



# JUDICIAL COUNCIL OF CALIFORNIA

JUDICIAL BRANCH BUDGET  
COMMITTEE

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## JUDICIAL BRANCH BUDGET COMMITTEE

### NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** February 16, 2022  
**Time:** 8:00 a.m. – 9:00 a.m.  
**Public Videocast:** <https://jcc.granicus.com/player/event/1629>

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [JBBC@jud.ca.gov](mailto:JBBC@jud.ca.gov).

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

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##### Call to Order and Roll Call

##### Approval of Minutes

Approve minutes of the December 7, 2021, Judicial Branch Budget Committee meeting.

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#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [JBBC@jud.ca.gov](mailto:JBBC@jud.ca.gov) attention: Angela Cowan. Only written comments received by 8 a.m. on Tuesday, February 15, 2022, will be provided to advisory body members prior to the start of the meeting.

**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-2)**

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**Item 1**

**Allocations for Court-Appointed Counsel and Juvenile Dependency Counsel Collections Program Funds**

Consideration of Trial Court Budget Advisory Committee recommendation on three separate allocations for Court Appointed Counsel funding including the allocation of \$1,144,748 in Juvenile Dependency Counsel Collections Program funds collected in FY 2020-21, the reallocation of an estimated \$878,001 in unspent trial court funding for court-appointed counsel in dependency cases for FY 2021-22; and the allocation of \$1,543,180 in new Family First Prevention Services Act federal pass-through funding.

Presenter(s)/Facilitator(s): Hon. Jonathan B. Conklin, Chair, Trial Court Budget Advisory Committee  
Ms. Rebecca Fleming, Cochair, Trial Court Budget Advisory Committee  
Ms. Kelly Meehleib, Supervising Analyst, Judicial Council Center for Families, Children & the Courts  
Ms. Vida Terry, Senior Analyst, Judicial Council Center for Families, Children & the Courts

**Item 2**

**Collections Performance Measures and Benchmarks**

Consideration of a recommendation to approve revised performance measures and benchmarks required pursuant to Penal Code section 1463.010(c) in reports to the legislature and for use by court and county collections programs.

Presenter(s)/Facilitator(s): Donna Newman, Supervisor, Judicial Council Budget Services  
Maria Lira, Senior Fiscal Analyst, Judicial Council Budget Services

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**IV. ADJOURNMENT**

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**Adjourn**

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
**Report to the Judicial Branch Budget Committee**  
Discussion and Possible Action Item 1

**Title:** 2021-22 Allocations for Juvenile Dependency Counsel Collections Program, Court-Appointed Counsel Mid-Year Funding Reallocation, and Family First Prevention Services Act Funding Augmentation

**Date:** 2/9/2022

**Contact:** Kelly Meehleib, Supervising Analyst, Judicial Council Center for Families, Children & the Courts | [kelly.meehleib@jud.ca.gov](mailto:kelly.meehleib@jud.ca.gov) | 916-263-1693

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### **Issue**

Consideration of Trial Court Budget Advisory Committee (TCBAC) recommendations<sup>1</sup> on three separate allocations for Court Appointed Counsel funding including the allocation of \$1,144,748 in Juvenile Dependency Counsel Collections Program (JDCCP) funds collected in 2020-21, the reallocation of an estimated \$878,001 in unspent trial court funding for court-appointed counsel in dependency cases for 2021-22; and the allocation of \$1,543,180 in new Family First Prevention Services Act federal pass-through funding.

### **Background**

#### **Juvenile Dependency Counsel Collections Program**

At its October 26, 2012 meeting, the Judicial Council adopted the JDCCP guidelines<sup>2</sup> which fulfilled the council's legislative mandate to establish a program to collect reimbursement from parents or minors demonstrating an ability to pay.<sup>3</sup> Additional amendments were adopted by the council at its August 23, 2013 meeting regarding the issue of equitable allocation of funds remitted through the JDCCP.<sup>4</sup> The council then allocated funds remitted through the JDCCP

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<sup>1</sup> Trial Court Budget Advisory Committee Action by Email vote on February 10, 2022.

<sup>2</sup> The guidelines took effect January 1, 2013 and are published as Appendix F of the California Rules of Court. See [www.courts.ca.gov/documents/appendix\\_f.pdf](http://www.courts.ca.gov/documents/appendix_f.pdf).

<sup>3</sup> Judicial Council of Cal., *Juvenile Dependency: Counsel Collections Program* (Sept. 14, 2012), [www.courts.ca.gov/documents/jc-20121026-itemA20.pdf](http://www.courts.ca.gov/documents/jc-20121026-itemA20.pdf).

<sup>4</sup> Judicial Council of Cal., *Juvenile Dependency: Counsel Collections Program Guidelines* (Aug. 15, 2013), <http://www.courts.ca.gov/documents/jc-20130823-itemF.pdf>.

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for the first time since the JDCCP's inception at its February 20, 2014 council meeting.<sup>5</sup> In subsequent years the council has allocated available funds to eligible trial courts annually.

The estimates of courts' funding needs are computed using the dependency workload model approved by the council in April 2016 and updated in July 2016.<sup>6</sup> The current base allocation for court-appointed dependency counsel is \$156.7 million—less than the estimated need.

In 2020-21, the trial courts remitted a total of \$1,144,748, excluding monies recovered to offset their cost of collections and dependency counsel program administrative costs, under the JDCCP and as directed in statute to the Trial Court Trust Fund (TCTF). These monies are part of the restricted TCTF fund balance available for use in 2021-22 and beyond. Statute requires the Judicial Council to allocate the monies remitted to the trial courts for use to reduce court-appointed attorney caseloads to the council's approved standard.

For a court to be eligible to receive an allocation of these funds, it must meet the participation and funding need requirements described in section 14 of the JDCCP guidelines.<sup>7</sup> Every court that has satisfied those requirements receives an allocation. Each eligible court's allocated share of the JDCCP funds is equivalent to its share of the aggregate funding need of all the eligible courts. Attachment 1A displays the recommended allocation amount for each court.

#### **Court Appointed Counsel Mid-Year Funding Reallocation**

At its April 17, 2015 business meeting, the council approved a methodology for reallocating funds unspent by courts for court-appointed counsel in dependency cases.<sup>8</sup> The approved methodology provided a four-year reallocation process to bring all courts to an equivalent percentage of workload met by available statewide funding.

Trial courts whose spending patterns at midyear indicate they may not spend their full 2021-22 allocations were identified and contacted through a survey questionnaire. Of those courts, four confirmed that they would not spend the full allocation and provided an estimate of unspent funding. Attachment 1B shows the total estimate, \$878,001, and reallocation. Under the reallocation methodology adopted at the April 17, 2015 Judicial Council meeting, funds are

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4 Judicial Council of Cal., *Trial Court Allocations: Criminal Justice Realignment, Court-Appointed Dependency Counsel and Workers' Compensation Liabilities* (Feb. 10, 2014), <http://www.courts.ca.gov/documents/jc-20140220-itemJ.pdf>.

<sup>6</sup> Judicial Council of Cal., *Juvenile Dependency: Court-Appointed Dependency Counsel Workload and Funding Methodology* (Apr. 1, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4382676&GUID=E8BCCA8A-5DED-48C3-B946-6E21EBB0BEAF>.

<sup>7</sup> As described in section 14 of the JDCCP guidelines, a court demonstrates its participation in the program by submitting an annual report required by section 13 of the program guidelines and adopting a rule or policy to inquire regarding a responsible person's ability to reimburse the cost of appointed counsel at each dispositional hearing.

<sup>8</sup> Judicial Council of Cal., *Juvenile Dependency: Court-Appointed-Counsel Funding Reallocation* (Apr. 8, 2015), <http://www.courts.ca.gov/documents/jc-20150417-itemI.pdf>.

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reallocated proportionally by workload to courts that both did not remit unspent funds and had unmet need.

Additionally, to ensure use of the reallocation funds, eligible trial courts were contacted to confirm the court's ability to completely expend during the fiscal year. Declined funds were placed back in the pool and reallocated to those courts eligible and accepting additional funds. Contract augmentations will be processed for dependency representation providers in the Dependency Representation Administration Funding and Training (DRAFT) program. DRAFT was implemented to address critical trial court needs with respect to attorney quality, availability, and cost through the establishment of partnerships between participating courts and the Judicial Council. There are twenty courts participating in the DRAFT program; under DRAFT, courts retain responsibility for juvenile dependency counsel selection while the Judicial Council is responsible for direct attorney contracting and service administration. Primary components of DRAFT include the execution of standardized appointed counsel contracts, and the development and promulgation of attorney performance and training standards. In previous years many courts declined reallocation of funds because they would be unable to amend contracts with dependency attorneys so late in the fiscal year. On an annual basis, approximately 2 percent of court-appointed funds are unspent at the end of the fiscal year.

**Family First Prevention Services Act funding**

In 2018, the federal Family First Prevention Services Act (FFPSA) was signed into law. Part IV of the legislation addresses steps that participating states must take to safely reduce the inappropriate use of congregate care for children. Assembly Bill 153 (Stats. 2021, ch. 86) implemented part IV of the federal FFPSA, with an effective date of October 1, 2021. The bill created a new court hearing for the juvenile court to approve or disapprove any new placement of a child or nonminor dependent in a short-term residential therapeutic program. At its October 1, 2021 business meeting, the council enacted rules and forms to effectuate the new juvenile court hearing, to approve or disapprove any new placement of a child or nonminor dependent in a short-term residential therapeutic program, created through AB 153.<sup>9</sup>

In January 2022, Judicial Council staff were notified by the California Department of Social Services (CDSS) that federal funding is available annually to support legal activities by attorneys representing children and their parents at a new juvenile court hearing to approve or disapprove any new placement of a child or nonminor dependent in a short-term residential therapeutic program, held under AB 153 and that 2021–2022 funds must be spent by the end of the fiscal year. Beginning 2021–22 and annually thereafter, the judicial branch will receive \$1,543,180 in pass-through federal Title IV-E funds to support attorney representation costs associated with the new juvenile court hearing implemented in AB 153. Due to the timing these funds became

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<sup>9</sup> Judicial Council of Cal., *Juvenile Law: Short-Term Residential Therapeutic Program Placement* (Sep. 3, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9836129&GUID=8EBE3EA7-8AAE-474C-A816-B0799C581D55>.

