



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-061

For business meeting on March 15, 2024

Title

Report to the Legislature: Online Infraction
Adjudication and Ability-to-Pay
Determinations

Agenda Item Type

Information Only

Date of Report

February 16, 2024

Submitted by

Judicial Council staff
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Criminal Justice Services

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Executive Summary

The *Online Infraction Adjudication and Ability-to-Pay Determinations* report to the Legislature describes actions taken to expand online ability-to-pay determination requests for infraction violations statewide as authorized by Assembly Bill 143 (Stats. 2021, ch. 79).

The report fulfills the requirements set forth in Government Code section 68645.5 and is the third of four required annual reports. It describes: (1) the system's users, (2) explains how the *MyCitations* tool is being implemented, (3) presents data on the impact of the system related to the reduction of court-ordered debt, and (4) documents actions taken for the statewide expansion of the program.

- As of December 31, 2023, 40 of California's 58 superior courts have made online ability-to-pay determination requests available through the *MyCitations* tool, with the remaining 18 courts scheduled to implement the tool in 2024.
- Between the program's launch in April 2019 and December 2023, approximately 128,000 ability-to-pay requests were submitted through the *MyCitations* tool by 91,000 defendants. These cases accounted for over \$71 million in outstanding infraction fines and fees that, after judicial review, were reduced by more than \$36.7 million. Consistent with research findings presented in last year's report, case-level analysis of debts collected from requests

made through *MyCitations* demonstrates that defendants are more likely to pay when offered a reduced amount.

Relevant Previous Council Action

Government Code section 68645.5 specifies that from February 1, 2022, and annually until February 1, 2025, the Judicial Council provide to the Legislature a report including information about the implementation, use, and impact of the *MyCitations* tool. At its meeting on March 11, 2022, the Judicial Council received the first annual report, *Online Infraction Adjudication and Ability-to-Pay Determinations*, which was submitted to the Legislature in February 2022. At its meeting on March 24, 2023, the Judicial Council received the second annual report, submitted to the Legislature in February 2023.

Previous actions taken by the Judicial Council relate to the Ability-to-Pay pilot program that predates the statewide project. The pilot project was authorized through the Budget Act of 2018.¹ At its meeting on September 21, 2018, the Judicial Council approved the recommendation establishing a process to select additional pilot courts to add to the existing five partnering with the Judicial Council for the pilot program. At its meeting on November 30, 2018, the Judicial Council approved the addition of three more pilot courts into the program. At its meeting on January 17, 2020, the Judicial Council directed that *Online Traffic Adjudication and Ability-to-Pay* be submitted to the Legislature. At its meeting on January 22, 2021, the Judicial Council received the 2021 annual report and submitted it to the Legislature in December 2020.

Analysis/Rationale

In 2016, the Judicial Council began to study the impact of high fines and fees on low-income court users and options to minimize these impacts with a successful grant proposal to the U.S. Department of Justice under the Price of Justice Initiative. With seed funding from the grant, the Judicial Council and the Superior Courts of San Francisco, Santa Clara, Shasta, Tulare, and Ventura Counties designed a process to conduct ability-to-pay determinations online through the use of the *MyCitations* tool. Building on early achievements, the Budget Act of 2018 included funding to the Judicial Council to officially designate a pilot program and expand the work to additional courts in Fresno and Monterey. Finally, AB 143 passed in 2021, authorizing the Judicial Council to launch the project statewide.

This report presents data from the 40 courts using the *MyCitations* tool, California's online system to allow individuals with eligible infraction violations to request reductions in their court-ordered debt if they do not have the ability to pay it. It describes the system's users, explains how the *MyCitations* tool is being implemented, and presents data on the impact of the system related to the reduction of court-ordered debt. Finally, it documents actions taken for the statewide expansion of the program.

¹ Sen. Bill 847; Stats. 2018, ch. 45.

Fiscal Impact and Policy Implications

The Budget Act of 2021² appropriated \$12.3 million in new operational funding, increasing over three years to \$58 million ongoing annually to support the statewide expansion of online ability-to-pay determinations submitted through *MyCitations*, and to provide backfill funding associated with judicial branch revenue reductions. In addition to providing the funding backfill, this allocation supports Judicial Council project staff, software hosting, maintenance, enhancements, updates, and deployment to courts, as well as court program implementation costs including case management system interfaces with the *MyCitations* tool.

Because the Judicial Council hosts and maintains the software, the courts are provided access for free. Other than court staff time for designated system administrators to access each court's system to approve users, adjust settings, and monitor case management system interfaces, no additional local resources are anticipated.

Although courts experience an initial workload impact as they learn to use the new system and shift to an online process, the new system will ultimately save court time by providing a means to handle some traffic cases online without requiring an in-court hearing. Most importantly, the *MyCitations* tool reduces barriers for lower income individuals to request reductions in their court-ordered debt and is an important component in statewide efforts to increase access to justice for all Californians.

Attachments and Links

1. Attachment A: *Online Infraction Adjudication and Ability-to-Pay Determinations*

² Sen. Bill 129; Stats. 2021, ch. 69, § 7, item 0250-103-0001.



JUDICIAL COUNCIL of CALIFORNIA

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Chair of the Judicial Council

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MS. SHELLEY CURRAN
Administrative Director
Judicial Council

February 2, 2024

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Ms. Erika Contreras
Secretary of the Senate
State Capitol, Room 305
Sacramento, California 95814

Ms. Sue Parker
Chief Clerk of the Assembly
State Capitol, Room 319
Sacramento, California 95814

Re: *Online Infraction Adjudication and Ability-to-Pay Determinations*, as required under Assembly Bill 143 (Stats. 2021, ch. 79)

Dear Ms. Jenkins, Ms. Contreras, and Ms. Parker:

Pursuant to Government Code section 68645.5, the Judicial Council is submitting *Online Infraction Adjudication and Ability-to-Pay Determinations*.

If you have any questions related to this report, please contact Francine Byrne at 415-865-8069 or by email at Francine.Byrne@jud.ca.gov.

Sincerely,

Shelley Curran
Administrative Director
Judicial Council

Ms. Cara L. Jenkins
Ms. Erika Contreras
Ms. Sue Parker
February 2, 2024
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SC/FB/MW/sc

Enclosures

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MS. SHELLEY CURRAN
Administrative Director
Judicial Council

Report title: *Online Infraction Adjudication and Ability-to-Pay Determinations*

Statutory citation: Stats. 2021, ch. 79

Code section: Government Code section 68645.5

Date of report: February 2024

The Judicial Council has submitted a report to the Legislature in accordance with Government Code section 68645.5.

The following summary of the report is provided under the requirements of Government Code section 9795.

With the passage of Assembly Bill 143 (Committee on Budget; Stats. 2021, ch. 79), the Judicial Council was mandated to develop and implement a statewide system that allows for the online adjudication of infraction violations by June 30, 2024. The statute requires an annual report every February between 2022 and 2025.

This report is the third of the four reports required. This report:

- Describes *MyCitations* users;
- Explains how the *MyCitations* tool is being implemented;
- Presents data on the impact of the system related to the reduction of court-ordered debt; and
- Documents actions taken for the statewide expansion of the program.

The full report can be accessed at www.courts.ca.gov/7466.htm.

A printed copy of the report may be obtained by calling 415-865-8994.

