



Judicial Council of California

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Subject Details (With Text)

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Title

Traffic and Criminal Procedure: Ability to Pay in Traffic and Other Infraction Cases (Action Required)

Summary

The Traffic Advisory Committee, the Criminal Law Advisory Committee, and the Advisory Committee on Providing Access and Fairness propose two optional, plain-language Judicial Council forms—an application form and a judicial order form—to assist in implementing existing rule 4.335 of the California Rules of Court on ability-to-pay determinations in traffic and other infraction cases. They also recommend a new rule stating the forms’ intended use, their optional nature, and the confidential status of the application form.

Recommendation

The Traffic Advisory Committee, Criminal Law Advisory Committee, and Advisory Committee on Providing Access and Fairness recommend that the Judicial Council, effective April 1, 2018:

1. Adopt new rule 4.336; and
2. Approve new optional forms TR-320/CR-320 (*Can’t Afford to Pay Fine: Traffic and Other Infractions*) and TR-321/CR-321 (*Can’t Afford to Pay Fine: Traffic and Other Infractions (Court Order)*).