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available to the branch for 2021–22, TCBAC requests that the committee recommends allocating the \$1,543,180 to eligible courts according to the court-appointed counsel reallocation methodology adopted at the April 17, 2015 Judicial Council business meeting. Attachment 1B includes allocation amounts for each eligible court.

Because of the timing of the FFPSA funding augmentation TCBAC elected to propose allocation to those courts indicating a need for additional funds this fiscal year. TCBAC will consider a methodology for ongoing allocation of these funds, including utilizing the regular court appointed counsel methodology adopted at the April 15, 2016 Judicial Council business meeting.

**Recommendation**

It is recommended that the Judicial Branch Budget Committee approve the TCBAC recommendation of three allocations for Court Appointed Counsel funding for consideration by the Judicial Council at its March 11-12, 2022 business meeting:

1. Allocate \$1,144,748, the 2020-2021 Juvenile Dependency Counsel Collections Program (JDCCP) Funds<sup>10</sup> as shown in Attachment 1A; and
2. Allocate 2021-2022 Trial Court Allocations of \$878,001 Estimated Unspent Funding as shown in Attachment 1B.
3. Allocate 2021–2022 Family First Prevention Services Act (FFPSA) augmentation funding of \$1,543,180 as shown in Attachment 1B contingent upon actual receipt of the funding.

**Attachments**

Attachment 1A: Recommended 2021-22 Trial Court Allocations of \$1,144,748 in Juvenile Dependency Counsel Collections Program Funds

Attachment 1B: Recommended 2021-2022 Trial Court Allocations of \$878,001 Estimated Unspent Funding and \$1,543,180 in FFPSA Funding

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<sup>10</sup> JDCCP funds in Attachment 1A were collected in 2020-21.

Court	Estimated Funding Need (JC Report - July 2021)	Estimated Funding Need as Percentage of Statewide Need (Col. A Total)	Allocation of Court Appointed Counsel (CAC) Base Funding in 2021-22	Allocation as a Percentage of Total CAC Base Funding in 2021-22 (Col. C Total)	Court is under funded	Court participates in program 20-21	Eligible for JDCCP Funding <sup>1</sup>	Funding Need of Eligible Courts (Col. A when Col. E equals "Y")	Need as a % of Total Need of Eligible Courts (Col. H Total)	Recommended Allocation of 2021 JDCCP Collections (Col. H x \$1,394,264)	JDCCP Allocations Through 2020-21	JDCCP Distributions Through December 2021	JDCCP Allocations Through December 2021
Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G	Col. H	Col. I	Col. J	Col. K	Col. L	Col. M	
Alameda	\$4,075,144.37	2.01%	\$3,348,651.79	2.01%	Y	N	N	-	0.00%	-	-	-	-
Alpine*	15,512.81	0.01%	19,616.17	0.01%	N	N	N	-	0.00%	-	-	-	-
Amador	151,319.25	0.07%	128,300.66	0.08%	Y	N	N	-	0.00%	-	-	-	-
Butte	1,061,873.27	0.52%	872,568.80	0.52%	Y	Y	Y	1,061,873.27	0.79%	8,987.84	39,994.46	-	39,994.46
Calaveras	191,017.94	0.09%	189,009.52	0.11%	Y	N	N	-	0.00%	-	13,816.45	-	13,816.45
Colusa†	100,498.84	0.05%	112,668.35	0.07%	N	N	N	-	0.00%	-	293.14	-	293.14
Contra Costa	3,248,232.10	1.60%	2,651,023.73	1.59%	Y	N	N	-	0.00%	-	-	-	-
Del Norte	189,258.89	0.09%	214,730.47	0.13%	N	N	N	-	0.00%	-	-	-	-
El Dorado	704,974.23	0.35%	579,295.60	0.35%	Y	N	N	-	0.00%	-	-	-	-
Fresno	4,576,937.87	2.26%	3,735,438.41	2.24%	Y	N	N	-	0.00%	-	-	-	-
Glenn	136,523.35	0.07%	164,905.00	0.10%	N	N	N	-	0.00%	-	5,261.47	5,261.00	0.47
Humboldt	876,593.98	0.43%	715,426.54	0.43%	Y	N	N	-	0.00%	-	-	-	-
Imperial	814,882.02	0.40%	669,609.68	0.40%	Y	N	N	-	0.00%	-	-	-	-
Inyo	32,685.93	0.02%	41,561.71	0.02%	N	N	N	-	0.00%	-	-	-	-
Kern	3,367,431.72	1.66%	2,748,307.74	1.65%	Y	Y	Y	3,367,431.72	2.49%	28,502.41	142,792.33	111,084.00	31,708.33
Kings	846,627.25	0.42%	690,969.39	0.41%	Y	Y	Y	846,627.25	0.63%	7,165.97	50,477.75	47,114.00	3,363.75
Lake	210,846.11	0.10%	280,182.73	0.17%	N	N	N	-	0.00%	-	-	-	-
Lassen	128,015.73	0.06%	135,339.20	0.08%	N	Y	N	-	0.00%	-	-	-	-
Los Angeles	101,358,110.77	49.99%	82,722,770.21	49.62%	Y	Y	Y	101,358,110.77	74.94%	857,909.15	4,322,721.36	4,322,721.36	-
Madera	731,363.07	0.36%	643,573.02	0.39%	Y	N	N	-	0.00%	-	16,068.83	16,069.00	-
Marin	288,497.36	0.14%	288,497.36	0.17%	N	Y	Y	-	0.00%	-	-	-	-
Mariposa	65,070.37	0.03%	60,058.81	0.04%	Y	Y	N	65,070.37	0.05%	550.76	1,817.86	-	1,817.86
Mendocino	506,667.64	0.25%	529,357.35	0.32%	N	N	N	-	0.00%	-	-	-	-
Merced	1,095,654.64	0.54%	894,211.49	0.54%	Y	N	N	-	0.00%	-	32,783.77	-	32,783.77
Modoc	36,516.29	0.02%	52,854.79	0.03%	N	N	N	-	0.00%	-	-	-	-
Mono	20,508.15	0.01%	18,391.90	0.01%	Y	N	N	-	0.00%	-	103.62	104.00	-
Monterey	898,182.05	0.44%	738,059.48	0.44%	Y	N	N	-	0.00%	-	19,795.72	19,796.00	-
Napa	529,635.61	0.26%	435,215.31	0.26%	Y	N	N	-	0.00%	-	9,391.29	-	9,391.29
Nevada	185,040.57	0.09%	185,040.57	0.11%	N	N	N	-	0.00%	-	-	-	-
Orange	9,325,617.62	4.60%	7,611,042.85	4.57%	Y	N	N	-	0.00%	-	-	-	-
Placer	757,007.27	0.37%	622,052.50	0.37%	Y	Y	Y	757,007.27	0.56%	6,407.41	56,129.57	38,816.00	17,313.57
Plumas	116,804.02	0.06%	154,059.11	0.09%	N	N	N	-	0.00%	-	-	-	-
Riverside	9,094,598.21	4.49%	7,422,497.84	4.45%	Y	Y	Y	9,094,598.21	6.72%	76,977.94	697,956.28	2,445.00	695,511.28
Sacramento	5,987,569.22	2.95%	4,920,140.88	2.95%	Y	Y	Y	5,987,569.22	4.43%	50,679.62	-	-	-
San Benito	120,828.09	0.06%	99,287.57	0.06%	Y	Y	Y	120,828.09	0.09%	1,022.71	10,297.56	4,345.00	5,952.56
San Bernardino	15,984,841.42	7.88%	13,045,925.52	7.83%	Y	N	N	-	0.00%	-	242,055.83	2,641.00	239,414.83
San Diego	6,522,795.91	3.22%	5,323,537.93	3.19%	Y	Y	Y	6,522,795.91	4.82%	55,209.85	26,882.98	26,882.98	-
San Francisco	3,251,546.90	1.60%	2,671,880.40	1.60%	Y	N	N	-	0.00%	-	-	-	-
San Joaquin	3,293,434.65	1.62%	2,706,300.65	1.62%	Y	N	N	-	0.00%	-	-	-	-
San Luis Obispo	971,028.66	0.48%	797,919.43	0.48%	Y	N	N	-	0.00%	-	-	-	-
San Mateo	1,009,098.37	0.50%	829,202.30	0.50%	Y	Y	Y	1,009,098.37	0.75%	8,541.15	71,463.30	29,275.00	42,188.30
Santa Barbara	1,241,133.62	0.61%	1,012,943.22	0.61%	Y	N	N	-	0.00%	-	-	-	-
Santa Clara	4,171,606.67	2.06%	3,404,629.95	2.04%	Y	N	N	-	0.00%	-	-	-	-