JUDICIAL COUNCIL OF CALIFORNIA

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*Administrative Director
Judicial Council*

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February 2024



Online Infraction Adjudication and Ability-to-Pay Determinations

Report to the Legislature

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Executive Summary

The report fulfills the requirements set forth in Government Code section 68645.5 and is the third of four required annual reports. It describes: (1) the system's users, (2) explains how the *MyCitations* tool is being implemented, (3) presents data on the impact of the system related to the reduction of court-ordered debt, and (4) documents actions taken for the statewide expansion of the program.

MyCitations was developed and is maintained by the Judicial Council of California and allows lower income individuals with infraction violations to request a reduction in their fines and fees based on financial information they submit to the court. The system compiles that information, along with relevant citation details, for the court to review and finalize an order back to the defendant.

- As of December 31, 2023, 40 of California's 58 superior courts have made online ability-to-pay determination requests available through the *MyCitations* tool, with the remaining 18 courts scheduled to implement the tool in 2024.
- Between the program's launch in April 2019 and December 2023, approximately 128,000 ability-to-pay requests were submitted through the *MyCitations* tool by 91,000 defendants.
- Nearly 47 percent of defendants using the tool reported that they receive public benefits and just over 89 percent reported incomes at or below 250 percent of the federal poverty level.
- Cases processed through *MyCitations* accounted for over \$71 million in outstanding infraction fines and fees, with an average of \$561 owed per case. After judicial review, the total fines and fees were reduced by more than \$36.7 million.

Consistent with research findings presented in last year's report, case-level analysis of debts collected from requests made through *MyCitations* demonstrates that defendants are more likely to pay when offered a reduced amount. In its fifth year of operation, *MyCitations* continues to expand and reach more people in additional counties, benefiting both the courts and the communities they serve.

Introduction

Fines and fees associated with traffic citations are imposed in all infraction cases, regardless of the defendant's income. This imposition can cause a disparity for low-income litigants, often resulting in unpaid fines and fees. Defendants experiencing financial hardship can request an ability-to-pay determination by filing the appropriate paperwork with the court. And now, *MyCitations* offers defendants the additional option of making their ability-to-pay request to the court from a desktop or mobile device.

Government Code section 68645 requires the Judicial Council to develop and implement a statewide system for adjudicating infraction cases and enabling ability-to-pay determination requests online. It mandates that the Judicial Council submit an annual report to the Legislature that provides demographic information on defendants who use the online tool as reported by the defendant, how the tool is being implemented by the courts, and data on defendant payments. It also requires a description of the actions taken by the Judicial Council to advance the statewide expansion of the project.

This report proceeds in five sections. Section I reports on defendant use of the online tool, *MyCitations*, and provides demographic information about individuals who submit ability-to-pay determination requests. Section II provides details on *MyCitations* requests and the relief ordered by the courts. Section III provides an analysis of data available on amounts collected by courts and the impact of recent fines and fees reforms. Section IV describes the progress of the statewide expansion of the *MyCitations* tool as well as efforts to implement an Online Trial by Declaration module. Finally, Section V provides a summary and conclusion related the information provided.

Background

Before the implementation of *MyCitations*, defendants had two main options for addressing their infraction violations:¹ An individual could “forfeit bail,” which includes pleading guilty and paying the ticket (also known as a citation) in full. Or they could contest the citation by appearing in person at the court. If an individual was not able to pay the amount owed, an ability-to-pay request had to be submitted in person before a judge.² Requiring defendant appearance posed significant barriers to many individuals and compromised their access to justice, as it may have required taking time off work, securing childcare, or other challenges. The overall goal is to increase access to justice. Although courts can accept a paper form from defendants seeking an

¹ Infractions in California are the least serious criminal offenses and mostly include traffic violations. Infractions are not punishable by imprisonment and the defendant is not entitled to a jury trial for these offenses.

² Courts maintain various local procedures that allow defendants to request a reduction in fines and fees for infraction violations, including utilizing *Can't Afford to Pay Fine: Traffic and Other Infractions* (form TR-320) or petitions to vacate civil assessment fees as well as other options to provide some debt relief, such as payment plans and community service.

ability-to-pay request, *MyCitations* offers another alternative for them to complete their transaction.

In 2016, with funding from the U.S. Department of Justice’s Price of Justice Initiative, the Judicial Council began to study the impact of high fines and fees on low-income court users and identify options to minimize these impacts. The Judicial Council used the funding to partner with five superior courts to design a process for adjudicating cases and submitting ability-to-pay determinations online. That effort included identifying online workflows, selecting a software vendor, developing a prototype of the online tool, and testing interfaces with various court case management systems. The resulting prototype provided users with the ability to search for their citations online and make requests for reductions in traffic fines and fees without a court appearance.

The Budget Act of 2018 (Sen. Bill 847; Stats. 2018, ch. 29) allocated funding to the Judicial Council to develop a more comprehensive pilot program by further developing the prototype and expanding the work to two additional superior courts. Then, in 2021, Assembly Bill 143 (Stats. 2021, ch. 79) expanded the program statewide by requiring all superior courts to offer the online tool by June 30, 2024. Defendants experiencing financial hardship can access *MyCitations* from any phone or computer to request a reduction in court-ordered debt from eligible violations. They may do so at any point when they have a remaining balance. Defendants making an ability-to-pay request through *MyCitations* can also ask the court for a payment plan, more time to pay, and community service as part of their request.

The tool sends the individual’s request to a queue with automated recommendations for the court to review based on the system configurations set by each court. Once judicial review is complete, the tool sends the final order to the email address provided by the defendant.³ The tool automatically identifies any eligible citation a defendant can submit for ability-to-pay consideration. Furthermore, defendants can resubmit requests on the same citation at any time before the debt is fully paid if there is a change to their previously reported financial circumstances.

Section I: *MyCitations* Users

During fiscal year 2022–23, over 2.6 million infraction cases, including traffic and nontraffic, were filed in California superior courts. Over 80 percent of all criminal filings in California are infraction filings—cases in which individuals could potentially benefit from the use of *MyCitations*.⁴ Since the beginning of the pilot program in April 2019 and through December 2023, 128,151 ability-to-pay determination requests were submitted through the *MyCitations* tool by over 91,414 defendants. In calendar year 2023, 61,351 ability-to-pay requests were submitted

³ See Appendix C, How the Tool Works, for a description of how *MyCitations* makes recommendations to the court for judicial review and decision.

⁴ Judicial Council of Cal., *2024 Court Statistics Report: Statewide Caseload Trends, 2013–14 Through 2022–23*, p. 122, www.courts.ca.gov/documents/2024-Court-Statistics-Report.pdf.

through *MyCitations* by 47,606 defendants. Sections II and III provide cumulative and annual figures for defendant use of *MyCitations*.

Accessing *MyCitations*

One of the primary goals motivating the creation of the tool was to expand online access to the courts and reduce the number of times an individual had to go to court in person. Government Code section 68645.5 requires the Judicial Council to report the total number of requests made through locally established ability-to-pay procedures as well as those made through the online tool. The Judicial Council does not typically collect data on ability-to-pay determinations made through local processes, so additional data was requested from participating courts for the periods of July 2021 through June 2022 and July 2022 through June 2023.⁵ Figure 1 below compares the number of requests made by defendants through locally established procedures to those requests received through *MyCitations* in courts that were able to provide that information. Based on the data collected, it is evident that adding the new online option has significantly expanded opportunities for defendants in need to make ability-to-pay determination requests to the court.

