report Template, found at <https://www.courts.ca.gov/partners/455.htm>. For delinquent cases, costs associated with the collection of any reduced amounts ordered under the ability to pay program may be recovered, per Penal Code section 1463.007.

<p>NOTE: Implementation of the online tool (MyCitations) is expected to be statewide by June 30, 2024. If your court did not implement the tool by the end of the reporting period, report \$0 in this section.</p>
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Column AH: Online ATP Revenue Nondelinquent

Enter gross revenue collected from the total outstanding amount due on nondelinquent ATP cases processed through the online tool (MyCitations) established by Government Code section 68645.

Column AI: Online ATP Revenue Delinquent

Enter gross revenue collected from the total outstanding amount due on delinquent ATP cases processed through the online tool (MyCitations) established by Government Code section 68645.

Column AJ: Online ATP Revenue Combined

This cell is self-populating, no data entry required.

Column AK: In-Person (Paper Form) ATP Revenue Nondelinquent

Enter gross revenue collected from the total outstanding amount due on nondelinquent ATP cases processed in-person, using a paper form, or other methods aside from the online (MyCitations) tool.

Column AL: In-Person (Paper Form) ATP Revenue Delinquent

Enter gross revenue collected from the total outstanding amount due on delinquent ATP cases processed in-person, using a paper form, or other methods aside from the online (MyCitations) tool.

Column AM: In-Person (Paper Form) ATP Revenue Combined

This cell is self-populating, no data entry required.

Column AN: Online ATP Cases w/Installment Payments Nondelinquent

Enter the number of nondelinquent ATP cases with approved installment plans processed through the online tool (MyCitations) established by Government Code section 68645.2.

For example, if 124 cases are reported in Column AN, then the total reported in Column AO should be \$4,340 (124 x \$35 = \$4,340). If the costs claimed is less than \$35 per approved installment plan, indicate the adjusted amount in the Performance Report.

Column AO: Online ATP Installment Costs Claimed Nondelinquent

Enter the administrative cost (up to \$35 per case) for nondelinquent ATP cases with approved installment plans processed through the online tool established by Government Code section 68645.2.

Column AP: In-Person (Paper Form) ATP Cases w/Installment Payments Nondelinquent

Enter the number of nondelinquent ATP cases with approved installment plans processed in-person, using a paper form, or other methods aside from the online (MyCitations) tool.

Column AQ: In-Person ATP Installment Costs Claimed Nondelinquent

Enter the administrative cost (up to \$35 per case) for nondelinquent ATP cases with approved installment plans processed in-person, using a paper form, or other methods aside from the online tool established by Government Code section 68645.2.

Victim Restitution

This section captures the ending balances (number and value of cases) from prior year and values for the current reporting period for victim restitution.

In rows 33–40, enter transactions that occurred during the reporting period concerning restitution owed to a victim by court order under Penal Code section 1202.4(f). Victim restitution should not be reported in rows 3–10 and 12–19. Administrative fees repealed by law and formerly reported in this section should be deducted from the balance reported in Column AS.

Column AR: Number of Cases (Ending Balance from Prior Year)

The Beginning Balance should include the number of cases of all delinquent outstanding victim restitution (case inventory) reported as the Number of Cases-Ending Balance on the previous year's report.

Column AS: Value of Cases (Ending Balance from Prior Year)

The Beginning Balance should include the value of cases of all delinquent outstanding victim restitution (case inventory) that were reported as Value of Cases-Ending Balance on the previous year's report.

Column AT: Number of Cases Established/ Referred/ Transferred in Period

Enter the total net number of newly established, referred, or transferred victim restitution cases for the reporting period. Cases that were previously established, but never referred to collections, are considered new and should be reported in column AP.

Column AU: Value of Cases Established/ Referred/ Transferred in the Reporting Period

Enter the total net value of new victim restitution cases identified in Column AT that were established, referred, or transferred during the reporting period.