Court	Estimated Funding Need (JC Report - July 2021) Col. A	Estimated Funding Need as Percentage of Statewide Need (Col. A Total) Col. B	Allocation of Court Appointed Counsel (CAC) Base Funding in 2021-22 Col. C	Allocation as a Percentage of Total CAC Base Funding in 2021-22 (Col. C Total) Col. D	Court is under funded Col. E	Court participates in program 20-21 Col. F	Eligible for JDCCP Funding <sup>1</sup> Col. G	Funding Need of Eligible Courts (Col. A when Col. E equals "Y") Col. H	Need as a % of Total Need of Eligible Courts (Col. H Total) Col. I	Recommended Allocation of 2021 JDCCP Collections (Col. H x \$1,394,264) Col. J	JDCCP Allocations Through 2020-21 Col. K	JDCCP Distributions Through December 2021 Col. L	JDCCP Allocations Through December 2021 Col. M
Santa Cruz	640,178.81	0.32%	526,051.52	0.32%	Y	Y	Y	640,178.81	0.47%	5,418.56	-	-	-
Shasta	821,962.37	0.41%	670,839.30	0.40%	Y	N	N	-	0.00%	-	38,437.50	38,437.00	0.50
Sierra	-	0.00%	13,758.53	0.01%	N	N	N	-	0.00%	-	-	-	-
Siskiyou	177,189.30	0.09%	245,373.43	0.15%	N	Y	N	-	0.00%	-	-	-	-
Solano	1,172,880.03	0.58%	957,238.50	0.57%	Y	Y	Y	1,172,880.03	0.87%	9,927.42	4,282.71	4,282.71	-
Sonoma	1,810,819.57	0.89%	1,477,888.74	0.89%	Y	N	N	-	0.00%	-	-	-	-
Stanislaus	1,779,104.04	0.88%	1,452,004.32	0.87%	Y	N	N	-	0.00%	-	-	-	-
Sutter	433,392.49	0.21%	363,106.52	0.22%	Y	N	N	-	0.00%	-	15,457.03	-	15,457.03
Tehama	281,284.22	0.14%	293,399.09	0.18%	N	N	N	-	0.00%	-	16,222.19	-	16,222.19
Trinity	77,180.76	0.04%	93,829.12	0.06%	N	Y	N	-	0.00%	-	1,996.54	-	1,996.54
Tulare	2,806,090.05	1.38%	2,290,172.34	1.37%	Y	Y	Y	2,806,090.05	2.07%	23,751.14	118,575.77	65,870.00	52,705.77
Tuolumne	337,667.97	0.17%	338,350.13	0.20%	N	N	N	-	0.00%	-	7,054.13	-	7,054.13
Ventura	2,119,159.75	1.05%	1,741,368.51	1.04%	Y	N	N	-	0.00%	-	110,204.12	110,204.00	0.12
Yolo	1,558,883.62	0.77%	1,272,272.84	0.76%	Y	N	N	-	0.00%	-	17,813.12	17,813.00	0.12
Yuba	436,672.16	0.22%	377,291.18	0.23%	Y	Y	Y	436,672.16	0.32%	3,696.05	16,197.74	-	16,197.74
Unallocated	\$0.00		100,000.00					-		-			
<b>Total</b>	<b>\$202,743,997.93</b>		<b>\$166,700,000.00</b>					<b>\$135,246,831.51</b>	<b>100.00%</b>	<b>\$1,144,748.00</b>	<b>\$ 6,106,344.43</b>	<b>\$4,863,161.05</b>	<b>\$1,243,184.20</b>
Reserved for admin.										249,516.00			
Distribution amount available to courts										1,144,748.00			
Total collected										1,394,264.00			

1. A court is eligible for an allocation if the court has met both the Funding Need and Participation requirements described in section 14 of the JDCCP Guidelines. This table indicates a court's eligibility to receive an allocation based on the Funding Need criteria. Courts that meet the Funding Need criteria must also meet the Participation requirements in order to receive an allocation.



Recommended FY 2021-2022 Trial Court Allocations of CAC Unspent Funding and FFPSA Funding

Court	Estimated Funding Need (JC Report - July 2021) Col. A	Estimated Funding Need as Percentage of Statewide Need (Col. A Total) Col. B	Allocation of Court Appointed Counsel (CAC) Base Funding in 2021-22 Col. C	Allocation as a Percentage of Total CAC Base Funding in 2021-22 (Col. C Total) Col. D	Est. Unspent CAC Funding 2021-22 Col. E	Eligible for Reallocated Funding <sup>1</sup> Col. F	Funding Need of Eligible Courts (Col. A when Col. F equals "Y") Col. G	Need as a % of Total Need of Eligible Courts (Col. G Total) Col. H	Recommended 2021-22 CAC Reallocation (Col. H x \$0.00) Col. I	Recommended Allocation of FFPSA Augmented Funds* Col. J	Total CAC Reallocation Funds and FFPSA Funds Col. K
Alameda	\$4,075,144	2.01%	\$3,348,652	2.01%	0	Y	4,075,144.37	2.12%	18,641.52	32,764.45	51,405.98
Alpine*	\$15,513	0.01%	\$19,616	0.01%	0	N	-	0.00%	-	-	-
Amador	\$151,319	0.07%	\$128,301	0.08%	0	N	-	0.00%	-	-	-
Butte	\$1,061,873	0.52%	\$872,569	0.52%		Y	1,061,873.27	0.55%	4,857.48	8,537.54	13,395.02
Calaveras	\$191,018	0.09%	\$189,010	0.11%	0	N	-	0.00%	-	-	-
Colusa†	\$100,499	0.05%	\$112,668	0.07%	50,000	N	-	0.00%	-	-	-
Contra Costa	\$3,248,232	1.60%	\$2,651,024	1.59%	0	Y	3,248,232.10	1.69%	14,858.86	26,116.02	40,974.88
Del Norte	\$189,259	0.09%	\$214,730	0.13%	0	N	-	0.00%	-	-	-
El Dorado	\$704,974	0.35%	\$579,296	0.35%	0	Y	704,974.23	0.37%	3,224.87	5,668.04	8,892.91
Fresno	\$4,576,938	2.26%	\$3,735,438	2.24%	0	Y	4,576,937.87	2.38%	20,936.95	36,798.91	57,735.86
Glenn	\$136,523	0.07%	\$164,905	0.10%	0	N	-	0.00%	-	-	-
Humboldt	\$876,594	0.43%	\$715,427	0.43%		Y	876,593.98	0.46%	4,009.93	7,047.88	11,057.81
Imperial	\$814,882	0.40%	\$669,610	0.40%	0	Y	814,882.02	0.42%	3,727.63	6,551.71	10,279.34
Inyo	\$32,686	0.02%	\$41,562	0.02%	0	N	-	0.00%	-	-	-
Kern	\$3,367,432	1.66%	\$2,748,308	1.65%	0	Y	3,367,431.72	1.75%	15,404.13	27,074.39	42,478.52
Kings	\$846,627	0.42%	\$690,969	0.41%	215,969	N	-	0.00%	-	-	-
Lake	\$210,846	0.10%	\$280,183	0.17%	0	N	-	0.00%	-	-	-
Lassen	\$128,016	0.06%	\$135,339	0.08%	0	N	-	0.00%	-	-	-
Los Angeles	\$101,358,111	49.99%	\$82,722,770	49.62%	0	Y	101,358,110.77	52.81%	463,657.05	814,926.50	1,278,583.54
Madera	\$731,363	0.36%	\$643,573	0.39%	0	N	-	0.00%	-	-	-
Marin	\$288,497	0.14%	\$288,497	0.17%	0	N	-	0.00%	-	-	-
Mariposa	\$65,070	0.03%	\$60,059	0.04%	0	N	-	0.00%	-	-	-
Mendocino	\$506,668	0.25%	\$529,357	0.32%	0	N	-	0.00%	-	-	-
Merced	\$1,095,655	0.54%	\$894,211	0.54%	0	Y	1,095,654.64	0.57%	5,012.01	8,809.14	13,821.15
Modoc	\$36,516	0.02%	\$52,855	0.03%	0	N	-	0.00%	-	-	-
Mono	\$20,508	0.01%	\$18,392	0.01%	0	N	-	0.00%	-	-	-
Monterey	\$898,182	0.44%	\$738,059	0.44%	0	N	-	0.00%	-	-	-
Napa	\$529,636	0.26%	\$435,215	0.26%	99,092	N	-	0.00%	-	-	-
Nevada	\$185,041	0.09%	\$185,041	0.11%	0	N	-	0.00%	-	-	-
Orange	\$9,325,618	4.60%	\$7,611,043	4.57%	0	Y	9,325,617.62	4.86%	42,659.52	74,978.64	117,638.16
Placer	\$757,007	0.37%	\$622,053	0.37%	0	N	-	0.00%	-	-	-
Plumas	\$116,804	0.06%	\$154,059	0.09%	0	N	-	0.00%	-	-	-
Riverside	\$9,094,598	4.49%	\$7,422,498	4.45%	0	Y	9,094,598.21	4.74%	41,602.73	73,121.22	114,723.96
Sacramento	\$5,987,569	2.95%	\$4,920,141	2.95%	0	Y	5,987,569.22	3.12%	27,389.80	48,140.49	75,530.29
San Benito	\$120,828	0.06%	\$99,288	0.06%	0	N	-	0.00%	-	-	-
San Bernardino	\$15,984,841	7.88%	\$13,045,926	7.83%	0	Y	15,984,841.42	8.33%	73,121.77	128,519.27	201,641.04
San Diego	\$6,522,796	3.22%	\$5,323,538	3.19%	0	Y	6,522,795.91	3.40%	29,838.17	52,443.75	82,281.92
San Francisco	\$3,251,547	1.60%	\$2,671,880	1.60%	0	Y	3,251,546.90	1.69%	14,874.02	26,142.67	41,016.69
San Joaquin	\$3,293,435	1.62%	\$2,706,301	1.62%	0	Y	3,293,434.65	1.72%	15,065.63	26,479.45	41,545.09
San Luis Obispo	\$971,029	0.48%	\$797,919	0.48%	0	Y	971,028.66	0.51%	4,441.92	7,807.14	12,249.06
San Mateo	\$1,009,098	0.50%	\$829,202	0.50%	0	Y	1,009,098.37	0.53%	4,616.06	8,113.22	12,729.29
Santa Barbara	\$1,241,134	0.61%	\$1,012,943	0.61%	0	Y	1,241,133.62	0.65%	5,677.50	9,978.80	15,656.30
Santa Clara	\$4,171,607	2.06%	\$3,404,630	2.04%	0	Y	4,171,606.67	2.17%	19,082.78	33,540.02	52,622.80

