



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** BOARD OF SUPERVISORS  
DISTRICT 5  
**File #:** 18-470

Board Meeting Date: 6/19/2018

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Supervisor David Canepa, District 5  
Supervisor Dave Pine, District 1  
Office of Revenue Services  
**Subject:** Implementing the Requirements of Senate Bill 190

**RECOMMENDATION:**

Adopt a resolution authorizing San Mateo County Office of Revenue Services to write-off accounts receivable balances for outstanding juvenile fees assessed prior to January 1, 2018, and to end all collection activity related to such juvenile fees in connection with implementing the requirements of Senate Bill 190.

**BACKGROUND:**

The San Mateo County Office of Revenue Services ("Revenue Services"), on behalf of the San Mateo County Probation Department, has historically collected and processed certain statutorily-authorized administrative costs and fees in the juvenile justice system assessed to juveniles and their families. Such administrative costs and fees include: (1) court-ordered care and maintenance fees for youth detained at the San Mateo County Youth Services Center and Juvenile Probation Camps; and court-ordered costs of a minor's probation supervision or electronic monitoring ("Juvenile Detention Fee"); and (2) costs to the County for legal services rendered to the minor by an attorney pursuant to an order of the juvenile court ("Legal Representative Fee").

Effective January 1, 2018, the California State Legislature enacted Senate Bill 190 ("SB 190"). SB 190 amends various sections of the California Government Code, Penal Code, and Welfare & Institutions Code to limit the authority of local agencies to assess and collect specified fees against families of persons subject to the juvenile delinquency system, including Juvenile Detention Fees and Legal Representative Fees (collectively, "Assessed Juvenile Fees"). Although SB 190 neither requires local agencies to cancel existing amounts owed nor refund amounts collected prior to January 1, 2018, the fees identified above may no longer be collected which has the effect of rendering existing Assessed Juvenile Fee accounts uncollectable.

**DISCUSSION:**

Because the collection of Assessed Juvenile Fees has been prohibited by SB 190, Probation has directed Revenue Services to cease active collection activities for all such fees, including any fees that were assessed prior to SB 190's effective date. Revenue Services therefore requests that it be authorized to: 1) write off all accounts receivable balances for any Assessed Juvenile Fee that were assessed prior to January 1, 2018; 2) cease all active collection activity related to Assessed Juvenile Fees; and 3) refund any Assessed Juvenile Fee payments received after January 1, 2018.

County Counsel has reviewed the resolution as to form.

Adoption of the resolution contributes to the Shared Vision 2025 outcome of a Collaborative Community by enabling the County to cease collection and forgive all fees for juvenile detention and legal representation in the interest of fairness and the best interest of youth and families involved with the juvenile justice system.

**FISCAL IMPACT:**

The total amount of the write-off is \$12.6 million, which includes care and maintenance fees for the Juvenile Hall, Camp Glenwood, Camp Kemp and the California Youth Authority (CYA), as well as Juvenile Private Defender fees. Of the \$12.6 million write-off, approximately \$4.8 million would have been collectable over a period of ten-plus years. In addition to the write-offs, the Probation Department will lose approximately \$200,000 in annual care and maintenance revenue in the current and future years.