Column AV: Gross Revenue Collected

Enter the total amount of restitution owed to a victim by court order under Penal Code section 1202.4(f) collected by each collections program during the reporting period. Report non-delinquent restitution collections in row 33.

Column AW: Balance Modifications

Enter the net changes in the balance of restitution orders resulting from means other than payment. This may include court orders increasing or reducing the total amount of restitution owed by a defendant, including the elimination of restitution orders. Modifications that reduce the balance shall be entered as a positive number, while increases shall be entered as a negative value.

Column AX: Change in Value

Column AX captures the value of column AU, less the amounts shown in columns AV and AW (this field is formula-driven, so no separate calculation or entry is required).

Column AY: Number of Cases Ending Balance

Include the number of cases of all delinquent outstanding victim restitution (new and inventory).

Column AZ: Value of Cases Ending Balance

The ending balance in column AZ should equal the beginning balance in column AS plus the value of newly established cases reported in Column AU, less the gross amount collected in Column AV and reduced via modification in Column AW ($AZ = AS + AU - AV - AW$).

Column BA: Error Messages

These rows are blank unless errors are detected in the worksheet. If error messages are present, please correct the identified error or explain in Performance Report.

Quality Checklist

Confirm that the data reported complies with the stated specification. (See Quality Checklist Tab.) For boxes left unchecked, please explain in the Program Report worksheet.

Signature Block

Print the names, dates, and job titles of the authorized signatures from the court representative *and* county representative on the Annual Financial Report worksheet. Obtain signatures (electronic signatures are acceptable) from authorized representatives.

Submitting the Collections Reporting Template
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Print all completed, final worksheets in the Collections Reporting Template and e-mail the final, signed PDF report and the Excel workbook to collections@jud.ca.gov

If you have any questions about the Collections Reporting Template, please send them to collections@jud.ca.gov.

EXAMPLE: HOW TO FILL OUT THE CRT

Case information: A citation is filed and court mails courtesy notice. Individual fails to appear in court or make a payment on the due date and \$720 case is established as delinquent. Individual fails to respond to two delinquency notices and three attempted telephone calls. Case is referred to a private vendor for collections (15% commission). Individual is located via skip tracing, agrees to an installment agreement. As signed, the individual agrees to a \$60.00, 12-month installment plan. Individual makes two installment payments during the reporting period. No activity or other payment arrangements on the record, the plan is not reinstated by collections program at year end. **At the end of the fiscal year, report data as follows on CRT:**

Step by Step:	Worksheet:	Column/Category:	What to Input?
A citation is filed and court mails courtesy notice.			No entry needed. Case is not delinquent.
Individual fails to appear in court or make a payment on the due date and the \$720 case is established as delinquent.	Annual Financial Report	Col. B, Row 6 Col. C, Row 6	Report 1 Report \$720
Individual fails to respond to two delinquency notices and three attempted telephone calls. In Item 6a: report one (1) in each Category regardless of the number of notices mailed or telephone calls attempted.	Contact and Other Information Sheet Annual Financial Report	Item 6a, Category 1 Item 6a, Category 2 Item 7, Category 1, 2 Column F, Row 4	Report <u>one</u> (1) Report <u>one</u> (1) Report actual costs* Report actual costs* (Include staff salary, paper, postage, phone bill, etc.)
Case is referred to a private vendor for collections. (15% commission) In Item 6b: report one (1) in Category 3, regardless of the number of cases reported in 6a.	Contact and Other Information Sheet Annual Financial Report	Item 6a, Category 8 Item 6b, Category 3 Item 7, Category 8 Column F, Row 6	Report one (1) Report one (1) Report -\$18 Report -\$18
Individual is located via skip tracing, agrees to an installment agreement.	Contact and Other Information Sheet		No entry needed. Skip tracing costs included in private vendor costs.
As signed, the individual agrees to a \$60.00, 12-month installment plan. Individual makes two installment payments, in the reporting period to the private vendor.	Contact and Other Information Sheet Annual Financial Report	Item 5, Category 8 Col. D, Row 6 Col. E, Row 6 Col. J, Row 6	Report \$120 Report one (1) Report \$120 Report \$720
No activity or other payment arrangements on the record, the plan is not reinstated by collections program at year end.	Annual Financial Report	Col. K, Row 6	Report \$600

Crosswalk

GC § 68514 Item	Description	CRT Worksheet	Column
1	Non-delinquent revenue, number of cases	Annual Financial Report	D, E, O, P
2	Delinquent revenue, number of cases	Annual Financial Report	D, E, O, P
3	Fine and fees dismissed, discharged, satisfied by other means	Annual Financial Report	G, H, R, S
4	Collection activities used pursuant to PC 1463.007	Program Report	Item 4
5	Total amount collected per collection activity	Contact sheet	Item 5
6	Total number of cases by collection activity, individuals associated	Contact sheet	Item 6a, 6b
7	Total operating costs per collection activity	Contact sheet	Item 7
8	Percentage of fines and fees defaulted on	Annual Financial Report	J, K, U, V
9	Extent best practices and performance measures/benchmarks met	Program Report Annual Financial Report	AI, AJ, AK
10	Changes necessary to improve performance	NA	NA

Collections Reporting Template Glossary

Accounts Receivable (A/R): An accounts receivable is a set of account receivables if paid in installments, that are not paid forthwith.

Adjustments: An adjustment is any change in the total of debt due after the initial determination of the amount of outstanding delinquent debt. Non-cash adjustments include the suspension of all or a portion of bail, fines, fees, penalties, forfeitures, or assessments. Alternative payments may include community service in lieu of a fine and post sentence service of time in custody in lieu of fine; dismissals include dismissing all or a portion of the debt. Cash adjustments include fees added for payment by an insufficient funds check (NSF) or a correction to the initial assessment amount.

Alternative Sentence: This refers to a different option for resolving court-ordered debt, such as community service in lieu of bail or fines, designed for an individual who demonstrates an inability to pay.

Case: For the purposes of the Collections Reporting Template, a case is a set of official court documents filed in connection with an infraction, misdemeanor, or felony violation. A case may include multiple violations but is filed as one case.

Community Service: This refers to the hours of service that are converted to a monetary value and applied to the fines, fees, forfeitures, penalties, and assessments and reduce the imposed amount.

Comprehensive Collection Program: A program that collects eligible delinquent court-ordered fines, fees, forfeitures, penalties, and assessments on infraction, misdemeanor, and felony cases, as authorized by Penal Code section 1463.007.

Continuance: A continuance is the postponement of a hearing, trial, or other scheduled court proceeding at the request of either or both parties in a court dispute, or by the judge. For purposes of the Collections Reporting Template, a continuance is the postponement, stay, or withholding of payment under certain conditions for a temporary period.

Cost of Collections: The costs of operating a collections program that are allowed to be offset against collected delinquent revenues prior to distribution under Penal Code section 1463.007.

County Collection Program: A collection program administered by the county.

Court Collection Program: A collection program administered by the local superior court.

Default: A default occurs when an individual fails to make a payment on the date specified by a court or as agreed to under the terms and conditions of an installment payment or accounts receivable (A/R) plan set by a court or collecting entity. For purposes of complying with GC68514, Item 8, a delinquent account that is set-up on an installment payment plan as part of the collections process is considered “defaulted on” if the individual fails to fulfill their payment obligation (i.e., payment(s) are not made as promised based on agreement terms) and the plan was not reinstated, at the end of the fiscal year.

Delinquent Account: A delinquent account results when an individual has not appeared in court as promised or has not complied with a court order for payment of fines, fees, penalties, forfeitures, and assessments. For cost recovery, once the debt becomes delinquent, it continues to be delinquent and may be subject to collection by a comprehensive collection program. An account is considered delinquent the day after the payment is due.

Discharged Account: An account that has been deemed uncollectible and discharged from accountability. The actual discharge is based on established criteria by an authorized body, pursuant to Government Code sections 25257–25259.95.

Dismissal: A judgment that disposes a matter in a case. For the purposes of the Collections Reporting Template, this term refers to a criminal action dropped without settling the involved issues or based on statutory change. The initial court-ordered debt no longer exists.

Enhanced Collections: Enhanced collections are non-forthwith collection activities related to enhancing collection programs where costs are incurred and paid directly by or reimbursed by the county and are not cost recoverable. These collections are also included in the Collections Reporting Template.

Forthwith Payments: This collections category involves payment on the same day as the court order and generally involves no “extra cost” because the account is paid in full. Forthwith payments are distinguished from enhanced collections primarily by the timing of the payments. Any of these associated costs should not be reported as an enhanced or delinquent collection cost. Forthwith payments are included, together with nondelinquent installment payments, as a separate category on the Collections Reporting Template. Installment and accounts receivable plans are not forthwith payments.

Franchise Tax Board Court-Ordered Debt (FTB-COD) Program: The Franchise Tax Board collection program authorized under Revenue and Taxation Code section 19280.

Franchise Tax Board Interagency Intercept Collections (FTB-IIC) Program: A program of the Franchise Tax Board authorized by Government Code section 12419.10(a)(1) to collect court-ordered fines, fees, forfeitures, assessments, and penalties from Franchise Tax Board refunds, unclaimed property, or California State Lottery winnings. Report collections information related to the IIC program in rows 9 and 18 and not in “Other”.

Gross Revenue Collected: Monies collected toward the satisfaction of a court-ordered debt by collection programs prior to any reductions.

Installment Payment: A scheduled payment agreed upon by the defendant and the court or county collection program. Generally, cost recovery does not apply when an individual is paying a fine, fee, penalty, assessment, or forfeiture through time payments unless the account is delinquent. A delinquent account may be reinstated to installment payments, and costs associated with collection activities on this reinstated account are eligible for cost recovery. A court or county may claim costs associated with the administration of a nondelinquent installment plan processed through the online ability-to-pay tool or paper form (Govt. Code, Section 68645.2). Claimed costs shall not exceed thirty-five (\$35) dollars per approved nondelinquent installment plan.

Intra-branch Program: An Intra-branch Program is a court, or a county collection service provided under a written Memorandum of Understanding (MOU) to another court or county.

Net Revenue: Gross revenue collected less any reductions (i.e., allowable cost offsets pursuant to Penal Code section 1463.007).

Nondelinquent Collections: All nondelinquent revenue collected during the reporting period, including bail forfeitures, forthwith payments, and current payments made on accounts receivables and installment payment plans; recorded on row 3, column D of the Annual Financial Report worksheet.

“Other” Program: This refers to the “Other” row, rows 10 and 19 of the Annual Financial Report worksheet and captures revenue that cannot be broken out or attributed to a single collecting entity (e.g., court, county, private agency, the FTB or an Intra-branch Program). Any amount reported on this row should be explained in the Program Report worksheet.

Penal Code section 1463.007: This statute specifies the criteria for a comprehensive collection program and allows the county and/or court to deduct, and deposit in the county treasury or trial court operations fund, the cost of operating a comprehensive collection program prior to distributing revenues to other governmental entities.

Private Agency: A private entity employed or contracted to collect court-ordered fines, fees, forfeitures, assessments, and penalties.

Referral: A referral is a newly established delinquent court-ordered debt submitted to a collection program during the reporting period.

Suspensions: Amounts that are reduced or eliminated because of a judicial order.

Value of Cases: The value of a case is the amount of court-ordered debt that is owed and is deemed collectible. For closed cases, the value is the sum of (gross) debt collected, dismissals, alternative payments, suspensions, and discharged accounts.

Victim Restitution: Victim restitution is an amount that is owed to a victim who incurs any economic loss because of a crime and that is payable directly from a defendant convicted of the crime as a condition of probation; see Penal Code section 1202.4(f). The restitution fine under Penal Code section 1202.4(b) is also court-ordered, but it is not paid directly to the victim.