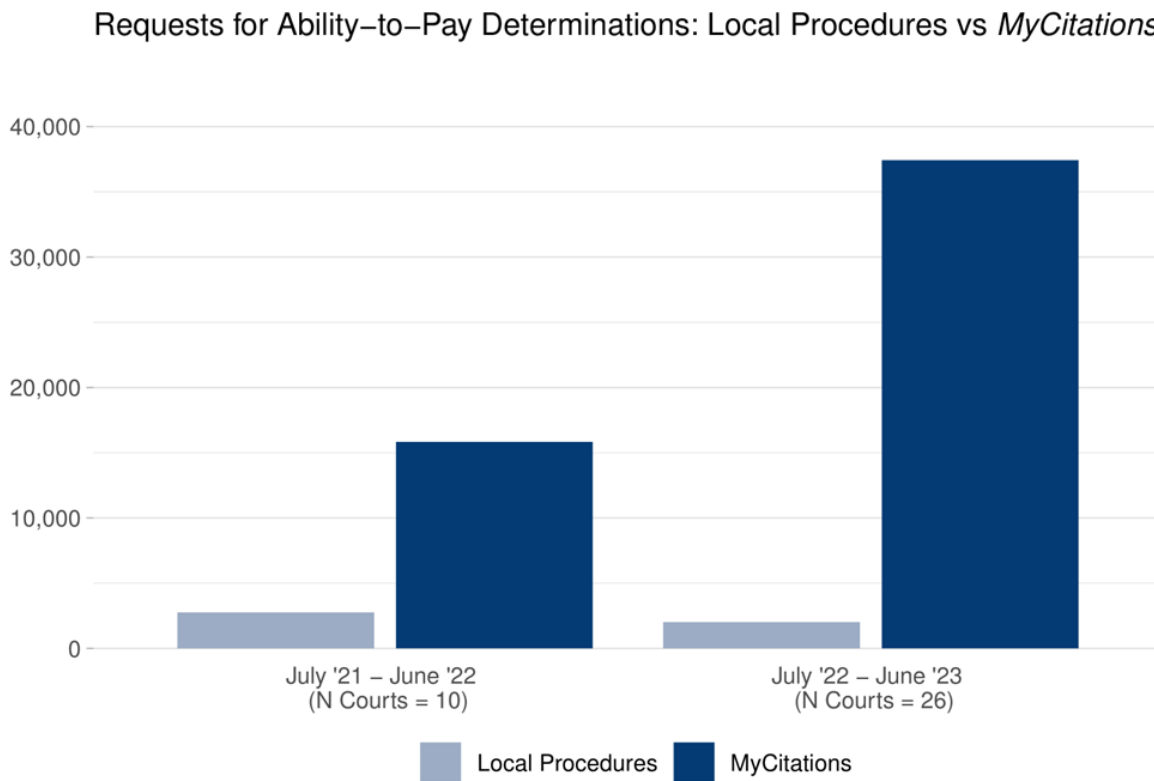


Figure 1

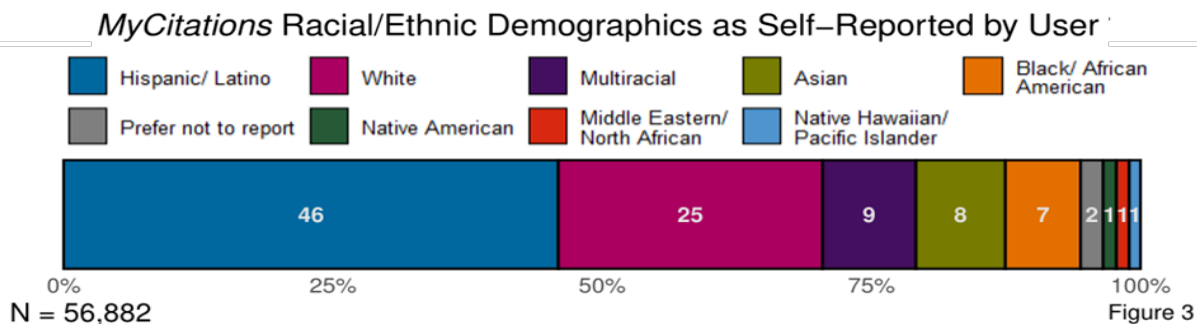
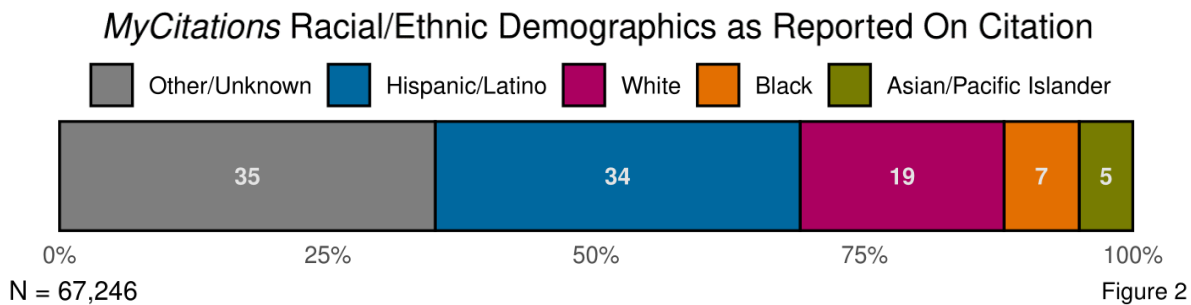
⁵ Twenty-five courts provided information on ability-to-pay determination requests made through means other than the online *MyCitations* tool, reporting that a total of 2,021 requests had been filed in the 12-month period of July 2022 through June 2023.

Defendant Demographics

In compliance with program reporting mandates, this report contains summaries of race/ethnicity, residential zip codes, public benefit status, and income level of the defendants using *MyCitations*. Monitoring these numbers in the years after full statewide implementation will allow the Judicial Council to target outreach efforts to help ensure defendants who would most benefit from the tool are aware of the option to use it.

Racial and ethnic demographics

Racial and ethnic demographic information about *MyCitations* users is collected through a voluntary user survey or through information recorded on the citation by the issuing officer. These data, reported separately below, are often incomplete and the Judicial Council cannot assess the accuracy of one data source over the other. Based on data recorded on the citation, racial/ethnic demographics are reported for 67,246 of the 91,414 defendants using the system since April 2019.⁶ Alternatively, based on survey response data from *MyCitations* users, racial/ethnic demographics were self-reported by 56,882 of the 69,627 defendants.⁷ Distributions for each are illustrated in Figure 2 and Figure 3, respectively and a distribution by county can be found in Appendix A.



⁶ “Other/unknown” is an optional entry on the citation completed by the issuing officer and is referenced here to indicate the frequency with which the option is recorded.

⁷ Racial/ethnic identity was added as an optional survey question for *MyCitations* defendants on December 10, 2021. Since that date, 69,627 litigants have accessed *MyCitations* and were offered the new survey question.

Residential zip codes

MyCitations data includes residential information about system users as recorded on the citation by the officer. The top five most frequently reported residential zip codes in each county are provided in Appendix B. As expected for a system designed for use by those with financial hardship, the most frequently recorded zip codes in each county also feature higher than average poverty concentrations.⁸ Eighty-one percent of the five most prevalent residential zip codes per participating *MyCitations* county also rank amongst the most impoverished zip codes from all counties.⁹ Zip code analyses have considerable limitations, including geographic size discrepancies, variation in population density, the arbitrary nature of zip code boundaries, and heterogeneity within zip codes.

