

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

429



FROM: County Counsel

SUBMITTAL DATE:
September 30, 2010

SUBJECT: Bail Bond Summary Judgment Reimbursement of Cost

RECOMMENDED MOTION: That the Board of Supervisors:
Approve and ratify a flat fee of \$150 for reimbursement of County Counsel cost for each summary judgment collection letter mailed by County Counsel on behalf of the Court, to be collected from the forfeited bail funds.

BACKGROUND: California Penal Code §1305.3 allows for County Counsel (or other prosecuting agency) to recover its costs incurred for successfully opposing motions to vacate and for collecting on summary judgments prior to the division of the forfeited bail money.

County Counsel has not recovered any fees for its collection efforts in over 20 months. Because the effort to collect is approximately one hour worth of administrative, paralegal and attorney time (see attached cost study), County Counsel is requesting a flat rate of \$150 per letter/collection effort. This fee does not include any additional costs incurred if required to file an Order to Show Cause for failure to pay or to appear in court.

Patricia Munroe, Deputy County Counsel
for Pamela J. Walls, County Counsel

**FINANCIAL
DATA**

Current F.Y. Total Cost:	\$ n/a	In Current Year Budget:	n/a
Current F.Y. Net County Cost:	\$ n/a	Budget Adjustment:	n/a
Annual Net County Cost:	\$ n/a	For Fiscal Year:	n/a

SOURCE OF FUNDS:

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Denise C. Harden

County Executive Office Signature

☐ Consent
☒ Policy
☐ Consent
☒ Policy

Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.:

District: ALL

Agenda Number:

3.11

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 By:
 Russell Dominiski
 9/30/10
 Personal Concurrence

RE: Bail Bond Summary Judgment Reimbursement of Cost

Date: September 30, 2010

Page 2

Cost Study:

On each summary judgment effort, County Counsel is required to:

- (a) Review the incoming file or summary judgment;
- (b) Log request, case number, amount owed;
- (c) Look up the case from the docket and print any other relevant orders or documents;
- (d) Draft letter and attach supporting documentation;
- (e) Review and signature by counsel;
- (f) Mail to surety and bail agent;
- (g) Handle payments, take appropriate costs, and forward remainder to county treasurer.

Hourly rate is \$143.18 and time spent can be anywhere from 1-1.3 hours.