Recommended FY 2021-2022 Trial Court Allocations of CAC Unspent Funding and FFPSA Funding

Attachment 1B

Court	Estimated Funding Need (JC Report - July 2021) Col. A	Estimated Funding Need as Percentage of Statewide Need (Col. A Total) Col. B	Allocation of Court Appointed Counsel (CAC) Base Funding in 2021-22 Col. C	Allocation as a Percentage of Total CAC Base Funding in 2021-22 (Col. C Total) Col. D	Est. Unspent CAC Funding 2021-22 Col. E	Eligible for Reallocated Funding <sup>1</sup> Col. F	Funding Need of Eligible Courts (Col. A when Col. F equals "Y") Col. G	Need as a % of Total Need of Eligible Courts (Col. G Total) Col. H	Recommended 2021-22 CAC Reallocation (Col. H x \$0.00) Col. I	Recommended Allocation of FFPSA Augmented Funds* Col. J	Total CAC Reallocation Funds and FFPSA Funds Col. K
Santa Cruz	\$640,179	0.32%	\$526,052	0.32%	0	Y	640,178.81	0.33%	2,928.46	5,147.08	8,075.55
Shasta	\$821,962	0.41%	\$670,839	0.40%	0	Y	821,962.37	0.43%	3,760.02	6,608.64	10,368.66
Sierra	\$0	0.00%	\$13,759	0.01%	0	N	-	0.00%	-	-	-
Siskiyou	\$177,189	0.09%	\$245,373	0.15%	0	N	-	0.00%	-	-	-
Solano	\$1,172,880	0.58%	\$957,238	0.57%	0	Y	1,172,880.03	0.61%	5,365.27	9,430.04	14,795.31
Sonoma	\$1,810,820	0.89%	\$1,477,889	0.89%	0	Y	1,810,819.57	0.94%	8,283.49	14,559.12	22,842.61
Stanislaus	\$1,779,104	0.88%	\$1,452,004	0.87%	0	Y	1,779,104.04	0.93%	8,138.41	14,304.12	22,442.54
Sutter	\$433,392	0.21%	\$363,107	0.22%	0	N	-	0.00%	-	-	-
Tehama	\$281,284	0.14%	\$293,399	0.18%	0	N	-	0.00%	-	-	-
Trinity	\$77,181	0.04%	\$93,829	0.06%	0	N	-	0.00%	-	-	-
Tulare	\$2,806,090	1.38%	\$2,290,172	1.37%	512,940	N	-	0.00%	-	-	-
Tuolumne	\$337,668	0.17%	\$338,350	0.20%	0	N	-	0.00%	-	-	-
Ventura	\$2,119,160	1.05%	\$1,741,369	1.04%	0	Y	2,119,159.75	1.10%	9,693.98	17,038.20	26,732.18
Yolo	\$1,558,884	0.77%	\$1,272,273	0.76%	0	Y	1,558,883.62	0.81%	7,131.03	12,533.54	19,664.56
Yuba	\$436,672	0.22%	\$377,291	0.23%	0	N	-	0.00%	-	-	-
Unallocated	\$0		\$100,000				-		-		
<b>Total</b>	<b>\$202,743,998</b>		<b>\$166,700,000</b>		<b>\$878,001.00</b>		<b>\$191,936,094.41</b>	<b>100.00%</b>	<b>\$878,001.00</b>	<b>\$1,543,180</b>	<b>2,421,181.00</b>
Total Returned									\$878,001.00	\$1,543,180	\$2,421,181.00
*Pass-through federal title IV-E funds allocated to those courts receiving unspent dependency counsel funds for FY 2021-22, contingent upon actual receipt of the funding.											

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
Report to the Judicial Branch Budget Committee  
Discussion and Possible Action Item 2

**Title:** Collections Program: Updates to Performance Measures and Benchmarks  
**Date:** 2/3/2022  
**Contact:** Maria Lira, Senior Budget Analyst, Judicial Council Budget Services  
916-263-7320 |maria.lira@jud.ca.gov

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**Issue**

Pursuant to Penal Code section 1463.010(c) the Judicial Council is required to develop performance measures and benchmarks (PMB) “to review the effectiveness of the cooperative superior court and county collections program.” Government Code (GC) section 68514, enacted in 2017, required the Judicial Council to report annually to the legislature and the Department of Finance “the extent to which each court or county is meeting the PMBs.” This statute further required adjustments to the type and level of data collected from the court and county collections programs. Due to the changes to the reporting requirements, it was determined that the existing PMBs should be reevaluated.

**Background**

Senate Bill 940 (stats. 2003, ch. 275) required the Judicial Council to develop guidelines for the collection of fees, fines, forfeitures, penalties, and assessments imposed by the courts.

Assembly Bill 367 (Stats. 2007, ch. 132) further required the Judicial Council to adopt guidelines or best practices for a comprehensive collection program; develop a cooperative plan between the court and the county for collections; and develop performance measures and benchmarks (PMB) to review the effectiveness of the collection entities.

JUDICIAL COUNCIL OF CALIFORNIA  
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The two existing PMBs are the Gross Recovery Rate and the Success. Rate:

Performance Measure	Definition	Formula	Benchmark
Gross Recovery Rate (GRR)	Measures a collection program’s ability to resolve delinquent court-ordered debt, including alternative sentences, community service, suspended sentences and discharges.	$\text{Delinquent collections for the fiscal year} + \text{Adjustments} + \text{Discharges} / \text{Referrals}$	34%
Success Rate (SR)	Measures the amount of revenue collected on delinquent court-ordered debt based on total delinquent accounts referred after adjustments and discharges, including non-sufficient funds (NSF) checks.	$\text{Delinquent collections for the fiscal year} / \text{Referrals} - \text{Adjustments} - \text{Discharges}$	31%

The current PMBs were established in 2008, and because of the changes to the reporting requirements the metrics no longer effectively assess the programs’ performance.

Enacted in 2017, Government Code section 68514 required eight additional data elements be reported on annually. One of the new requirements mandated that the Judicial Council report previously existing debt which had outstanding balances from a previous reporting year, separately from delinquent debt newly established in the current reporting year. This requirement along with the changing practices around court ordered debt prompted the need to reevaluate the PMBs to align with current reporting requirements.

In 2019, the Judicial Council contracted with Forrester Research, Inc. (Forrester), to evaluate California’s collections program and propose updated metrics that reflected current goals. In order to successfully complete this project Forrester, in collaboration with Judicial Council staff, did the following:

- **Analyzed Collections Data:** Analyzed 2017-18 and 2018-19 Collection Reporting Templates (CRT) data (limited to reporting periods that captured collections information required under GC section 68514).
- **Collaborated with Subject Matter Experts (SME):** Conducted individual interviews with seven participating collections programs and hosted a roundtable discussion with all stakeholders of the proposed collections performance measures.
- **Developed Initial PMBs:** Leveraged collections-related information, reviewed publications and insight provided by the SMEs, to develop initial PMB recommendations.
- **Proposed PMBs Introduced:** PMB were introduced to Judicial Council Executive Management, Judicial Branch Budget Committee chair, and the Court Executive Advisory Committee (CEAC) chair.

JUDICIAL COUNCIL OF CALIFORNIA  
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- **Proposed PMBs Presented to CEAC:** PMBs were presented to CEAC at its August 13, 2021, meeting where the process for distribution of sample dashboards displaying the new PMBs and collection of feedback was requested.
- **Solicited Feedback from Collections Programs:** Sample dashboards, using 2021-22 program specific data, were sent to the 58 courts and counties in October 2021 to solicit feedback.

**Proposed Performance Measures and Benchmarks**

The intent of the revised PMBs is to give the entities a deeper understanding of performance, case resolution patterns, and costs related to collecting delinquent court ordered debt. There are seven metrics recommended by Forrester Research, Inc. Four of the metrics are performance indicators and three are normalizing metrics:

- Performance related metrics – The following performance related metrics 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.
- Normalizing metrics - The following normalizing metrics are designed to assist entities and the Judicial Council better understand any unique conditions faced by each entity 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.

In developing the PMBs, Forrester Research, Inc collaborated with the SME of Judicial Council partners which included seven collections entities (Inyo Superior Court, Merced Superior Court, Monterey Superior Court and County of Monterey, Riverside Superior Court, San Bernardino

JUDICIAL COUNCIL OF CALIFORNIA  
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**Report to the Judicial Branch Budget Committee**

Superior Court and County of San Bernardino, San Diego Superior Court, and Ventura Superior Court), as well as other stakeholders. Only the data on the CRT was used to develop and calculate the PMBs, although Forrester Research, Inc. indicates having access to more granular data could improve the accuracy and effectiveness of the PMBs. Where possible the number of cases were used rather than the total dollars collected because entities should be incentivized to resolve as many cases as possible rather than focus on the revenue collected. Forrester's recommendations consider the goals and needs of the Judicial Council as well as the collection entities. The intent is to measure entity performance while also providing insight that can improve performance over time.

In addition to the proposed metrics Forrester created a dashboard so that the entities can easily view their own performance and understand how they perform against similar sized entities. This dashboard is included as Attachment B.