Public benefit status and income level

Public benefit status and income level reported by defendants accessing *MyCitations* suggests that most defendants using the tool are experiencing some kind of financial hardship. From April 2019 through December 2023, nearly 47 percent of the defendants using the tool reported that they received public benefits and just over 89 percent reported incomes at or below 250 percent of the federal poverty level at the time of their request. These percentages are similar when looking only at the most recent calendar year: in 2023, 49 percent of defendants submitting requests to the *MyCitations* tool reported receiving some type of public benefit and 89 percent reported incomes at or below 250 percent of the federal poverty level.¹⁰

Section II: Ability-to-Pay Requests and Court Decisions

This section and Section III provide cumulative and annual figures for *MyCitations* requests and court orders. As previously mentioned, from program inception in April 2019 through December 2023, 91,414 defendants submitted requests through *MyCitations* amounting to \$71,872,898 in fines and fees initially owed, averaging \$561 due per case in which reductions were requested. Upon judicial review, the total amount of fines and fees ordered¹¹ through the tool was reduced to \$35,129,662, averaging \$274 due per case. This reduction amounts to \$36,743,236 in forgiven fines and fees. (See Table 1 below.)

In 2023 specifically, 47,606 defendants submitted 61,351 ability-to-pay determination requests through *MyCitations*. The amount due for the cases in which *MyCitations* requests were

⁸ For this analysis, the Judicial Council relied on data from the American Community Survey, which reports both on county-wide and zip code poverty rates based on 200 percent of the federal poverty level. See U.S. Census Bureau, American Community Survey, 2022: ACS 5-Year Estimates Subject Tables, Table S1701, Poverty Status in the Past 12 Months, [https://data.census.gov/table/ACSST5Y2022.S1701?g=010XX00US\\$8600000](https://data.census.gov/table/ACSST5Y2022.S1701?g=010XX00US$8600000).

⁹ Zip codes were only analyzed from courts that had implemented the *MyCitations* tool for a minimum of six months.

¹⁰ For comparison, a total annual household income of \$75,000 is equal to 250 percent of the 2023 federal poverty guidelines for a family of four. *Annual Update of HHS Poverty Guidelines*, 88 Fed.Reg. 3424 (Jan. 19, 2023), www.federalregister.gov/documents/2023/01/19/2023-00885/annual-update-of-the-hhs-poverty-guidelines.

¹¹ Ordered amounts include requests that were both approved and denied for reduction.

submitted was originally \$30,358,175, with an average of \$495 due per case. The reduction in the amounts initially owed is likely due to the passage of Assembly Bill 199 (Stats. 2022, ch. 57), which required courts to discharge debt from all civil assessments imposed before July 1, 2022, and mandated a maximum civil assessment fee of \$100 as opposed to the previous maximum of \$300. The impact of that legislative change is discussed in Section III. After judicial review, the total amount of fines and fees ordered through the tool was \$13,996,042, averaging \$231 per case and amounting to \$16,362,133 in forgiven fines and fees.

Table 1. *MyCitations* Requests and Court Decisions: 2023 and Cumulative

	2023	Cumulative
Number of Requests	61,351	128,151
Average Initial Amount Submitted for Reduction per Case	\$495	\$561
Average Amount Ordered per Case	\$231	\$274
Total Initial Amount Owed and Submitted for Reduction	\$30,358,175	\$71,872,898
Total Amount Ordered	\$13,996,042	\$35,129,662
Total Amount Forgiven	\$16,362,133	\$36,743,236

Requests by County

Table 2 summarizes the number of requests each court received in the 2023 calendar year and since the courts first went live with *MyCitations*.

Table 2. *MyCitations* Requests by County: 2023 and Cumulative

Onboarding Period	County	Date 1st Request Received	No. of Requests in 2023	No. of Requests, Cumulative
Pilot Program Phase	Tulare	4/2/2019	10,342	22,909
	Shasta	5/22/2019	3,376	9,971
	Ventura	8/26/2019	6,351	24,777
	San Francisco	12/10/2019	2,761	8,296
	Santa Clara	8/10/2020	6,021	20,561
	Fresno	12/1/2020	4,956	9,429
	Monterey	4/3/2021	506	1,545
2022	Santa Cruz	2/18/2022	535	947
	Imperial	3/31/2022	1,146	1856
	Modoc	4/19/2022	145	226
	Humboldt	6/10/2022	696	973
	Placer	6/30/2022	636	1005
	Mono	7/18/2022	273	474

Online Infraction Adjudication and Ability-to-Pay Determinations

Onboarding Period	County	Date 1st Request Received	No. of Requests in 2023	No. of Requests, Cumulative
2023	San Benito	7/18/2022	216	278
	San Joaquin	10/3/2022	7,943	9,317
	San Luis Obispo	11/1/2022	984	1,123
	Sierra	1/9/2023	121	121
	Nevada	1/10/2023	585	585
	Amador	1/17/2023	300	300
	Merced	1/30/2023	2,323	2,323
	Trinity	1/31/2023	56	56
	Yolo	3/27/2023	896	896
	Siskiyou	3/31/2023	376	376
	San Mateo	4/10/2023	1,548	1,548
	Lassen	4/11/2023	322	322
	Mendocino	4/24/2023	1,505	1,505
	Butte	5/01/2023	445	445
	Glenn	5/25/2023	338	338
	Alameda	7/04/2023	2,961	2,961
	Tehama	7/05/2023	193	193
	Colusa	7/07/2023	143	143
	San Diego	9/18/2023	1,069	1,069
	Solano	9/30/2023	539	539
	El Dorado	10/2/2023	248	248
	Kings	10/2/2023	248	248
	Madera	10/2/2023	152	152
	Plumas	10/4/2023	14	14
	Calaveras	10/6/2023	52	52
	Marin	12/14/2023	28	28
	Sutter	12/19/2023	2	2
TOTAL			61,351	128,151

Recommendations and Court Decisions

In 2023, 83 percent of the 61,351 ability-to-pay requests received were approved by the courts for a reduction. The average reduction recommendation offered by the *MyCitations* calculator across all participating courts was 64 percent and the average reduction ordered after judicial review was 62 percent. Although the *MyCitations* calculator offers an initial recommendation of the dollar amount due for each request based on administrative settings selected by each court, judicial officers retain the discretion to accept or adjust the recommendation based on the facts of the case. (For more on the *MyCitations* calculator, see Appendix C.) Overall, when the court

approved a request for reduction, judicial officers accepted the tool recommendation within a ten-dollar difference 97 percent of the time.

Court Order Details

When submitting an ability-to-pay request for a reduction in *MyCitations*, defendants may additionally request court consideration for a payment plan, more time to pay, or community service. Of all *MyCitations* requests received in 2023, 86 percent were approved for at least one of the four possible types of relief. Figure 4 below shows the frequency with which the five most common combinations of relief have been ordered from April 2019 through December 2023. Reductions with a payment plan continue to be the most common relief type ordered through *MyCitations*.

