

**MEMORANDUM OF UNDERSTANDING  
COURT/COUNTY SERVICES**

**COLLECTIONS BANK ACCOUNT FOR  
CRIMINAL FINES, PENALTIES, AND FORFEITURES**

**1. Bank Account Authorization**

Effective July 1, 2007 and as authorized by California Government Code section 68085.9, the Santa Barbara County Superior Court (“Court”) and the County of Santa Barbara (“County”) agree that the Court will deposit into a bank account, which has been established by the Administrative Office of the Courts and which is separate from the County treasury, all money that is received by the Court and is required by law to be deposited into the County treasury or with the County treasurer (“County Money”). This bank account will be separate from the Court’s general operating accounts.

County Money includes, but is not limited to, Sections 24353, 68085, 68085.5, and 68101 of the Government Code and Section 1463.001 of the Penal Code. Money collected pursuant to Government Code section 68085.1 shall be deposited as provided in that section. The bank account has been approved by the Administrative Director of the Courts.

**2. Payment to County**

By the 4<sup>th</sup> business day of each calendar month, commencing on August 6, 2007, the Court will transfer from this separate account to the County treasury (Fund 1012) the Criminal and Traffic fee/fine/forfeiture revenue: (1) revenue that would normally be distributed to the various County funds at the end of each month; and (2) revenue that would be normally be distributed to the various City funds within the FIN system at the end of each month. All distributions will be in accordance with the ruling statutes.

The fee/fine/forfeiture revenue that would normally be distributed to the State of California will be retained in this separate account and distributed by the Court directly to the State. If the State assesses any penalties or costs (including any penalties or costs against the County) as a result of any delays or errors by the Court in distribution of revenue or documentation (including but not limited to the TC-31 form), the Court shall be responsible for any such penalties or costs. The Court shall promptly reimburse the County for any such penalties or costs that the County pays to the State.

**3. Interest**

Each month the Court will apportion to the County interest accrued on the money deposited into this separate bank account in the same proportion as the money collected and distributed to the County pursuant to Section 2 is to the total money collected during the month. The Court will transfer the interest to County Fund 0069 no later than the 20<sup>th</sup> day of the month.

**4. Payment Method**

Each transfer will be made by automated clearing house system. The transfer method is agreed to by both parties.

**5. Documentation**

The Court will prepare documentation of all Criminal and Traffic revenue collected by the Court and indicate the amounts and the appropriate funds to which it should be distributed. In addition to the documentation, the Court will prepare and send electronically to the County Auditor-Controller, Journal Entries (JEs) to effect the distributions. The Court will also provide hard copy documentation to the County. The Court will transmit all documentation and JEs to the Auditor-Controller by the 20<sup>th</sup> day of the month or earlier. The Auditor-Controller will confirm with the Court the receipt thereof.

The Court will prepare and remit to the State Controller’s Office the State Revenue Remittance Form (known as the TC-31) for revenue collected by the Court. The County will continue to prepare the TC-31s for revenue collected by County Departments.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding.

**County Chief Executive Officer**

By \_\_\_\_\_

Date \_\_\_\_\_

**Approved as to Form:  
County Counsel**

By \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**Approved as to Form:  
County Treasurer-Tax Collector**

By \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**Court Executive Officer**

By \_\_\_\_\_

Date \_\_\_\_\_

**Approved as to Form:  
County Auditor/Controller**

By \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_