The metrics do not specify a benchmark goal. Instead, the entities are provided an average score for each benchmark that is reflective of the average performance within their cluster (as used in the workload formula) during the reporting period. This is intended to assist with collaboration among similarly sized entities and the use of clusters encourages information sharing to solve issues and to find ways to improve performance. Attachment C provides is a guide to explain the metrics and cluster information.

Forrester's recommendations align reporting requirements, required in statute, to performance measures and are intended to effectively track and measure each program's performance and provide insights for improving performance over time

**Recommendation**

The following recommendation is presented to the Judicial Branch Budget Committee for consideration by the Judicial Council at its May 12-13, 2022, business meeting:

1. Approve the seven proposed metrics developed by Forrester Research, Inc. in compliance with Penal Code section 1463.010 and Government Code section 68514 (Attachment D), to be applied to the 2021-22 Collections Reporting Template and reported in the 2021-22 report to the Legislature and the Department of Finance due December 31, 2022.
2. Delegate authority to Budget Services, Administrative Division to make technical changes to the metrics in response to any changes to program or statute.

JUDICIAL COUNCIL OF CALIFORNIA  
BUDGET SERVICES  
**Report to the Judicial Branch Budget Committee**

**Attachments**

Attachment 2A: Performance Measures and Benchmarks: Program Comments

Attachment 2B: Performance Measures and Benchmarks: Sample Dashboard

Attachment 2C: Performance Measures and Benchmarks: Reference Guide

Attachment 2D: Penal Code section 1463.010 and Government Code section

68514

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	<b>Commentator</b>	<b>Program</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Cynthia Otero, Chief Financial Officer	Colusa Superior Court	<p>Do you find this data useful/beneficial? Yes, this data is very useful and easy to read. The entire layout of the dashboard is very eye catching and clearly depicts how our program is doing.</p> <p>Do you have any concerns about receiving an annual dashboard like this? None. I prefer receiving information like this.</p> <p>Is there anything missing? No, this dashboard is very thorough and includes all pertinent information.</p> <p>Suggestions for improvement? None.</p>	NA
2.	Kate Bieker, Chief Executive Officer	Contra Costa Superior Court	<p>This data is much different than we have seen before and nice to see how compared with others but hard to say useful when much of collections is being eliminated.</p>	NA
3.	Julie DiMaggio Enea, Senior Deputy County Administrator	Contra Costa County Administrator's Office	<p>The new dashboard provides much better insight into how Contra Costa compares with its peers in terms of revenue collected and cost of collections. While informational, I have never found the single court annual data report to be particularly insightful or helpful. This dashboard analysis is the best information we have received thus far. The first-year resolution is an important stat and as well as cost: referral as compared to peers.</p> <p>What would also be helpful is a peer comparison of annual recoveries against outstanding balance, if only to provide more context for the comparisons. If possible, it would also help to know by what percentage CEI degrades with each year of account age.</p>	NA
4.	Esperanza Esparza, Court Executive Officer	Del Norte Superior Court	<p>Have you seen this type of data before? Do you perform any similar analyses internally? We had not seen this type of data before. At this time, we do not perform any similar analysis internally.</p> <p>Do you find this data useful/beneficial? This type of data is very useful and beneficial.</p> <p>What is useful, what is not useful, where do you have questions? It is useful, and beneficial to see it all in one, condensed dashboard as it is presented.</p> <p>Do you have any concerns about receiving an annual dashboard like this? We have no concerns about receiving an annual dashboard like this.</p> <p>Is there anything missing? At this time there is nothing we can think of that is missing. Suggestions for improvement? None at this time.</p>	NA



## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	<b>Commentator</b>	<b>Program</b>	<b>Comment</b>	<b>Committee Response</b>
5.	Shelby Wineinger, Assistant Court Executive Officer	El Dorado Superior Court	Tania Ugrin-Capobianco, CEO, and I think it [dashboard] is great.	NA
6.	Karen Clower, Deputy County Administrative Officer	County of Humboldt	While the analytic data may be useful for some jurisdictions, it would not enhance our operations due to the scaled back nature of Humboldt's program; therefore, we do not have constructive comments.	NA
7.	Travis Andreas, Deputy Court Executive Officer	Kern Superior Court	<p>Have you seen this type of data before? Do you perform any similar analyses internally? We are starting to implement more meaningful metrics, but they are more granular than the metrics in the Individual Program Report.</p> <p>Do you find this data useful/beneficial? Yes. The dashboard is visually engaging and does provide helpful insight for comparing and understanding performance. I do especially like the CEI, Risk Monitor, and First-year Resolution. The report and data are helpful to have a broader comparison to the averages.</p> <p>Do you have any concerns about receiving an annual dashboard like this? No. Other feedback:</p> <ul style="list-style-type: none"> <li>• Separate colors for, lack of better terms, good or bad (e.g., green, and red). If I am understanding the measures correctly, there are some where it would be better to be above average and some it would be better to be below average. Having the results stand out as a strength or opportunity using color would likely be helpful to a more casual reviewer, or in a presentation setting where short, to the point, key results need to be easily noticeable and decipherable. Currently, the colors, yellow and blue, only distinguish higher or lower without regard to whether the higher or lower than average result is a strength or opportunity. Determining whether it is a strength or opportunity requires a closer look at the type and definition of the result.</li> <li>• If there is a way that these reports can be made interactive on a web format, it would allow the courts to view and slice the data more dynamically. For example, it may be helpful to be able to click on just the, "Court" or "FTB", parameters to single them out or even combine only certain parameters. Having this option would allow the user to view all the other results within those filtered parameters.</li> <li>• I like the dashboard and I think this should be the first visual overview, but I think it would also be good to breakout each reporting segment to</li> </ul>	NA

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
			have the reference and graphical information on one page. This would be in addition to the dashboard as a whole. This would make it easier to analyze the figures.	
8.	Krista LeVier, Court Executive Officer	Lake Superior Court	Given that the county handles all delinquent collections, court has no way of verifying their figures (IPR). Provided no comments on dashboard.	NA
9.	Brian Hoffman, Principal Analyst, CEO	Los Angeles County, Chief Executive Office – Budget	<p>Have you seen this type of data before? Do you perform any similar analyses internally? The county maintains this data in internal databases and summarizes the data in the Summary of Collection Reporting Template. However, the various indexes provided on the dashboard appear to be created by the Judicial Council and are new to the county. The county produces dashboards and other visual aids on a case-by-case basis depending on the type of data being presented, the audience, the need to present the data, and other variables. The County currently does not maintain a dashboard for collections data.</p> <p>Do you find this data useful/beneficial? Yes, the data as presented on the dashboard is useful as it presents a high-level summary of the county's performance metrics. This allows county personnel to see trends in the data without the need to sort through databases or worksheets.</p> <p>Do you have any concerns about receiving an annual dashboard like this? The county has no concerns about receiving an annual dashboard.</p> <p>Is there anything missing? The dashboard succeeds in summarizing raw data but there is an opportunity to include insight on how counties can act on or improve their collection practices based on the data presented.</p>	NA
10.	Amanda Toste Court Executive Officer	Merced Superior Court	<p>Have you seen this type of data before? We have seen this data before through the annual collection report but not in the dashboard format. Do you perform any similar analyses internally? We perform an internal analysis, though not as detailed as this one.</p> <p>Do you find this data useful/beneficial? Yes, this information is beneficial. What is useful, what is not useful, where do you have questions? I am very interested in the CEI and SES scores.</p> <p>Do you have any concerns about receiving an annual dashboard like this? No concerns</p> <p>Suggestions for improvement? With the suggested Adjustment Score and Discharge Score, we would like to see the matrix of how this is determined,</p>	NA

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
			More than Average, Average and Less than Average. For example, More than Average (100% thru 80%), Average (79% - 60%), and Less than Average (59% and less). It would also be great to see the performance for each program separately so the state can see what areas are more successful than others. In other words, the overall program for the court's performance alone, the FTB program alone, and any other programs so this information can be compared to see what programs are more successful for the overall Court/County Collection program. This can be used as a training opportunity or to evaluate the effectiveness of their programs.	
11.	Stephanie Wellemeyer, Auditor/Clerk	Modoc County	I see the County CAO responded, but if you still need one from the Auditor's Office. Then yes, we also like this new dashboard format. I have no critiques at this time.	NA
12.	Chester Robertson, County Administrative Officer	County of Modoc	The county administrative office has reviewed and approves of the report. I like the new dashboard format.	NA
13.	Lester Perpall, Court Executive Officer	Mono Superior Court	We have not seen this type of data before, and at this time do not perform a similar analysis internally. The data was useful to see.  Overall, found the dashboard very useful to see the different metrics and to see how our court does comparatively within our cluster. The SES data was useful to see how the court does in its spending to collect on the delinquent debt, and if we the court were to have a high score that it would be something worth investigating as mentioned in the Reference Guide.	NA
14.	Kim Turner, Court Executive Officer	Mendocino Superior Court	Looks fine to me.	NA
15.	Shunna Austin, Collections Program Officer	Orange County Superior Court	<i>Overall, we were trying to think of what we need to know to make us better or prompt us to action. Sticking to factors that may alert us to any red flags or that may lead us to reach out to other courts for best practices is what we believe the dashboard should display.</i> Please see our responses to your general questions below:  Have you seen this type of data before? No  Do you perform any similar analyses internally? The only one on this dashboard that is similar to something we look at annually is the First Year Resolution. Once a year, we look at how much civil assessment is collected in a fiscal year as a ratio of civil assessments collected over new civil	NA

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
			<p>assessments added ...a sort of New civil assessment clearance rate. This helps us keep track of how many of these civil assessment cases are being resolved right away and how much is aging and at risk of not being collected since our peak collection period is within the first year or two of delinquency. We expect that if civil assessments go away, this measure will no longer be important. The First Year Resolution is a good one to continue to monitor for program effectiveness.</p> <p>One area where we compare ourselves to other courts is in how much civil assessment, we collect compared to the state overall and what percent our court is of the total civil assessment collected statewide. This too, will become irrelevant if civil assessments go away.</p> <p>Do you find this data useful/beneficial? Our thought is that additional training on these charts and their intentions would be helpful for us to better determine whether they are useful or beneficial. We do like the fact that we are compared to a cluster average on some of these charts.</p> <p>What is useful, what is not useful, where do you have questions? We think “referrals” needs to be more clearly defined. Is it basically new case inventory, delinquent, and non-delinquent, right?</p> <p>Collector effective index is a good measure if we are understanding it correctly. It would be good to see this CEI for the private vendors, FTBCOD and TI as well.</p> <p>We like the First-Year resolution rate.</p> <p>The risk monitor score is a bit confusing. It speaks of referrals going delinquent when most of our cases are delinquent when we get them. We think it just needs further explanation.</p> <p>Not sure of the benefit of knowing a Discharge score or comparing to other entities. Wouldn't a decline in the amounts discharged by your own entity tell you that you are doing a better job collecting during the optimum period? Once our initial discharge is complete, our goal is always to reduce the number of cases that become eligible for discharge. Maybe looking at % of total debt discharged would be a good comparison measure amongst our cluster?</p>	

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
			<p>The spend efficiency score comparison with the cluster average may not take into account the variations in salaries and classifications used to perform the collections functions. For example, Riverside County and Orange County are quite different in terms of salaries and cost of living. We believe some evaluation of the cost efficiency is needed and a cost per dollar collected does makes sense. Perhaps the percent change in score from year to year or an up and down measure might be a more equitable comparison between entities.</p> <p>Cost referral ratio: We would like a better understanding of this measure. Not sure why Orange County is so high in the current compared to the average when we have maintained pretty level cost over the years while increasing our collections. Our cost of collections includes what we pay our vendors but does the denominator include the cases referred to them?</p> <p>Adjustment score is good.</p> <p>We like the comparison of the current year and prior year data under the Quick Look section.</p> <p>Do you have any concerns about receiving an annual dashboard like this? We have no concerns about receiving an annual dashboard like this.</p> <p>Is there anything missing? Perhaps something related to the calls made or notices sent; cases closed, or payment plans established? These would indicate success in outreach and negotiations by the collectors and overall collections program.</p> <p>Missing outcome information on victim restitution.</p> <p>Suggestions for improvement? Not sure the case distribution comparison to the cluster is necessary. We believe it will always be the same or very similar year after year.</p> <p>The new report is a bit confusing, and I was wondering if at some point the JCC is going to do a training on how to read it and understand it.*</p>	<p>*Yes. In collaboration with Forrester, our unit will provide training/information session(s) on how the performance metrics were developed, the calculations, and how to interpret the tables displayed on the dashboard.</p>

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	<b>Commentator</b>	<b>Program</b>	<b>Comment</b>	<b>Committee Response</b>
16.	Anil Kukreja, Team Manager	Orange County	<p>Have you seen this type of data before? No.</p> <p>Do you perform any similar analyses internally? Response: No</p> <p>Do you find this data useful/beneficial? Yes, require training to understand and use this data analysis</p> <p>What is useful, what is not useful, where do you have questions? Risk monitor and First Year resolution is good.</p> <p>Do you have any concerns about receiving an annual dashboard like this? We need training to understand the usefulness and purpose of this information first.</p> <p>Is there anything missing? It is useless if receivable does not show age of receivable \$ and receivable \$ by entity. State should help local courts to update the collection system, which will provide the receivable detail by age and entity.</p> <p>Any efforts to reduce delinquent collections will be helpful. There should be one statewide collection system to gather receivable data. Receivable by age and entity will be helpful.</p>	NA
17.	Camille Valverde, Management Analyst	San Bernardino Superior Court, Financial Services	<p>Have you seen this type of data before? Do you perform any similar analyses internally? Yes, a few other courts have developed dashboards using CMS data to track collections and there is software available that includes some metric-based reporting. The dashboard view provided by JCC has historically been the only collective visual that depicts the annual CRT for San Bernardino Court and creating this tool is a really good step in providing clear and accessible metrics. Moving forward, San Bernardino will implement an internal version for tracking and forecasting as we continue to grow our internal data analytics capabilities.</p> <p>Do you find this data useful/beneficial? What is useful, what is not useful, where do you have questions? The data is useful; there are no questions at this time. It would be helpful for additional data elements to be exposed; including the Schedule 7a data used for court FTE counts to allow courts to help validate data.</p> <p>Do you have any concerns about receiving an annual dashboard like this? We prefer that that dashboard be shared in a non-PDF format and with the ability to manipulate/alter our charts or compare within our cluster.</p>	NA

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
			<p>Is there anything missing? Because of annual tracking, a 3-year+ view would be helpful in viewing internal progress and changes in collections. Enhancing the tables and charts to predictive analytic tools would also be a great future addition to assist the courts with resource allocation. Identified Cluster grouping should be identified on each entity's respective dashboard; additionally, adding the cluster MIN and MAX under 'Case Distribution' would allow CEOs to distinguish their agency's standing/rank within the cluster. In addition to a comparison to your respective cluster, a comparison to statewide totals/averages is useful. Adding raw data related to the Schedule 7a would allow the courts to help validate data.</p> <p>Suggestions for improvement? The data would be more useful if presented in a functioning Dashboard (Power BI) or even provided in Excel. In sections with numeric scores or ratios, adding the formula would allow the audience to quickly identify the quotient without having to reference a separate document. The Template for the dashboard can be added as a new tab on the CRT so figures auto-populate as data is inserted into the CRT. This would allow agencies to view the preliminary dashboard prior to CRT submission.</p>	
18.	LeShay Shaw, Revenue & Recovery Director	San Diego County, Office of Revenue and Recovery	<p>The proposed performance measures and dashboard provide several useful tools to measure collection programs' successes in collecting on cases with court-ordered fines, fees, forfeitures, penalties, and assessments. However, it is not addressed whether these metrics would provide a deflated measurement of success, specifically in areas where costs and collection amounts are compared to the value and number of cases established, if victim restitution referral and collections are not part of the metrics.</p> <p>The 2021 instructions for reporting Victim Restitution on the CRT specifically instructs that the number of cases, value and collections reported on CRT rows 29-35, should pertain to "restitution and other justice-related fees not reported in the CRT rows 3-9 and 11-17." Therefore, the court-ordered fines, fees, forfeitures, penalties, and assessments corresponding to the case with Victim restitution will be reported in the CRT rows 3-9 and 11-17.</p> <p>With Victim Restitution taking payment application priority, any monies collected on a case with restitution will be reported in rows 29-35 until the restitution is paid in full. In the meantime, collection efforts are in process and may be very successful. However, without victim restitution being included in the metrics, the collection program's success would be understated since</p>	NA

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
			<p>collections cannot be applied to the court-ordered fines, fees, forfeitures, penalties, and assessments on CRT rows 3–9 and 11–17 before restitution is paid in full.</p> <p>This could also be argued as the need for these metrics to measure collection success and attributable collection costs for court ordered debt that is available for collections. As long as Victim Restitution is outstanding and the court orders installment payments on the court ordered debt on the case, the fines, fees, forfeitures, penalties, and assessments are not available for collections. The same can be argued for cases that do not have restitution, and the court has ordered installment payments on the court ordered fines, fees, forfeitures, penalties, and assessments. The collection program can only collect the installment due for collections and NOT the entire amount on the fines, fees, forfeitures, penalties, and assessments.</p> <p>The concern for receiving a dashboard like this would be the above stated concern for unfavorable metrics when collections cannot be applied to fines, fees, forfeitures, penalties, and assessments due to Victim restitution. Another concern would be possible inconsistencies in the way other County Collection programs report their collections and costs, thereby rendering any comparison of metrics across counties unreliable.</p>	
19.	Mike Yuen, Chief Executive Officer	San Francisco Superior Court	The dashboard is fine.	NA
20.	Nicole D. Coburn, Assistant County Administrative Officer	Santa Cruz County	We have not seen this type of data before. Although additional data is always helpful, we don't have a need for it in our Treasurer-Tax Collector (TTC) office. TTC upgraded our collections software a few years ago, and they receive and review collector effective and efficiency statistical reports each month. Each year, they are required to provide a small amount of data to the annual state collections report (courts provides most of it as they have been doing their own collections for the last few years). The state reporting form is not very user friendly and results in the county as a whole having very low collections rates. They believe much of that is from very old accounts that will be cleaned out now that two recent changes were made to what can be collected. Please let me know if you have any questions.	NA
21.	Natalie Brunamonte, Principal Analyst	Sonoma County Administrator's Office	The dashboard does not appear to be something that we would utilize on a regular basis.	NA



## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
22.	Donna Riley, Treasurer-Tax Collector	Stanislaus County	<p>Have you seen this type of data before? Do you perform any similar analyses internally? The three attachments developed by Forrester provide new information, which cannot be produced in our current collections system. In addition to metrics pertaining to Stanislaus County directly, the information regarding partner agencies is insightful.</p> <p>Do you find this data useful/beneficial? Our office found the reports to be particularly useful, providing specific, measurable, relevant, and time-based data. The visual data provided was generally easy to understand, although the reference guide was key to understanding certain data points. The data shows both clear successes and areas for improvement.</p> <p>What is useful, what is not useful, where do you have questions? While we found all the information useful, it did beg additional questions. Specifically, while comparing costs of the different partners, there doesn't seem to be a breakdown of the duties and services provided. Perhaps this is best viewed over a longer period, which would enable us to see if the segments remain constant or fluctuate. Stanislaus County provides services beyond what certain other segments are tasked with, so one point-in-time report does not provide that perspective. Future reports will enable us to see how changes in our program impact overall collections.</p> <p>Do you have any concerns about receiving an annual dashboard like this? Stanislaus County welcomes the report as one more tool to enable process- and program-improvement.</p> <p>Is there anything missing? At this time, we have not identified any missing data segments. Over time, it is possible that we will seek additional information, if we have that opportunity.</p> <p>Suggestions for improvement? A training component would be very useful, additionally, it would be helpful to understand how the data is derived from the Court Report.</p>	NA
23.	Stephanie Cameron, Court Executive Officer	Tulare Superior Court	In general, the dashboard is quite busy and very blue in color. The data presented is difficult to understand what it means for our court. You have to	

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	Commentator	Program	Comment	Committee Response
	(Drafted by Court Chief Financial Officer)		<p>refer to the reference guide to interpret each data segment. It may be helpful to include a legend with a brief explanation of each data segment.</p> <p>The Quick Look box has a summary of all the information. If that could be listed on independent page, that would be easier to read. At first, I did not realize it is a summary of each data segment. In addition, the Collector Effective Index (on left side) shows <i>Fist Year Resolution</i> should be spelled First.</p> <p>The Collector Effective Index data was helpful to know how out court placed in compares against our peers.</p> <p>The Spend Efficiency Score is an interesting data showing how much is spent to collect \$1. We would definitely utilize this information to seek greater cost efficiencies for our collection's costs.</p> <p>For the Cost Referral Ration shows the average cost spent per referral, may we add a dollar sign? Especially, with all the data in the Quick Look Box, it would be easier to see.</p> <p>First year resolution rate states, entities should strive to make First-year Resolution Rate as high as possible. Normally the current referrals collect more in the first year. As the collections sit over time, the chance of resolving decreases. To achieve a higher resolution rate an entity would have to primarily focus on collecting for current referrals only. The Risk Monitor displays similar information, identifying referrals that were paid prior to delinquency. In comparison to the peers, it is good information.</p> <p>Adjustment score and discharge score, unsure how this data would help collections. With the new laws eliminating fees, court are required to discharge balances.</p> <p>There is a big blank box for Entity Context, it seems to be wasted space. Is the intent to include data going forward?</p>	<p>Yes. We intend to include data in the Entity Context box. There was some discussion about capturing information and/or explanations provided by the court/county on each performance measure, like the Performance section of the Individual Program Report.</p>
24.	David Gutknecht, Chief Deputy of Administration	Riverside Superior Court	Overall, we support the new measurements and feel that they will help us to better analyze and improve our collection processes.	

## Court-Ordered Debt Performance Measures and Benchmarks Individual Program Dashboard Comments

	<b>Commentator</b>	<b>Program</b>	<b>Comment</b>	<b>Committee Response</b>
25.	Jim Owen, Director of Finance	Santa Cruz Superior Court	Court likes the ease of reading of the dashboard and the ability to quickly find the information in one place.	

Judicial Council of California - Delinquent Collections Dashboard

SELECT ENTITY

Alameda

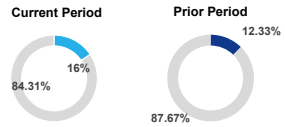
Cluster 4

Entity Context:

**POSITIVE**  
ROOM FOR IMPROVEMENT

QUICK LOOK

Collector Effective Index



+/- CLUSTER AVERAGE: -19.60% (Current), 1.99% (Prior)

Risk Score: Current FY 30%, Prior FY 30%  
First Year Resolution: Current 16%, Prior 16%

Cost : Referral Ratios  
Current: \$12.58, Prior: \$12.58

Adjustment Score  
Current: \$21.91, Prior: \$21.91

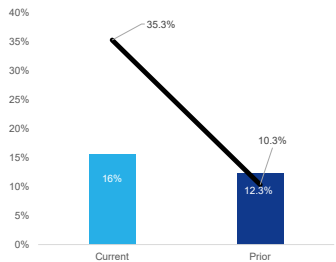
Discharge Score  
Current: \$0, Prior: \$261.25

Collector Effective Index (CEI)

Percentage of referrals with payment received versus total referrals of that age.

Green = higher than average % of cases with payment received  
Yellow = lower than average % of cases with payment received

	CEI	Average	Delta
Cur	16%	35.3%	-19.6%
Pri	12.3%	10.3%	2.0%



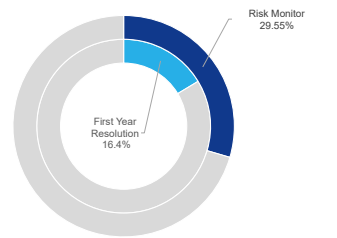
Risk Monitor:

The Risk Monitor is the percentage of referrals that went delinquent out of the total current referral pool for that year.  
Higher % = riskier referrals

First-year Resolution:

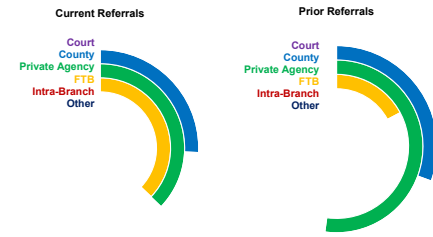
Percentage of 'current' referral balance that was resolved within the first year.  
Higher % = more revenue resolved in the first-year

	Risk Monitor	Difference	Cluster Average
Risk Monitor	29.55%	-45%	75%
First-Year Resolution	16.4%	-3.4%	19.8%



Case Distribution: Current & Prior Referrals

Number of cases managed by each program.



Number of cases established / referred / transferred

Program	Current	Cluster Average	Prior	Cluster Average
Court		20,828		115,760
County	9,640	1,550	152,285	27,022
Private Ag	13,943	5,719	259,805	43,455
FTB	13,918	2,944	85,874	8,127
Intra-Branch		2,283		38,649
Other		6,396		5,341
<b>Total</b>	<b>37,501</b>	<b>39,719</b>	<b>497,964</b>	<b>236,354</b>

Cost to Referral Ratio:

The average dollars spent per referral.

Yellow = more money spent per referral  
Green = less money spent per referral

Entity R	Cost : Referral Ratio		
	Current	Prior	Combined
Entity R	12.58	6.39	6.62
Cluster	27.34	5.97	8.64
Delta	(14.76)	0.41	(1.82)

Spend Efficiency Score:

Dollars spent to collect \$1 in delinquent referrals.

Yellow: Spending more per dollar collected  
Green: Spending less per dollar collected

Program	Entity	Average			Delta				
		Entity	Average	Delta	Entity	Average	Delta		
Court	0.17	0.25	-	0.28	0.14	-	0.24	0.24	-
County	0.17	2.43	(2.26)	0.10	0.14	(0.05)	0.11	0.14	(0.04)
P.A	0.13	0.14	(0.01)	0.10	0.14	(0.05)	0.11	0.14	(0.04)
FTB	0.18	0.24	(0.06)	0.19	0.17	0.02	0.19	0.17	0.02
Intra-Branch		0.20	-		0.20	-		0.20	-
Other		0.02	-		0.03	-		0.03	-

Adjustment Score:

Dollar value of adjustments against the total referral balance.

Adjustments	\$ 6,087,666
Score	21.91
Cluster Average	30.75

Adjusted LESS than average

Performance normalizing metric

Discharge Score:

Dollar value of discharges against the total referral balance.

Discharges	\$ 72,572,423
Score	261.25
Cluster Average	61.37

Adjusted MORE than average

Performance normalizing metric

# Judicial Council California Performance

## Measurement Benchmarks: Reference Guide

### THIS DASHBOARD IS DESIGNED TO:

Provide entities with contextual and performance-based metrics based on reported CRT data and to give entities a deeper understanding of performance, case distribution, and costs. Cluster averages are included for reference and to give entities an opportunity to share best practices and strategies. The goal is to encourage information sharing, investigation into errors or areas that may require attention and to give entities more data and information to influence collections strategy moving forward.

#### Key:

	Positive
	Room for Improvement

### Collector Effective Index (CEI):

*Definition:* The Collector Effective Index (CEI) shows the *percentage of referrals with payment received versus total referrals of that age*.

#### WHAT IT MEANS:

- › CEI shows an entity's effectiveness at collecting referrals of a specific age by calculating the *percentage of cases with payment* for debts of specific, pre-determined ages.
- › CEI gives a numeric (percentage) and visual representation of how an entity is performing versus peers in collecting referrals of a specific age.

Entities should strive to maximize CEI for both Current and Prior referrals.

### Spend Efficiency Score (SES):

*Definition:* The Spend Efficiency Score is the number of dollars spent to collect \$1 in delinquent referrals for the various programs.

#### WHAT IT MEANS:

- › SES shows the cost to collect \$1 in delinquent referrals.
- › An SES for Private Agency of 0.2 means that an entity spent 20 cents to collect each dollar of delinquent referrals when using that program.

Low SES means an entity is spending less to collect delinquent referrals, a high SES means an entity is spending more to collect delinquent referrals. An SES greater than 1 should always be investigated.

### Cost to Referral Ratio:

*Definition:* Cost to Referral ratio show the average dollars spent (costs) per referral.

#### WHAT IT MEANS:

- › The Cost to Referral ratio is helpful when entities are looking to compare relative operating costs with other entities, and to the cost of administering justice.
- › This benchmark shows the average cost-per-referral for current, prior, and combined referrals, in addition to the cost-per-total cases resolved.

### First-year Resolution rate:

*Definition:* First-year Resolution is the percentage of 'current' referral balance that was resolved within the first year.

#### WHAT IT MEANS:

- › How effective entities are at collecting and resolving first-year (current) referrals within that year
- › This shows the percentage of current referral dollars that were resolved within the first year through collections, adjustments and/or discharges. Higher percentages mean an entity was able to resolve more first-year debt.

Entities should strive to make First-year Resolution Rate as high as possible.

### Adjustment Score:

*Definition:* Adjustment Score is a representation of the dollar value of adjustments against the total referral balance.

#### WHAT IT MEANS:

- › The amount of revenue that an entity adjusted through non-cash means.

The adjustment score is a *normalizing metric* and is intended to help entities understand where they stand in terms of adjustments with the other entities in their cluster.

### Discharge Score:

*Definition:* Discharge Score is a representation of the dollar value of discharges against the total referral balance.

#### WHAT IT MEANS:

- › The amount of revenue that an entity discharged.

The discharge score is a *normalizing metric* and is intended to help entities understand where they stand in terms of discharges with the other entities in their cluster.

### Risk Monitor:

*Definition:* The Risk Monitor is the percentage of referrals that went delinquent out of the total current referral pool for that year.

#### WHAT IT MEANS:

- › The Risk Monitor is designed to assign a 'riskiness score' to an entity's current year referrals to help the entity (and JCC) set expectations for performance on those specific referrals.
  - A high Risk Monitor means fewer referrals were paid before going delinquent and the remaining pool is riskier
  - A low Risk Monitor means more referrals were paid before going delinquent and the remaining pool is less risky

### Potential Errors / Issues:

This dashboard exclusively uses reported CRT data so if one of the metrics seems off (100% or 0%) it is likely due to an error or irregularity in the CRT data. We have included the specific equations used to calculate each metric to aid in error investigation work.

In this same vein, if entities report inaccurate or incomplete data, it will impact the cluster averages.

## CLUSTER INFORMATION

### Cluster 1:

County	ID	Cluster
Alpine	2	1
Amador	3	1
Calaveras	5	1
Colusa	6	1
Del Norte	8	1
Glenn	11	1
Inyo	14	1
Lassen	18	1
Mariposa	22	1
Modoc	25	1
Mono	26	1
Plumas	32	1
San Benito	35	1
Sierra	46	1
Trinity	53	1

### Cluster 3:

County	ID	Cluster
Contra Costa	7	3
Fresno	10	3
Kern	15	3
Monterey	27	3
San Francisco	38	3
San Joaquin	39	3
San Mateo	41	3
Santa Barbara	42	3
Solano	48	3
Sonoma	49	3
Stanislaus	50	3
Tulare	54	3
Ventura	56	3

### Cluster 2:

County	ID	Cluster
Butte	4	2
El Dorado	9	2
Humboldt	12	2
Imperial	13	2
Kings	16	2
Lake	17	2
Madera	20	2
Marin	21	2
Mendocino	23	2
Merced	24	2
Napa	28	2
Nevada	29	2
Placer	31	2
San Luis Obispo	40	2
Santa Cruz	44	2
Shasta	45	2
Siskiyou	47	2
Sutter	51	2
Tehama	52	2
Tuolumne	55	2
Yolo	57	2
Yuba	58	2

### Cluster 4:

County	ID	Cluster
Alameda	1	4
Los Angeles	19	4
Orange	30	4
Riverside	33	4
Sacramento	34	4
San Bernardino	36	4
San Diego	37	4
Santa Clara	43	4

**PENAL CODE - PEN****PART 2. OF CRIMINAL PROCEDURE [681 - 1620]**

*( Part 2 enacted 1872. )*

**TITLE 11. PROCEEDINGS IN MISDEMEANOR AND INFRACTION CASES AND APPEALS FROM SUCH CASES [1427 - 1471]**

*( Heading of Title 11 amended by Stats. 1998, Ch. 931, Sec. 407. )*

**CHAPTER 1. Proceedings in Misdemeanor and Infraction Cases [1427 - 1465.9]**

*( Heading of Chapter 1 amended by Stats. 1998, Ch. 931, Sec. 408. )*

**1463.010.**

The uniform imposition and enforcement of court-ordered debts are recognized as an important element of California's judicial system. Prompt, efficient, and effective imposition and collection of court-ordered fees, fines, forfeitures, penalties, restitution, and assessments ensure the appropriate respect for court orders. The California State Association of Counties and the Judicial Council are jointly committed to identifying, improving, and seeking to expand access to mechanisms and tools that will enhance efforts to collect court-ordered debt. To provide for this prompt, efficient, and effective collection:

(a) The Judicial Council shall adopt guidelines for a comprehensive program concerning the collection of moneys owed for fees, fines, forfeitures, penalties, and assessments imposed by court order. As part of its guidelines, the Judicial Council may establish standard agreements for entities to provide collection services. As part of its guidelines, the Judicial Council shall include provisions that promote competition by and between entities in providing collection services to courts and counties. The Judicial Council may delegate to the Administrative Director of the Courts the implementation of the aspects of this program to be carried out at the state level.

(b) The courts and counties shall maintain the collection program that was in place on January 1, 1996, unless otherwise agreed to in writing by the court and county. The program may wholly or partially be staffed and operated within the court itself, may be wholly or partially staffed and operated by the county, or may be wholly or partially contracted with a third party. In carrying out this collection program, each superior court and county shall develop a cooperative plan to implement the Judicial Council guidelines. In the event that a court and a county are unwilling or unable to enter into a cooperative plan pursuant to this section, prior to the arbitration procedures required by subdivision (e) of Section 1214.1, the court or the county may request the continuation of negotiations with mediation assistance as mutually agreed upon and provided by the Administrative Director of the Courts and the California State Association of Counties.

(c) The Judicial Council shall develop performance measures and benchmarks to review the effectiveness of the cooperative superior court and county collection programs operating pursuant to this section. Each superior court and county shall jointly report to the Judicial Council, as provided by the Judicial Council, information



requested in a reporting template on or before September 1, 2009, and annually thereafter. The Judicial Council shall report annually, on or before December 31, to the Legislature, the Joint Legislative Budget Committee, and the Department of Finance all of the information required to be collected and reported pursuant to subdivision (a) of Section 68514 of the Government Code.

(d) The Judicial Council may, when the efficiency and effectiveness of the collection process may be improved, facilitate a joint collection program between superior courts, between counties, or between superior courts and counties.

(e) The Judicial Council may establish, by court rule, a program providing for the suspension and nonrenewal of a business and professional license if the holder of the license has unpaid fees, fines, forfeitures, penalties, and assessments imposed upon them under a court order. The Judicial Council may provide that some or all of the superior courts or counties participate in the program. Any program established by the Judicial Council shall ensure that the licensee receives adequate and appropriate notice of the proposed suspension or nonrenewal of the licensee's license and has an opportunity to contest the suspension or nonrenewal. The opportunity to contest may not require a court hearing.

(f) Notwithstanding any other provision of law, the Judicial Council, after consultation with the Franchise Tax Board with respect to collections under Section 19280 of the Revenue and Taxation Code, may provide for an amnesty program involving the collection of outstanding fees, fines, forfeitures, penalties, and assessments, applicable either statewide or within one or more counties. The amnesty program shall provide that some or all of the interest or collections costs imposed on outstanding fees, fines, forfeitures, penalties, and assessments may be waived if the remaining amounts due are paid within the amnesty period.

*(Amended by Stats. 2019, Ch. 637, Sec. 10. (AB 1818) Effective January 1, 2020.)*

## **GOVERNMENT CODE - GOV**

### **TITLE 8. THE ORGANIZATION AND GOVERNMENT OF COURTS [68070 - 77655]**

*( Title 8 added by Stats. 1953, Ch. 206. )*

#### **CHAPTER 2. The Judicial Council [68500 - 68645.7]**

*( Chapter 2 added by Stats. 1953, Ch. 206. )*

#### **ARTICLE 1. General Provisions [68500 - 68525]**

*( Article 1 added by Stats. 1953, Ch. 206. )*

#### **68514.**

(a) Beginning October 1, 2018, and annually on or before December 31 thereafter, the Judicial Council shall report to the Department of Finance, the Legislature, and the Joint Legislative Budget Committee the total amount of revenue collected in the prior fiscal year, by each court and county, from criminal fines, fees, forfeitures, penalties, restitution fines described in subdivision (b) of Section 1202.4 of the

Penal Code, and assessments related to infractions, misdemeanors, and felonies. The report shall include, but not be limited to, the following information:

- (1) Total nondelinquent revenue collected and the number of cases associated with those collections.
  - (2) Total delinquent revenue collected and the number of cases associated with those collections, as reported by each superior court and county pursuant to Section 1463.010 of the Penal Code.
  - (3) Total amount of fines and fees dismissed, discharged, or satisfied by means other than payment.
  - (4) A description of the collection activities used pursuant to Section 1463.007 of the Penal Code.
  - (5) The total amount collected per collection activity.
  - (6) The total number of cases by collection activity and the total number of individuals associated with those cases.
  - (7) Total operating costs per collection activity.
  - (8) The percentage of fines or fees that are defaulted on.
  - (9) The extent to which each court or county is meeting the collections best practices and performance measures and benchmarks, developed pursuant to subdivision (c) of Section 1463.010 of the Penal Code, for its collection program.
  - (10) Any changes necessary to improve the performance of collection programs statewide.
- (b) The Judicial Council shall separately list the information required in subdivision (a) for fines and fees assessed in a year before the current reporting year that had outstanding balances in the current reporting year.
- (c) To the extent a court or county cannot provide the information listed in subdivisions (a) and (b), the Judicial Council shall notify the Department of Finance and the Joint Legislative Budget Committee and shall provide a plan for how to obtain this information in the future. The Department of Finance may approve alternate metrics if a court or county does not have this information.

*(Amended by Stats. 2019, Ch. 637, Sec. 6. (AB 1818) Effective January 1, 2020.)*