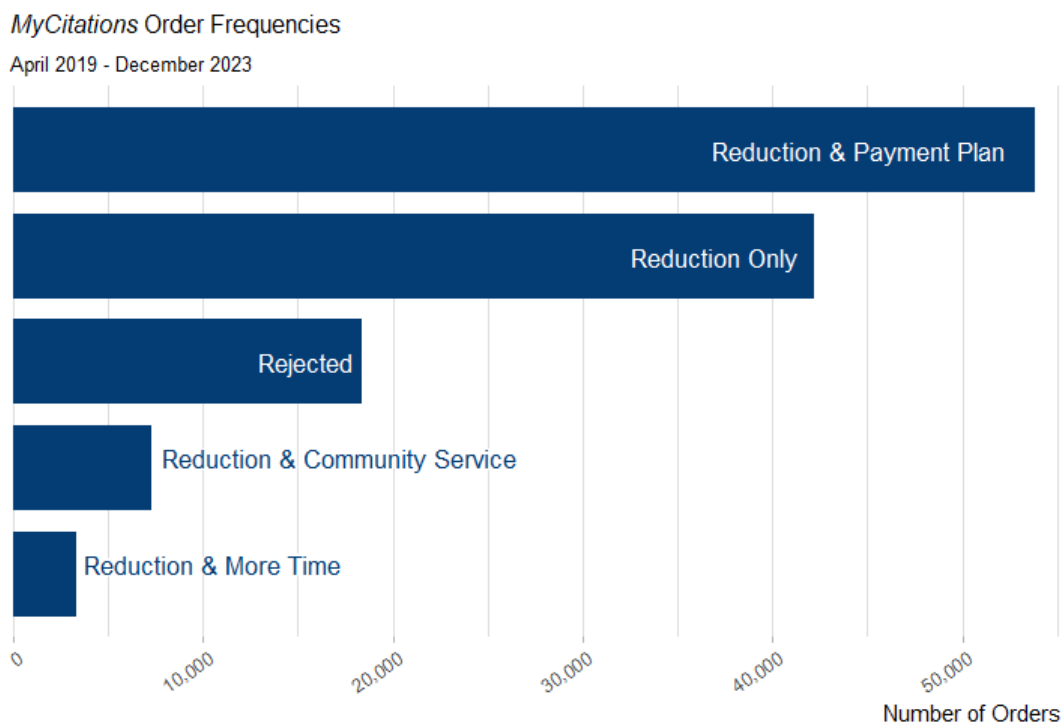


Figure 4

Payment plan orders

Defendants requested additional consideration of a payment plan as part of 35,507 reduction requests received through *MyCitations* in 2023, and 26,497 payment plans were ordered through the tool. Payment plans are not always approved using the payment plan function of the *MyCitations* tool. Some courts may not approve a payment plan request in the tool itself but instead include instructions for establishing a payment plan as a comment on the order. These instances are not included in the preceding figures since the information is relayed to the defendant in a separate comment field on the order. As a result, the preceding figures are likely lower than the number of payment plans defendants are utilizing.

Community service orders

In 2023, 13,686 *MyCitations* submissions included requests for consideration to complete community service in lieu of making a payment to the court. Of those requests, 4,160 were approved, with an average community service requirement of nine hours per request.¹²

Section III: Repayment After Ability-to-Pay Determination

This section of the report provides data on amounts collected after ability-to-pay determinations and discusses the impact of recent legislation that limits the amounts owed. Government Code section 68645.5 requires the Judicial Council to report the total amount collected as a portion of the total amount ordered through locally established procedures and in *MyCitations*. Most of the data necessary for this legislative report are available to Judicial Council staff through the *MyCitations* database. As previously mentioned, data on the total amounts collected in payment are not available through the tool and must be submitted to the Judicial Council by each court through a separate process. Some court case management systems are not equipped to identify and connect all payments made to each case order in *MyCitations*, and in some instances, payment information must be sourced from an external vendor or collections agency. Therefore, a single, accurate figure for total repaid fines and fees resulting from both types of ability-to-pay requests cannot be adequately calculated.

Although accounting for the exact balance of every ability-to-pay case is not possible, this report presents a sample of repayment data from cases for which courts were able to provide responsive information. Analyzing recovery of court-ordered debt provides insight into how the amounts of fines and fees imposed impact the likelihood of repayment. It also informs the Judicial Council and court staff on how best to utilize fine reductions to sufficiently relieve debt and resolve open cases for lower income Californians.

In September 2023, the Judicial Council requested repayment data from participating courts for the period from July 2021 through June 2023 with the intent of expanding on the repayment analysis contained in last year's report. Twenty-five courts were able to provide information on a total of 40,801 cases for analysis.¹³ Of that set of cases, the median initial amount owed was \$465 and the median order after a reduction was \$190. The total amount originally due was \$22,365,489. After judicial review, the total amount ordered through the tool was \$10,966,975. Of that amount, \$5,501,630, or 50 percent, had been repaid by June 30, 2023.

¹² Penal Code section 1209.5(c) requires that the rate applicable to any community service hours ordered be double the minimum wage set for the corresponding calendar year based on Labor Code section 1182.12(b)(2). Minimum wage was \$15.50 per hour in California during 2023. Nine hours of community service ordered is equal to \$279 at the required rate of conversion of double the minimum wage (\$31) in 2023.

¹³ The Judicial Council contacted the 28 courts that had implemented *MyCitations* for a minimum of two months and 25 courts responded with most of the requested data, as some were unable to provide some of the requested repayment data. Three courts were not able to provide complete data and were not included in the analyses.

Repayment and Amount Owed

For this report, cases were determined to be “fully repaid” if the ordered amount had been completely paid by the cutoff date for data collection on June 30, 2023. Cases for which the ordered “pay-by date” occurred after June 30 were excluded from the analysis to ensure those cases would not skew the results by not being fully paid before their due date.

Figure 5 shows that the rate of repayment is around 70 percent for cases where defendants are ordered to pay \$100 or less but drops below 20 percent when the ordered amount exceeds \$500.

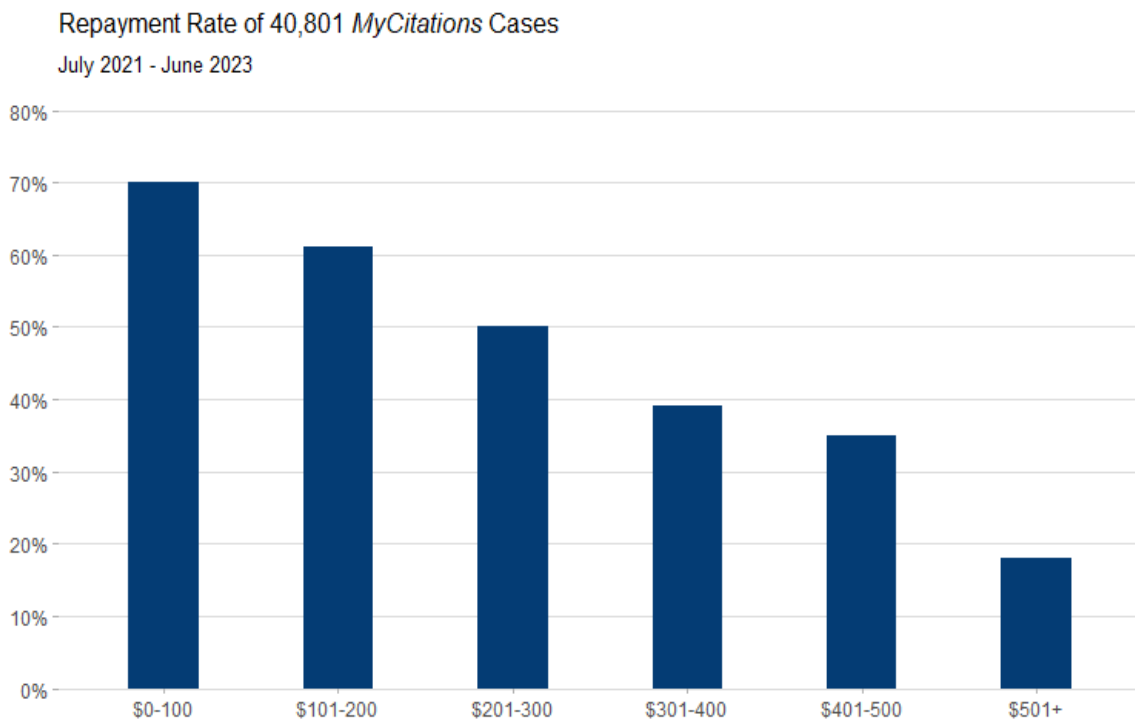


Figure 5

These results support the conclusions reached in the pilot program repayment study included in the 2023 report to the Legislature.¹⁴ In that study, a sample of 12,376 cases showed that repayment success rates increased as the ordered amount decreased. Repayment success rates were approximately 70 percent for cases in which the amounts owed were below \$125 and approximately 25 percent for cases in which the amounts owed were above \$501. This year’s study indicates that the likelihood of full repayment for cases in which amounts owed were \$501 or higher have dropped farther, to below 20 percent, while the repayment success rate for the

¹⁴ Judicial Council of Cal., *Report to the Legislature: Online Infraction Adjudication and Ability-to-Pay Determinations* (February 2023), www.courts.ca.gov/documents/lr-2023-online-infraction-adjudication-ability-to-pay-determinations-Stats.2021-ch-79.pdf.

lowest range of amounts owed remains around 70 percent. Overall, the increased sample size from 12,376 cases in last year's analysis to 40,801 cases in this year's analysis lends further confidence in the results and continues to support earlier conclusions that full repayment of fines is more likely when ordered amounts are lower.

Recent Law Impacting Amount Owed

California law permits courts to impose a civil assessment fee against any individual who fails, after notice and without good cause, to appear in court by a required deadline or who fails to pay a fine ordered by the court. The civil assessment amount is more commonly known as a "late fee" and can be imposed in addition to any fine connected with the original citation. AB 199 amended Penal Code section 1214.1 to require courts to discharge debt from all civil assessments imposed prior to July 1, 2022, and to reduce the amount that can be imposed going forward from a \$300 maximum to a \$100 maximum. For cases in which *MyCitations* requests were submitted prior to July 1, 2022, the average amount initially owed on the citation was \$671. After July 1, 2022, the average amount initially owed dropped to \$495, indicating that AB 199 did in fact impact the amounts owed by defendants. As amounts initially owed decreased, so did the amount ordered after ability-to-pay determinations. Figure 6 below shows the trend of monthly averages for dollar amounts owed and ordered between 2021 and 2024.

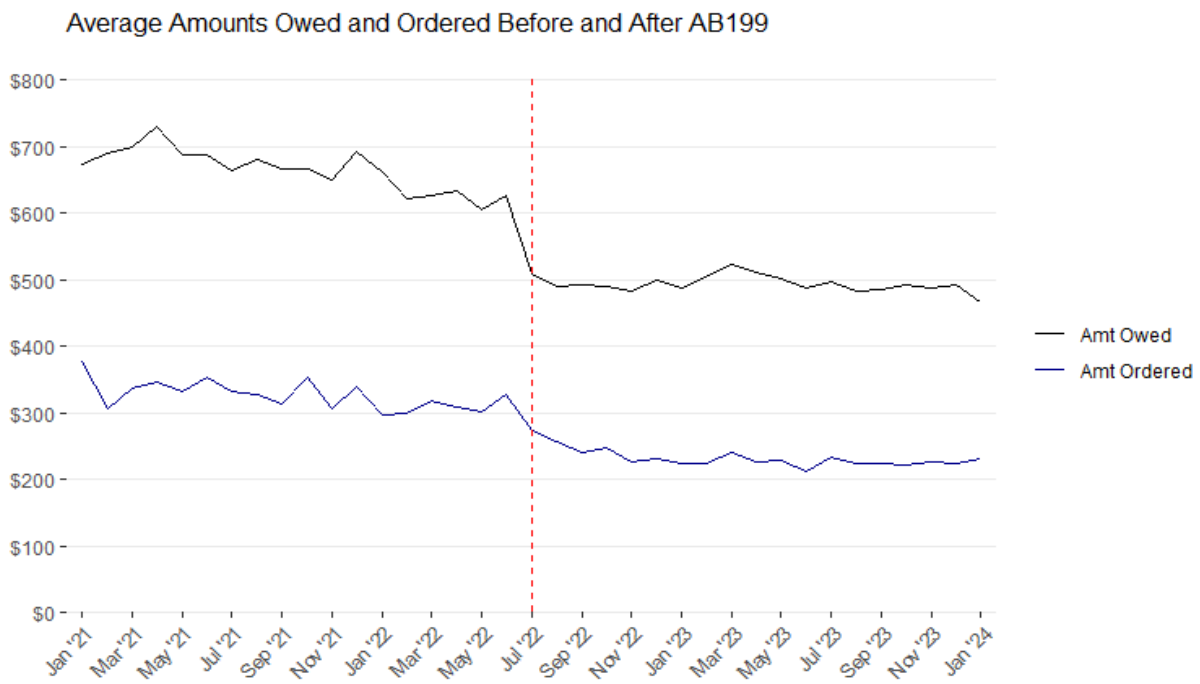


Figure 6

This graph indicates that the amounts owed across *MyCitations* cases fell sharply around July 2022, coinciding with the implementation of AB 199. As expected, the average amount ordered

to pay through *MyCitations* also markedly decreased. It is important to note that these lower amounts have remained stable in recent months.

Section IV: Statewide Expansion and Online Trial by Declaration

Statewide Expansion

Government Code section 68645 requires the Judicial Council to make the *MyCitations* tool available statewide by June 2024. As of December 31, 2023, 40 courts had implemented the tool, with the remaining courts targeted to implement the tool in the first half of 2024. Some courts are experiencing challenges implementing the tool and are working collaboratively with the Judicial Council to address these issues. The most common challenges involve courts upgrading their case management system or migrating to an entirely new system. The Judicial Council continues to work with the courts to meet the legislative requirement for all courts to implement *MyCitations* by June 30, 2024.

Future *MyCitations* Features

The Judicial Council is expanding the features available through the *MyCitations* platform to provide defendants with more options to complete transactions with the courts remotely. The Online Trial by Declaration (OTBD) module will allow a defendant to contest eligible traffic citations by submitting a written statement and uploading evidence online through *MyCitations*. A police officer will review the defendant's statement and respond in the electronic system to clarify the facts of the case for the judicial officer to consider. Although courts are not required to adopt the OTBD module, the Judicial Council is engaged with the Superior Court of San Francisco County and the San Francisco Police Department in implementation activities. Once implemented, San Francisco will be the first court to offer this new option. The Judicial Council will offer the module to interested courts and begin implementation after June 30, 2024.

Additional work to assist courts considering OTBD includes exploring court case management system interfaces. The Judicial Council entered into a contract with one of the case management system vendors, Journal Technologies Inc. (JTI), to develop and deploy statewide data exchanges connecting the California courts using JTI's eCourt case management system to the Judicial Council's *MyCitations* system, as required for the OTBD module. JTI will provide the standardized data exchange interface between eCourt case management system and *MyCitations* OTBD. The Judicial Council will work with the other court case management system vendors to establish similar interfaces in the future.

