



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS  
770 L Street, Suite 1240 • Sacramento, California 95814-3368  
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

STEVEN JAHR  
*Administrative Director of the Courts*

CORY T. JASPERSON  
*Director, Office of Governmental Affairs*

March 20, 2014

Hon. Steve Fox  
Member of the Assembly  
State Capitol, Room 3132  
Sacramento, California 95814

Subject: AB 2085 (Fox), as introduced - Oppose  
Hearing: Assembly Public Safety Committee – March 25, 2014

Dear Assembly Member Fox:

The Judicial Council regrettably opposes AB 2085, which authorizes a court or county to establish an amnesty program for fines and bail due on or before January 1, 2012 for specified infraction and misdemeanor violations of the Vehicle Code and Penal Code, on or after January 1, 2015. The bill also authorizes the court or county, in addition to and at the same time as that amnesty program, to establish an amnesty program for specified misdemeanor violations due on or before January 1, 2012, if certain conditions are met.

The Judicial Council opposes AB 2085 for several reasons: (1) not enough time has passed since the 2012 amnesty program which sends an unintended message that individuals do not need to take traffic and other enumerated violations seriously; (2) the program upon which this effort is predicated was only marginally successful in retiring delinquent debt; (3) the bill allows courts or counties to initiate the program without the consent of the other and at differing times throughout the state; and (4) neither the courts nor the Judicial Council's staff at the Administrative Office of the Courts (AOC) has the human or financial resources to implement and oversee such a program.

The council is concerned that another effort close on the heels of the 2012 program creates a disincentive for Californians to believe that their actions in violation of the enumerated code sections in fact carry the penalties that the Legislature has placed into law. Moreover, the 2012 amnesty program was part of a larger, more comprehensive and strategic effort by the courts and counties to identify and retire old, hard-to-collect debt. The amnesty program was not intended to be a stand-alone effort. Rather, it was part of a multi-faceted approach one to address the \$7.9 billion that courts and counties determined remained uncollected.

Despite significant outreach, communications, messaging and participation from all courts, the 2012 amnesty program was, unfortunately, only marginally successful. Of the \$1.86 billion identified as eligible debt potentially collectible under the amnesty program, that debt was only reduced by \$29 million and the net gain to courts and counties was only \$12, 270,950. The Los Angeles Superior Court, for example, collected \$5,821,722 at a cost to the court of about 10% of that amount, or \$546,425. The Superior Courts of San Mateo, Santa Barbara, and Solano, however, all lost money in the effort. In the report by the council to the Legislature at the conclusion of the program, more courts reported that they would prefer to not undertake an amnesty program again than said they would want to.

Further, as currently written the bill would allow a county to initiate amnesty programs without the consent of the court and at different time periods. Courts bear the burden of funding the up-front costs of amnesty programs. The bill also requires the Judicial Council to develop guidelines for courts and counties about the program which result in the AOC advising courts and counties as programs are established. For the 2012 amnesty program the AOC developed outreach materials for use in the statewide amnesty program. The AOC also coordinated with local public information officers to assist with community outreach. The media tools were available on the Judicial Council's website to ensure wide access for courts, county personnel, and justice partners. Finally, the AOC responded to voluminous telephone and e-mail inquiries from the public about eligibility, payment options, and clarification of the jurisdiction of their traffic citations. All of these efforts implicate expenses that neither the courts nor the Judicial Council and the AOC are in a financial position to absorb. The courts are suffering from nearly six straight years of reductions. Cuts to the trial courts are in excess of \$1.2 billion since 2007; the courts have lost over 55% of the General Fund dollars they previously received to execute their programs. The AOC, likewise, has suffered financially, losing nearly 30% of its staffing and continues to operate on reduced work schedules (mandatory furloughs).

Hon. Steve Fox  
March 20, 2014  
Page 3

For these reasons, the Judicial Council regretfully opposes AB 2085.

Sincerely,

A handwritten signature in black ink, reading "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly  
Senior Attorney

SR/yc-s

cc: Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS  
770 L Street, Suite 1240 • Sacramento, California 95814-3368  
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

STEVEN JAHR  
*Administrative Director of the Courts*

CORY T. JASPERSON  
*Director, Office of Governmental Affairs*

March 20, 2014

Hon. Tom Ammiano, Chair  
Assembly Public Safety Committee  
State Capitol, Room 3146  
Sacramento, California 95814

Subject: AB 2085 (Fox), as introduced - Oppose  
Hearing: Assembly Public Safety Committee – March 25, 2014

Dear Assembly Member Ammiano:

The Judicial Council regrettably opposes AB 2085, which authorizes a court or county to establish an amnesty program for fines and bail due on or before January 1, 2012 for specified infraction and misdemeanor violations of the Vehicle Code and Penal Code, on or after January 1, 2015. The bill also authorizes the court or county, in addition to and at the same time as that amnesty program, to establish an amnesty program for specified misdemeanor violations due on or before January 1, 2012, if certain conditions are met.

