

1 **WHEREAS**, PC§ 12142(b)(2) provides that if any balance of a fine remains unpaid
2 at the end of the term of probation, an order to pay a fine as a condition of probation may
3 be enforced in the same manner as a judgment in a civil action, except that if an order to pay a
4 fine as a condition of probation is stayed, a writ of execution shall not issue until the stay is
5 lifted; and

6 **WHEREAS**, PC§ 1214.1 provides that subject to specified procedural safeguards,
7 including notice to the defendant and the recalling of bench warrants that may be outstanding
8 for the failure to pay a fine, the court may impose a civil assessment of up to three hundred
9 dollars (\$300) against any defendant who fails, after notice and without good cause, to pay all
10 or any portion of a fine ordered by the court; and

11 **WHEREAS**, the Superior Court of California, County of San Mateo wishes to
12 implement these statutes;
13

14
15 **NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED,**
16 that all criminal fines or restitution, except for restitution fines or fees as described in paragraph
17 1 above, that are not paid by six (6) months following the date on which the fine was imposed
18 are to be civilly pursued by the Revenue Services Division of the County of San Mateo's
19 Employee and Public Services Department. The delinquent fines referred to Revenue Services
20 for civil collection shall not be processed as a violation of probation and no warrant shall issue
21 for the failure to pay the fine.
22

23 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED,** that the clerk or
24 designee is authorized to add a civil assessment pursuant to the provision of Penal Code Section
25 1214.1, to all fines wherein a payment or the fine has not been paid pursuant to the schedule
established by the court, subject to the procedural requirements set forth in section 1214.1

1 **IT IS FURTHER ORDERED** that this order shall supersede Standing Order 97-20 and
2 any previous order(s) regarding this subject matter and shall remain in effect indefinitely and
3 until such time as the order is vacated or superseded by order of the Presiding Judge.

4
5 Dated: DEC 29 2005

6
7
8 
9 George A. Miram, Presiding Judge