

1 condition of probation, the order to pay a fine may be enforced during the term of probation
2 in the same manner as is provided for the enforcement of a money judgment, except
3 that if an order to pay a fine as a condition of probation is stayed, a writ of execution shall
4 not issue until the stay is lifted; and
5

6 **WHEREAS**, PC§ 1214.2(b)(2) provides that if any balance of a fine remains unpaid
7 at the end of the term of probation, an order to pay a fine as a condition of probation may
8 be enforced in the same manner as a judgment in a civil action, except that if an order to pay a
9 fine as a condition of probation is stayed, a writ of execution shall not issue until the stay is
10 lifted; and

11 **WHEREAS**, PC§ 1214.1 provides that subject to specified procedural safeguards,
12 including notice to the defendant and the recalling of bench warrants that may be outstanding
13 for the failure to pay a fine, the court may impose a civil assessment of up to three hundred
14 dollars (\$300) against any defendant who fails, after notice and without good cause, to pay all
15 or any portion of a fine ordered by the court; and
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17 **WHEREAS**, the Superior Court of California, County of San Mateo wishes to
18 implement these statutes;
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20 **NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED,**
21 that all criminal fines or restitution fines or fees, except for restitution fines or fees as described
22 in paragraphs 1 and 2 above, that are not paid as directed by the court are to be civilly pursued by
23 the Revenue Services Division of the County of San Mateo's Employee and Public Services
24 Department. The delinquent fines or fees referred to Revenue Services for civil collection shall
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1 not be processed as a violation of probation and no warrant shall issue for the failure to pay the
2 fine.

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED**, that the clerk or
4 designee is authorized to add a civil assessment pursuant to the provision of Penal Code Section
5 1214.1, to all fines wherein a payment or the fine has not been paid pursuant to the schedule
6 established by the court, subject to the procedural requirements set forth in section 1214.1

7 **IT IS FURTHER ORDERED** that this order shall supersede Standing Orders 97-20,
8 ~~05~~-80 and any previous order(s) regarding this subject matter and shall remain in effect
9 indefinitely and until such time as the order is vacated or superseded by order of the Presiding
10 Judge.

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12 Dated: FEB 9 2006

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15 George A. Miram, Presiding Judge