



County of El Dorado

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Legislation Details (With Text)

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Title: Probation Department is recommending the Board authorize the Chair to sign Amendment II of Memorandum of Understanding (MOU) No. 084-M0510, a non-financial MOU with Superior Court of California El Dorado County. This MOU sets forth each agency's role and responsibility as it relates to the collection and distribution of victim restitution, fines and fees that relate to adult formal probation and adult summary restitution cases as directed by court policy, Amendment II incorporates new language regarding all adult cases in place prior to June 4, 2007, where the term of probation has expired, the collection of the cases will be transferred to the Court.

FUNDING: This amendment has no fiscal impact.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 11-1008.A.pdf, 2. 11-1008.B.pdf, 3. 11-1008.C.pdf

Date	Ver.	Action By	Action	Result
9/27/2011	1	Board of Supervisors	Approved	Pass

Probation Department is recommending the Board authorize the Chair to sign Amendment II of Memorandum of Understanding (MOU) No. 084-M0510, a non-financial MOU with Superior Court of California El Dorado County. This MOU sets forth each agency's role and responsibility as it relates to the collection and distribution of victim restitution, fines and fees that relate to adult formal probation and adult summary restitution cases as directed by court policy, Amendment II incorporates new language regarding all adult cases in place prior to June 4, 2007, where the term of probation has expired, the collection of the cases will be transferred to the Court.

FUNDING: This amendment has no fiscal impact.

Fiscal Impact/Change to Net County Cost: No fiscal impact or change to Net County Cost.

Background:

Memorandum of Understanding No. 084-M0510 between the Probation Department and the Superior Court of County of El Dorado regarding collection of payments was originally approved by the Board of Supervisors on 08/31/2004, and Amendment I was approved by the Board on 07/11/06, item No.14, setting forth each agency's role and responsibility as it relates to the collection and distribution of victim restitution, fines and fees that relate to adult formal probation and adult summary restitution cases as directed by Court policy.

Reason for Recommendation:

This second amendment to MOU 084-M0510 amends the language to state the Court will submit to their contracted collection agency summary court probation accounts 30 days past due (amended from "60" days); and the Court will notify Probation of formal court probation accounts that are 30

days past due (amended from "60" days), on a monthly basis.

The amendment also incorporates new language to clarify each agency's responsibility as it relates to all adult cases in place prior to June 4, 2007, where the term of probation has expired, the collection of the case will be transferred to the Court, as detailed in said amendment, and as directed by Court policy, Probation will submit a list to the Court of all cases as described. The Court will notify Probation on a monthly basis when cases are referred to their contracted collection agency. Once notified, Probation will fine delete all outstanding balances as directed by Court policy including victim restitution, unearned 10% administrative fee, Superior Court fines and other agency local fines. Only Probation's local fees will remain on the case.

Action to be taken following Board approval:

- 1) Board Chair authorized to sign three (3) original documents of Amendment II to MOU #084-M0510.
- 2) Return two original documents to Probation for distribution to Superior Court of California County of El Dorado.

Contact: Gregory S. Sly, Chief Probation Officer, 530-621-5625

Concurrences: County Counsel, and Superior Court of California El Dorado County.