

**Monterey County Board of Supervisors
Referral Submittal Form**

Referral No. 2026.06
Assignment Date: 04/14/26

SUBMITTAL - Completed by referring Board office and returned to CAO no later than noon on Thursday prior to Board meeting:

Date: 4/7/2026	Submitted By: Luis Alejo	District #: 1
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Referral Title: Superior Court Mandatory \$15 Fee Resolution Modification

Referral Purpose: The purpose of this referral is to modify a Board of Supervisors Resolution 25-413 to allow discretion to the judges of the Monterey County Superior Court to impose a mandatory \$15 fee pursuant to Penal Code Section 853.7a.

Brief Referral Description: On October 28, 2025, the Monterey County Board of Supervisors adopted a resolution, effective November 1, 2025, requiring the Monterey County Superior Court to impose an assessment of \$15.00 on every individual who violates a written promise to appear or a lawfully granted continuance. This assessment applies regardless of whether a violation of Penal Code Section 853.7 (failure to appear) is concurrently charged or a warrant of arrest is issued pursuant to Penal Code Section 853.8. These mandatory fees were estimated to only generate \$60,000 per year, according the Sheriff's Office.

This item was placed on the Board's agenda without prior consultation with the Presiding Judge's Office of the Superior Court or the court's Chief Administrative Officer. Additionally, when this assessment is imposed, it may trigger the imposition of other associated fines and fees, that may add up to \$100. Other counties, such as Ventura County, that had approved a similar fee have since withdrawn such mandatory fees.

There are circumstances in which the mandatory imposition of this assessment may not serve the interests of justice, including but not limited to cases involving individuals experiencing homelessness, those with mental health conditions, persons with limited English proficiency, or other mitigating factors that may warrant judicial discretion.

This referral requests that the Office of County Counsel consult with the Chief Administrative Officer of the Monterey County Superior Court and other appropriate judicial representatives to seek input and develop recommended amendments to the existing resolution. Such amendments should provide judicial officers with discretion to determine when the assessment is appropriate, rather than requiring its imposition in all cases.

Classification - Implication	Mode of Response
<input type="checkbox"/> Ministerial / Minor <input type="checkbox"/> Land Use Policy <input type="checkbox"/> Social Policy <input checked="" type="checkbox"/> Budget Policy <input checked="" type="checkbox"/> Other: <u>Superior Court Mandated Fee</u>	<input type="checkbox"/> Memo <input checked="" type="checkbox"/> Board Report <input checked="" type="checkbox"/> Presentation
	Requested Response Timeline
	<input type="checkbox"/> 2 weeks <input checked="" type="checkbox"/> 1 month <input type="checkbox"/> 8 weeks <input type="checkbox"/> Status reports until completed <input type="checkbox"/> Other: _____ <input type="checkbox"/> Specific Date: _____

ASSIGNMENT – Provided by CAO at Board Meeting. Copied to Board Offices and Department Head(s) Completed by CAO's Office:

Department(s): <u>County Counsel</u>	Referral Lead: <u>Susan Blich</u>	Board Date: <u>4/14/26</u>
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REASSIGNMENT – Provided by CAO. Copied to Board Offices and Department Head(s). Completed by CAO's Office:

Department(s):	Referral Lead:	Original Date:
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ANALYSIS - Completed by Department and copied to Board Offices and CAO:

Department analysis of resources required/impact on existing department priorities to complete referral:

Analysis Completed By: _____	Department's Recommended Response Timeline
	<input type="checkbox"/> By requested date <input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> 6 months

Date: _____	<input type="checkbox"/> 1 year	<input type="checkbox"/> Other/Specific Date: _____
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REFERRAL RESPONSE/COMPLETION - Provided by Department to Board Offices and CAO:

Referral Response Date:	Board Item No.:	Referrals List Deletion:
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