Section V: Conclusion

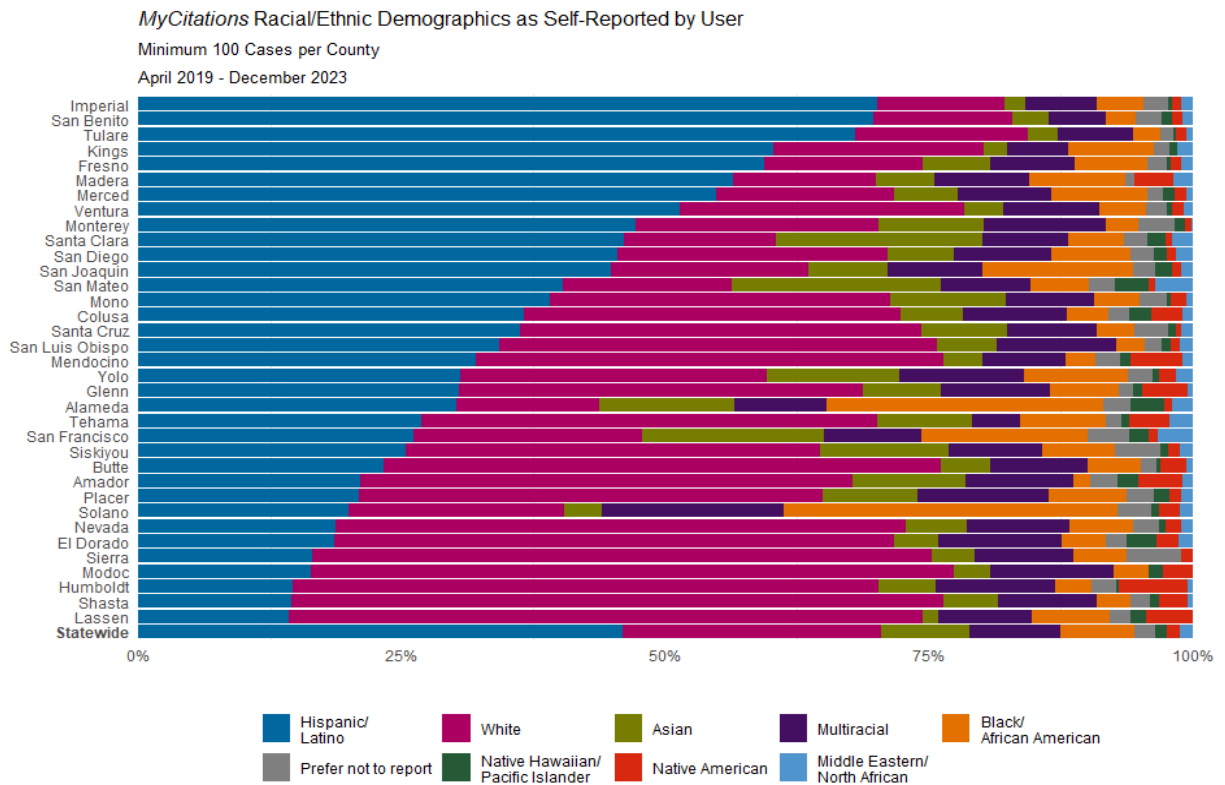
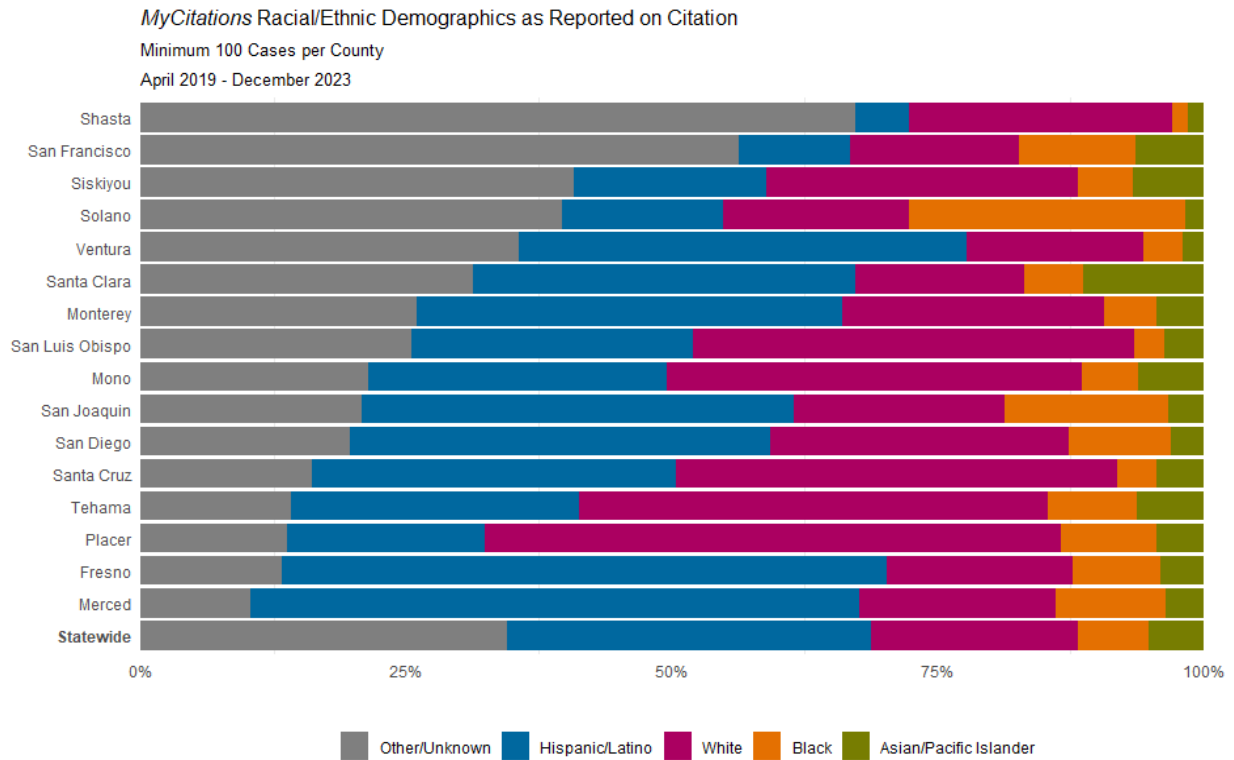
MyCitations is quickly becoming a valuable resource to connect defendants with online court services. What began as a prototype developed in partnership with seven superior courts in 2019 has grown to a robust tool in place in 40 California counties. In 2024, *MyCitations* will be fully implemented statewide and a new Online Trial by Declaration module will be available to all courts.

MyCitations continues to help an increasing number of Californians struggling to resolve unpaid court debt. In 2023 alone, 61,351 ability-to-pay determination requests were submitted through *MyCitations* by 47,606 defendants. Forty-nine percent of these defendants reported receiving some type of public benefit and 89 percent reported incomes at or below 250 percent of the federal poverty level.

After judicial review, 83 percent of the 61,351 requests received in 2023 were approved by the courts for a reduction, with an average reduction ordered by the courts of 62 percent—an increase over previous years and greater than the 50 percent required by Government Code section 68645.2. The total amount originally due in these cases was \$30,358,175. After the processing of the 61,351 *MyCitations* ability-to-pay determination requests, the total amount of fines and fees ordered through the tool was \$13,996,042, resulting in a reduction of \$16,362,133 for the 2023 calendar year. Continued studies of repayment after ability-to-pay determination show that as the amount ordered decreases, the likelihood of full repayment of the financial obligation increases.

Expansion efforts to the remaining courts will culminate with a final report to the Legislature in 2025. But data analysis for informed decision-making and continued program improvement will remain ongoing. *MyCitations* is proving to be a valuable tool in the California judicial branch's effort to provide equity and increase access to justice for all Californians.

