



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 21-4 **Version:** 1 **Name:**
Type: Informational Report **Status:** Passed
File created: 12/16/2020 **In control:** Probation
On agenda: 1/5/2021 **Final action:** 1/5/2021
Title: Resolution for the Discharge of all Outstanding Juvenile Probation and Juvenile Public Defender Fees, per Senate Bill 1290

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. SB-1290.pdf, 3. 1.5.21 SB-1290 Reso.pdf, 4. Juv Discharge - Summary.pdf, 5. Resolution 21-03.pdf

Date	Ver.	Action By	Action	Result
1/5/2021	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Probation

Agenda Section: Consent

SUBJECT:

Resolution for the Discharge of all Outstanding Juvenile Probation and Juvenile Public Defender Fees, per Senate Bill 1290

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the attached resolution to discharge all outstanding juvenile probation and juvenile public defender fees and authorize the Humboldt County Probation Department to write-off remaining balances.

SOURCE OF FUNDING:

N/A

DISCUSSION:

Effective January 1, 2018 Senate Bill 190 (SB-190) prohibited the imposition of county-assessed or court-ordered fees in juvenile cases. This legislation only impacted fees and had no bearing on victim restitution, or restitution fines or court fines. The bill was not effective retroactively and thus collection efforts on juvenile fees imposed prior to January 1, 2018 continued.

In 2020, the COVID pandemic hit and the Franchise Tax Board announced that it would temporarily

halt its Interagency Intercept Program which allows government agencies to intercept state tax refunds and state lottery winnings to pay court-ordered debts. Due to this temporary loss of one of the more effective collection methods at Humboldt County Probation Department's (HCPD) disposal, as well as pending legislation (Senate Bill 1290) to prohibit collection efforts for these fees from continuing, HCPD initiated an informal moratorium on the collection of these fees and took no further action to actively collect.

In September 2020, Californian Governor Gavin Newsom signed Senate Bill 1290 (SB-1290) which prohibits the imposition of financial liability on the parents of a minor who has been adjudged a ward of the juvenile court for certain county-assessed or court-ordered fees. The bill is effective January 1, 2021. The attached resolution will take formal action to discharge these debts, which total \$1,053,947.55, absolve HCPD of the obligation to take collection action on them, and grant authority to Chief Probation Officer Shaun Brenneman to write-off remaining balances for these fees. A summary of the types of fees and aggregate fee balances has been attached for your reference.

FINANCIAL IMPACT:

Humboldt County Probation anticipated the passing of this type of legislation in 2020 and thus did not include revenue from these fees in the fiscal year 2020-21 Probation budget. Revenue had been included in prior years' budgets however, the collection rate was diminishing as the debts became older and in fiscal year 2018-19 made up less than \$21,000 of Probation's more than \$14,000,000 budget.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents .

OTHER AGENCY INVOLVEMENT:

Humboldt County Superior Court
Franchise Tax Board

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may elect not to adopt the Resolution 21- _____, however that is not recommended. Senate Bill 1290 requires that counties cease collection efforts for outstanding juvenile fees and this resolution formalizes Humboldt County's commitment to comply with this legislation.

ATTACHMENTS:

1. Senate Bill 1290
2. Resolution 21- _____
3. Summary of Fee Types and Balances

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: N/A
File No.: N/A