SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

Standing Order Regarding the Traffic Division of the Superior Court of California, County of Fresno	Standing Order No. 20-0701

This standing order addresses the method by which the Court manages the processing and disposition of traffic cases. The Court seeks to improve the efficiency and uniformity in handling of traffic court matters throughout Fresno County. The Court finds that the following procedures will further this goal.

Payment of Traffic Fines

Court staff is authorized to grant: one ninety (90) day continuance for the initial payment of traffic fines; one ninety (90) day continuance once monthly payments have been established; and one request to change the specific day of the month that the monthly payment is due. Any requests for a continuance of more than ninety (90) days shall be made to a judicial officer either in writing or through a personal court appearance.

Violations of Vehicle Code § 16028, subd. (a).

The court staff is authorized to reduce the bail amount by half for a defendant charged with a violation of Vehicle Code § 16028, subdivision (a) who obtains written evidence of financial responsibility (i.e., proof of insurance) after the date of the charged violation.

Completion of Traffic School

Defendants are currently allowed sixty (60) days to complete traffic school. Court staff is authorized to grant one ninety (90) day continuance to complete traffic school. Any requests for a continuance of more than ninety (90) days shall be made to a judicial officer either in writing or through a personal court appearance.

Acceptance of Traffic School Proof of Completion

Court staff is authorized to accept proof of completion of traffic school provided traffic school is completed by the due date.

Requests for Traffic School After Payment of Fine or Forfeiture of Bail or Guilty Verdict

Provided the defendant is otherwise eligible to attend traffic school, Court staff is authorized to accept requests to attend traffic school if made within one hundred and eighty (180) days of payment of the fine, bail forfeiture or a guilty verdict. To be valid, the sixty-seven dollar ($67.00) administrative fee must accompany the request.

Incomplete Traffic Infraction Filings

All traffic citations will be processed and entered into the Court's case management system in a timely manner. In the event

that an error is identified on the face of the citation prior to entry, the citation will not be entered. The incorrect citation shall be returned to the issuing agency for correction. When the Court receives the corrected citation the citation will be entered into the Court's case management system.

In the event that an error is identified via the Department of Motor Vehicles interface and reported to the Court via the DL DMV Report/Court's case management system after entry, the citation will be returned to the issuing agency for correction. The filing shall not be completed until the Court receives the corrected citation. In the event that a corrected citation is not received from the issuing agency within six (6) months of return to the agency, the incomplete filing will be stricken from the Court's case management system.

Requests for Monthly Payments Following an Order That The Fine Be Paid in One Payment

Defendants who appear in Court are currently given several options for paying, including: (1) pay in full on the date of their Court appearance; (2) pay in full [including an additional thirty dollar ($30.00) administrative fee] by a future date; (3) a monthly payment plan [including an additional thirty-five dollar ($35.00) installment fee]; or (4) a traffic school payment plan [including an additional thirty-five dollar ($35.00) installment fee].

For defendants who elect in Court to pay their fine in full on the date of their court appearance and fail to do so, Court staff is authorized on that same day to either: (1) add the thirty dollar ($30.00) administrative fee and give the defendant

ninety (90) days to pay in full; or (2) add the thirty-five dollar ($35.00) installment fee and convert the defendant to a monthly payment plan.

For defendants who elect in Court to either pay their fine in full by a future date or by monthly payments, Court staff is authorized to delete the thirty dollar ($30.00) administrative fee or the thirty-five dollar ($35.00) installment fee if the defendant pays in full on the date of their court appearance.

For defendants who elect in Court to pay their fine in full by a future date, Court staff is authorized to convert those defendants to either a monthly payment plan or a traffic school payment plan if the defendant's request is made prior to the date by which the fine was ordered to be paid in full. When this request is made, Court staff is authorized to delete the thirty dollar ($30.00) administrative fee and add the thirty-five dollar ($35.00) installment fee.

For defendants who elect in Court to pay by monthly payments, Court staff is authorized to vacate the thirty-five dollar ($35.00) installment fee and add a thirty dollar ($30.00) administrative fee if the defendant pays in full by their first monthly payment due date.

Transferring Overpayments

In the event a defendant remits more money than is due on a case, the overpayment shall be refunded to the defendant, unless the defendant has an outstanding balance in a different case with the Court that has a disposition, in which case Court staff is authorized to transfer the overpayment to the case with an outstanding balance.

This Standing Order revokes Standing Order 16-0701 and shall remain in full force and effect until revoked or modified by further order of the Court.

Dated this 1ST day of July, 2020.

Arlan L. Harrell

HON. ARLAN L. HARRELL
PRESIDING JUDGE
FRESNO COUNTY SUPERIOR COURT