Appendix A: Racial/Ethnic Demographic Distribution by County



Appendix B: Most Common Zip Codes of *MyCitations* Users

The table below documents the top-five most common residential zip codes for *MyCitations* users in each county. It also shows the proportion of residents living at 200 percent or below of the federal poverty level according to the U.S. Census Bureau's American Community Survey, 5-Year Estimate.¹⁵

Residential Zip Codes With Highest Concentrations of *MyCitations* Users: Cumulative Data by County from April 2019–December 2023

County	County Poverty Rate (%)	Zip Code	Zip Code Poverty Rate (%)
Alameda	32.31	94544	21.10
		94541	24.55
		94578	32.13
		94538	11.82
		94587	13.45
Amador	21.37	95642	23.80
		95666	23.25
		95640	19.13
		95206	44.14
		95665	22.82
Butte	37.16	95928	41.1
		95966	33.74
		95965	51.59
		95926	40.65
		95948	38.10
Calaveras	28.98	95252	24.26
		95336	31.15
		95222	33.39
		95240	37.86
		95624	21.76
Colusa	33.33	95932	33.70
		95955	45.36
		96003	33.75
		95828	35.48
		95926	40.65
El Dorado	18.53	95667	23.79
		95682	15.53

¹⁵ See US Census Bureau, American Community Survey, 2022: ACS 5-Year Estimates Subject Tables, Table S1701, Poverty Status in the Past 12 Months, [https://data.census.gov/table/ACSST5Y2022.S1701?g=010XX00US\\$8600000](https://data.census.gov/table/ACSST5Y2022.S1701?g=010XX00US$8600000).

Online Infraction Adjudication and Ability-to-Pay Determinations

County	County Poverty Rate (%)	Zip Code	Zip Code Poverty Rate (%)
Fresno	47.59	96150	26.83
		95726	18.27
		95762	9.92
		93722	37.04
		93727	36.23
		93702	67.73
		93726	51.55
Glenn	38.89	93706	65.89
		95963	35.54
		95988	43.41
		95926	40.65
		96021	41.48
Humboldt	38.96	95973	24.67
		95501	44.46
		95521	46.96
		95540	36.89
		95503	35.82
Imperial	45.19	95519	29.15
		92231	47.69
		92243	48.00
		92227	47.42
		92251	30.84
Kings	52.06	85364	44.95
		93230	35.88
		93212	53.43
		93245	35.78
		93277	33.17
Lassen	35.57	93204	53.43
		96130	31.77
		96113	61.12
		96109	61.91
		96001	27.17
Madera	44.88	96114	31.84
		93638	56.25
		93637	41.52
		93610	42.41
		93614	20.23
Marin	19.82	93636	13.34
		94901	24.22
		95407	34.15
		94591	21.30

Online Infraction Adjudication and Ability-to-Pay Determinations

County	County Poverty Rate (%)	Zip Code	Zip Code Poverty Rate (%)
Mendocino	36.30	94930	17.16
		94945	17.39
		95482	35.25
		95490	29.22
		95437	40.55
		95470	36.45
Merced	40.62	95501	44.46
		93635	36.58
		95340	37.30
		95301	33.45
		95341	55.20
Modoc	40.13	95348	43.39
		96101	39.17
		95206	44.14
		95240	37.86
		97630	37.52
Mono	23.76	97603	35.68
		93514	28.58
		93546	20.80
		89502	37.93
		89706	35.93
Monterey	35.96	93550	45.98
		93906	26.56
		93905	47.99
		93955	32.27
		93933	30.08
Nevada	26.41	93901	31.44
		95945	29.32
		95949	22.06
		95959	28.11
		95946	28.65
Placer	17.07	95602	16.39
		95678	19.52
		95648	16.11
		95621	26.15
		95747	12.17
Plumas	28.81	95603	26.16
		95947	24.24
		59068	33.35
		61802	34.93
		89508	22.14

Online Infraction Adjudication and Ability-to-Pay Determinations

County	County Poverty Rate (%)	Zip Code	Zip Code Poverty Rate (%)
San Benito	22.24	89509	22.88
		95023	23.19
		93905	47.99
		95020	19.28
		93635	36.58
		93901	31.44
San Diego	39.79	92115	41.38
		92113	48.48
		92154	27.68
		92105	46.48
		92114	30.17
San Francisco	25.07	94124	37.20
		94112	19.83
		94102	35.88
		94134	26.46
		94014	20.54
San Joaquin	43.16	95206	44.14
		95207	40.57
		95205	47.15
		95209	24.53
		95240	37.86
San Luis Obispo	27.33	93446	24.41
		93401	26.12
		93405	59.58
		93422	22.23
		93420	14.48
San Mateo	18.90	94080	15.84
		94066	12.26
		94303	19.61
		94403	11.74
		94063	28.57
Santa Clara	29.34	95020	19.28
		95111	29.68
		95127	23.02
		95122	28.94
		95123	13.24
Santa Cruz	36.23	95076	38.05
		95060	30.39
		95062	23.93
		95003	10.53
		95018	12.85

Online Infraction Adjudication and Ability-to-Pay Determinations

County	County Poverty Rate (%)	Zip Code	Zip Code Poverty Rate (%)
Shasta	33.18	96003	33.75
		96001	27.17
		96002	33.30
		96007	36.12
		96019	42.95
Sierra	48.62	96118	29.20
		96122	40.80
		89508	22.14
		96130	31.77
		95936	17.39
Siskiyou	36.63	96097	39.46
		96039	62.87
		96032	33.83
		96023	55.43
		96044	36.13
Solano	25.48	94533	30.64
		94590	36.22
		95687	15.59
		95620	21.23
		94534	10.55
Tehama	36.89	95678	19.52
		95831	20.86
		96080	39.03
		96021	41.48
		95926	40.65
Trinity	42.89	96055	38.54
		96003	33.75
		96093	36.72
		96041	56.96
		96003	33.75
Tulare	41.14	95573	30.76
		96048	38.58
		93257	48.93
		93274	40.09
		93291	32.67
Ventura	31.17	93277	33.17
		93292	33.60
		93033	41.07
		93030	33.76
		93036	29.52
Yolo	33.96	93003	21.49

Online Infraction Adjudication and Ability-to-Pay Determinations

County	County Poverty Rate (%)	Zip Code	Zip Code Poverty Rate (%)
		93060	35.15
		95695	29.64
		95776	20.02
		95616	43.55

Appendix C: How the Tool Works

MyCitations is designed as an easy-to-use option for defendants to provide relevant financial information for the court to consider reductions in infraction fines and fees owed. From a defendant's perspective, the tool asks questions about income, benefits, household size, and expenses.

Courts using *MyCitations* can configure their own settings to calculate reduction recommendations consistent with local cost-of-living and other relevant data available. Specifically, courts define two reduction rates for the calculator to apply. The first is a flat-rate reduction for defendants who indicate that they are in receipt of public benefits. Aligning with Government Code section 68645.2, courts have configured their calculators to recommend a range of 50 to 90 percent reductions for defendants on public benefits. The second is a sliding reduction rate that is indexed to a defendant's federal poverty level ("FPL" on figure 7 below) if they do not receive public benefits.

The tool calculates a federal poverty percentage for each defendant based on income and household size. Indexing the sliding reduction to this number allows consideration of more than just income when offering a reduction. *MyCitations* supplies the court with one reduction to consider but judicial officers are presented with all the information provided by the defendant so that they can factor in all details as appropriate. The judicial officer can accept, modify, or deny the reduction that the tool recommends. Figure 7 illustrates the flow of information through the *MyCitations* tool.