The Judicial Council opposes AB 2085 for several reasons: (1) not enough time has passed since the 2012 amnesty program which sends an unintended message that individuals do not need to take traffic and other enumerated violations seriously; (2) the program upon which the this effort is predicated was only marginally successful in retiring delinquent debt; (3) the bill allows courts or counties to initiate the program without the consent of the other and at differing times throughout the state; and (4) neither the courts nor the Judicial Council's staff at the Administrative Office of the Courts (AOC) has the human or financial resources to implement and oversee such a program.

The council is concerned that another effort close on the heels of the 2012 program creates a disincentive for Californians to believe that their actions in violation of the enumerated code sections in fact carry the penalties that the Legislature has placed into law. Moreover, the 2012 amnesty program was part of a larger, more comprehensive and strategic effort by the courts and counties to identify and retire old, hard-to-collect debt. The amnesty program was not intended to be a stand-alone effort. Rather, it was part of a multi-faceted approach one to address the \$7.9 billion that courts and counties determined remained uncollected.

Despite significant outreach, communications, messaging and participation from all courts, the 2012 amnesty program was, unfortunately, only marginally successful. Of the \$1.86 billion identified as eligible debt potentially collectible under the amnesty program, that debt was only reduced by \$29 million and the net gain to courts and counties was only \$12, 270,950. The Los Angeles Superior Court, for example, collected \$5,821,722 at a cost to the court of about 10% of that amount, or \$546,425. The Superior Courts of San Mateo, Santa Barbara, and Solano, however, all lost money in the effort. In the report by the council to the Legislature at the conclusion of the program, more courts reported that they would prefer to not undertake an amnesty program again than said they would want to.

Further, as currently written the bill would allow a county to initiate amnesty programs without the consent of the court and at different time periods. Courts bear the burden of funding the up-front costs of amnesty programs. The bill also requires the Judicial Council to develop guidelines for courts and counties about the program which result in the AOC advising courts and counties as programs are established. For the 2012 amnesty program the AOC developed outreach materials for use in the statewide amnesty program. The AOC also coordinated with local public information officers to assist with community outreach. The media tools were available on the Judicial Council's website to ensure wide access for courts, county personnel, and justice partners. Finally, the AOC responded to voluminous telephone and e-mail inquiries from the public about eligibility, payment options, and clarification of the jurisdiction of their traffic citations. All of these efforts implicate expenses that neither the courts nor the Judicial Council and the AOC are in a financial position to absorb. The courts are suffering from nearly six straight years of reductions. Cuts to the trial courts are in excess of \$1.2 billion since 2007; the courts have lost over 55% of the General Fund dollars they previously received to execute their programs. The AOC, likewise, has suffered financially, losing nearly 30% of its staffing and continues to operate on reduced work schedules (mandatory furloughs).

Hon. Tom Ammiano  
March 20, 2014  
Page 3

For these reasons, the Judicial Council regretfully opposes AB 2085.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Reilly". The signature is written in black ink and is positioned above the printed name and title.

Sharon Reilly  
Senior Attorney

SR/yc-s

cc: Members, Assembly Public Safety Committee  
Hon. Steve Fox, Member of the Assembly  
Mr. Shaun Naidu, Counsel, Assembly Public Safety Committee  
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor  
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS  
770 L Street, Suite 1240 • Sacramento, California 95814-3368  
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

STEVEN JAHR  
*Administrative Director of the Courts*

CORY T. JASPERSON  
*Director, Office of Governmental Affairs*

April 15, 2014

Hon. Bonnie Lowenthal  
1020 N Street, Rm 112  
Sacramento, California 95814

Subject: AB 2085 (Fox), as amended March 19, 2014 – Removal of Opposition  
Hearing: Assembly Transportation Committee – April 21, 2014

Dear Assembly Member Lowenthal:

I am pleased to inform you that in light of the March 19, 2014 amendments to AB 2085, the Judicial Council no longer opposes the bill. As amended, the bill now provides that a proposed amnesty program for fines and bail may be established in each county only upon the agreement of the court and the county. This new language appropriately allows for coordination of the timing of amnesty programs between the courts and their counties, and addresses the Judicial Council's concern that the bill as introduced would have permitted counties or courts to initiate amnesty programs independently of one another. The amendments also delay the start date of the amnesty program by one year from January 1, 2015 to January 1, 2016, which addresses the Judicial Council's concern that not enough time had passed since the 2012 amnesty program. Finally, the amendments place a time limit in which courts and counties may initiate the program, which addresses the Judicial Council's concern that the bill would have permitted courts and counties to conduct amnesty programs at different times rather than coordinated approach used in the 2012 amnesty program.

Hon. Bonnie Lowenthal

April 15, 2014

Page 2

For these reasons, the Judicial Council has removed its opposition to AB 2085. The Judicial Council looks forward to continuing to work with the author to identify sources for the up-front funding of the proposed amnesty program.

Sincerely,

A handwritten signature in black ink, reading "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly  
Senior Attorney

SR/yc-s

cc: Members, Assembly Public Safety Committee  
Hon. Steve Fox, Member of the Assembly  
Mr. Shaun Naidu, Counsel, Assembly Public Safety Committee  
Mr. Manny Leon, Senior Consultant, Assembly Transportation Committee  
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor  
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy