

DEPARTMENT: Probation

BY: Gail Neal
PHONE: 966-3612

RECOMMENDED ACTION AND JUSTIFICATION:

Adopt resolution to allow the Probation Department to collect a 15% administrative fee on victim restitution; 100% to be deposited into the county general fund and establish an updated fee schedule for the Probation Department.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

California Penal Code Section 1203.1(l) allows for the collection of an additional 10% on victim restitution for the administrative costs associated with the collection of said victim restitution. 100% of all victim restitution administrative fees are to be deposited into the general fund.

Additionally, the Board of Supervisors previously authorized a fee schedule for the Probation Department to collect monies from individuals placed on formal probation. That schedule includes fees for the cost of services provided. The current schedule is y 20 years old (Resolution No. 89-443) and is void of several fees. Since the fees are based upon hourly rates, cost of living, or legislative action, all of the fees are low or have not yet been authorized by the Board of Supervisors. Attached is a list of the current fee schedule with a recommended new rate. Explanations of cost determination are identified beside each category.

Additionally

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes (X) No	Current FY Cost	Annual Recurring Cost: \$0
Budgeted In Current FY? () Yes (X) No () Partially Funded		
Amount in Budget: \$0		List Attachments, number pages consecutively
Additional Funding Needed: \$0		Recommended Fee Schedule
Source:		2009 Fee Schedule (to be posted)
Internal Transfer		Copy of 1989 Fee Schedule
Unanticipated Revenue	4/5's vote	
Transfer Between Funds	4/5's vote	
Contingency	4/5's vote	
() General (X) Other		

CLERK'S USE ONLY:

Res. No.: 09-603 Ord. No. _____
 Vote - Ayes: 4 Noes: _____
 Absent: *Sibby*
 Approved
 () Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

The foregoing instrument is a correct copy of the original on file in this office.
 Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

CAO: *[Signature]*



COUNTY OF MARIPOSA PROBATION DEPARTMENT

5091 Bullion Street, P.O. Box 76
 Mariposa, California 95338
 Phone: (209) 966-3612 FAX: (209) 742-5961
 E-Mail: probation@mariposacounty.org

Gail A. Neal, Chief Probation Officer

RECOMMENDED FEE SCHEDULE

Adult	Current	Recommended	Authority/Explanation
Administrative Collection Fee	\$ 35.00	\$ 75.00	per PC1203.1(h)
Return Check - NSF	\$ 10.00	\$ 35.00	per check
Interstate Compact Fee		\$ 125.00	amount based on staff hours
Change of Plea/Setting Aside a Verdict	\$ 60.00	\$ 150.00	allowed by code
Victim Rest. Collection Fee		15%	per PC1203.1(1)
Jurisdictional Transfer Fee		\$ 25.00	
Drug Testing	\$ 6.00	\$ 10.00	per test
Community Service	\$ 25.00	\$ 25.00	set up-transfer fee / reference PBMA survey
Community Service		\$ 1.00	per hour / reference PBMA survey
Electronic Monitor	\$ 12.50	\$ 15.00	per day
Electronic Monitor		\$ 100.00	set up fee /reference PBMA survey
Alcohol Monitor		\$ 15.00	per day
Monthly Supervision Fee	\$ 10.00	\$ 20.00	per month / reference PBMA survey
OR Supervision		\$ 20.00	per month
PC1000	\$ 200.00	\$ 300.00	reference PBMA survey
PSI Pre-Sentence Report - Felony	\$ 150.00	\$ 300.00	amount based on staff hours
PSI Pre-Sentence Report - Misdemeanor	\$ 75.00	\$ 150.00	amount based on staff hours
Supplemental Report - Felony		\$ 150.00	amount based on staff hours
Supplemental Report - Misdemeanor		\$ 75.00	amount based on staff hours
Step parent adoption	\$ 100.00	\$ 300.00	amount based on staff hours
Juvenile			
Administrative Collection Fee	\$ 35.00	\$ 75.00	per PC1203.1(h)
Return Check - NSF	\$ 10.00	\$ 35.00	per check
Interstate Compact Fee		\$ 125.00	amount based on staff hours
Petition Records to be Sealed or Expunged	\$ 60.00	\$ 150.00	per 903.3 W&I
Victim Rest. Collection Fee		15%	per PC1203.1(1)
Jurisdictional Transfer Fee		\$ 25.00	
Drug Testing	\$ 6.00	\$ 10.00	per test
Community Service	\$ 25.00	\$ 25.00	set up-transfer fee / reference PBMA survey
Electronic Monitor		\$ 100.00	set up fee /reference PBMA survey
Electronic Monitor	\$ 12.50	\$ 15.00	per day
Alcohol Monitor		\$ 15.00	per day
Monthly Supervision Fee	\$ 10.00	\$ 20.00	per month / reference PBMA survey
Juvenile Hall Detention Fee	\$ 20.00	\$ 30.00	allowed by code
Dispositional Report		\$ 300.00	amount based on staff hours
Supplemental Reviews Report		\$ 150.00	amount based on staff hours

Above figures/rates were arrived at by using the 07/08 PBMA Revenue Survey of 52 counties, using an average salary of staff hours needed to complete the projects, and Senate Bill No. 676. (approved by Governor on October 11, 2009)



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Gail A. Neal, Chief Probation Officer

PROBATION FEE SCHEDULE

Adult

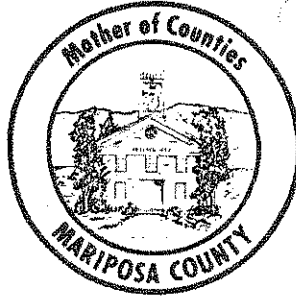
Administrative Collection Fee	\$ 75.00	per PC1203.1(h)
Return Check - NSF	\$ 35.00	per check
Interstate Compact Fee	\$ 125.00	
Change of Plea/Settling Aside a Verdict	\$ 150.00	
Victim Rest. Collection Fee	15%	per PC1203.1(1)
Jurisdictional Transfer Fee	\$ 25.00	
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Drug Testing	\$ 10.00	per test
Community Service	\$ 25.00	set up-transfer fee
Community Service	\$ 1.00	per hour
Electronic Monitor	\$ 15.00	per day
Electronic Monitor	\$ 100.00	set up fee
Alcohol Monitor	\$ 15.00	per day
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Monthly Supervision Fee	\$ 20.00	per month
OR Supervision	\$ 20.00	per month
PC1000	\$ 300.00	
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PSI Pre-Sentence Report - Felony	\$ 300.00	
PSI Pre-Sentence Report - Misdemeanor	\$ 150.00	
Supplemental Report - Felony	\$ 150.00	
Supplemental Report - Misdemeanor	\$ 75.00	
Step parent adoption	\$ 300.00	

Juvenile

Administrative Collection Fee	\$ 75.00	per PC1203.1(h)
Return Check - NSF	\$ 35.00	per check
Interstate Compact Fee	\$ 125.00	
Petition Records to be Sealed or Expunged	\$ 150.00	per 903.3 W&I
Victim Rest. Collection Fee	10%	per PC1203.1(1)
Jurisdictional Transfer Fee	\$ 25.00	
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Drug Testing	\$ 10.00	per test
Community Service	\$ 25.00	set up-transfer fee
Electronic Monitor	\$ 100.00	set up fee
Electronic Monitor	\$ 15.00	per day
Alcohol Monitor	\$ 15.00	per day
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Monthly Supervision Fee	\$ 20.00	per month
Juvenile Hall Detention Fee	\$ 30.00	per day
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Dispositional Report	\$ 300.00	
Supplemental Reviews Report	\$ 150.00	

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Matthew T. Cavanaugh
CHIEF PROBATION OFFICER



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P.O. Box 76
Mariposa, California
95338
(209) 966-3612

PROBATION DEPARTMENT

Res. No. 89-443
Exhibit "B"

PROBATION FEE SCHEDULE

<u>ACTIVITY</u>	<u>FEE</u>
Pre-Sentence Report	
Felony	\$ 150.00 flat
Misdemeanor	75.00 flat
Child Custody Report	100.00 flat
Stepparent Adoption Evaluation Report	25.00 flat
Community Service (Adult)	25.00 flat
Probation Services (Adult)	10.00 month
Chemical Testing	5.00 test