

EXHIBIT 1



Superior Court of California, County of Solano

600 Union Avenue, P.O. Box 2463, Fairfield, CA 94533 Tel.: 707--207--7360

Courtesy Notice You received a ticket for the violation(s) listed below. Take care of this ticket by the **deadline**. If you do not, you may be **fined** and your license may be **suspended**. Keep this Notice. You will need it to take care of your ticket.

TO: «ODP_SOL_DEFENDANT_NAME»
«ODP_SOL_DEFENDANT_ADDRESS»
«ODP_SOL_DEFENDANT_CITY», «ODP_SOL_DEFENDANT_STATE_ZIP»

TICKET & FINE INFORMATION

DLN & State	«ODP_GENERAL_DFT_DRIVER_LICENSE»	VIN & State	«ODP_GENERAL_VEH_PLATE_NO» «ODP_GENERAL_VEH_STAT»	Birthdate	«ODP_GENERAL_DFT_DOB»
Ticket Number	«ODP_GENERAL_CASE_CITATION_NO»	Ticketing Agency	«ODP_GENERAL_ARREST_AGCY_ID»	Ticket Date	«ODP_GENERAL_VIOLATION_DATE»

Violation(s):

« ODP_GENERAL_DEFENDANT_CHARGES »

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If the violation(s) listed above is marked with an asterisk (*) that means you can fix the problem, go to any law enforcement office to have them sign your ticket as "Proof of Correction." Then send us the signed ticket and this Notice, along with payment of: Pay this amount if you are eligible and want to attend Traffic School. The amount includes the State/Court Administrative fee.

«ODP_GENERAL LOW BAIL AM

MUST GO TO COURT?	NO	If Yes, go to: Superior Court, 600 Union Ave. Fairfield, CA 94533--0246 (Tel.: 707--207--7360, 8 a.m. – 3 p.m.)
Court Date & Time	«ODP_GENERAL_DUE_DATE» 9:00	Court Case # «ODP_GENERAL_CASE_ID»
May Pay Ticket instead of Going to Court	YES	
Eligible for Traffic School? If yes, an admin fee was added to your fine.	«ODP_GENERAL_TVS_ELIGIBLE»	<i>Doing Traffic School keeps points off your DMV record.</i>
Total Fine Due:	«ODP_GENERAL_TOTAL_BAIL»	

See reverse side for information about your options. Then fill out below.

PAY FINE IN FULL

ENROLL IN TRAFFIC SCHOOL

REQUEST COURT TO CONSIDER INABILITY TO PAY

CONTEST TICKET IN COURT (PLEAD NOT GUILTY)

If you want to contest your ticket, you must fill out the grey box below

PAYMENT OPTIONS

Check / Money Order	Solano Superior Court P.O. Box 2463 Fairfield, CA 94533
U.S. Mail	
Credit Card	707-430-0342
(Not for traffic School or for Fix-it Tickets)	www.solanocourtpayments.com (plus a fee to pay by credit card)

Pay in person at any Solano Court Traffic Window

I am not guilty of the violation(s) listed above and ask for a


Check one: Court Trial (no payment required)

Trial by Mail (payment required)

Trial by Mail with Traffic School Option (payment required)

I understand and agree that my trial will take place after the required 45-day period

Date: _____ Sign: _____ Tel # (day): _____



Este es un aviso sobre una multa que recibió. Puede ver una traducción de este aviso en [url].

Take Care of Your Ticket by the Deadline!

If you do not take care of your ticket by the Court Date shown on the reverse side of this notice, you may be **fin**ed and your license may be **suspended**. **Inability to Pay:** You may ask the court for a lower fine, a payment plan, or community service. Community service lets you work instead of paying all or some part of the fine. You must explain your financial situation to the court, or fill out a Declaration/Ability to Pay form. You can get the form at any Solano Traffic Court Clerk window or from the court's website: www.solano.courts.ca.gov/traffic/forms. Then return the form to the Traffic Court Clerk in person or by mail.

You may be able to:

- Pay the ticket,
- Go to Traffic School,
- Correct a fix-it ticket, or
- Contest the ticket in court or by mail.

Pay the ticket in full by the Court Date.

This will close your case. Violations will be reported to DMV. This option is **not** available for tickets that say "**Mandatory Appearance.**"

You may:

- Send a **check** or **money order** for the **full amount**. Address and payment details on reverse side.
- Pay **in person** at any Solano Court listed on reverse side. We accept cash, check, and credit and debit cards.
- Pay **online** at www.solanocourtpayments.com.
- There is a service fee for credit card payments.

Fix-it Tickets

After you fix the problem you were ticketed for, take the ticket to any law enforcement office, 9-5. They will sign your ticket as "proof of correction." Mail or take a copy of the signed ticket, reverse side of this Notice, and the total fine due to the court. (*Address on reverse side.*)

NOTE: Officers cannot sign off on insurance violations. Proof of insurance for the ticket must be provided to the Court by mail or in person. For additional information on Fix-it Tickets, go to: www.solano.courts.ca.gov/traffic.

Go to traffic school and pay the ticket by the Court Date (if you qualify).

You qualify if:

- You have a valid driver's license and your ticket is for a *moving* violation,
- You were not driving a commercial vehicle or carrying hazardous material,
- You did not get a ticket in the last 18 months that you did traffic school for, and
- Your ticket was not for excessive speeding (more than 25 miles over the posted speed limit).

Pay by mail or in person.

- Pay for the ticket plus the traffic school fee in full, and an administrative fee
- Show proof of correction if you received a fix-it ticket
- Sign up for a DMV--approved traffic school. (See list at <http://www.dmv.ca.gov/oling2/welcome.do>.)
- Complete traffic school within **90 days**.
- Traffic school may allow you to have the conviction on your ticket held confidential by the DMV. If you are eligible for Traffic School and don't attend, your automobile insurance and driving record may be negatively affected.

Contest Your Ticket at Court

1. If you want to **contest your ticket in court**, check "Court Trial" in the grey box on the reverse side. The clerk will mail you a notice with a trial date. The ticketing officer will be there. You must go on that date for your trial.
2. If you don't want to ask for a court trial at this point, you may appear as a Walk-In on your Court Date to see a judicial officer for options on how to respond to your ticket. Check in at the Traffic Window in Vallejo from 8 – 9 a.m., Mon-Fri, or Fairfield from 9 – 10 a.m., Mon-Wed. (If you cannot appear on your Court Date, you can call or visit the Traffic Clerk to schedule another date before your scheduled date).

Arrive at court 30 minutes early! It takes time to go through security and to find your courtroom.

- Wear business-type clothes.

Contest Your Ticket by Mail

Trial by mail. You and the officer will each mail your sworn, written statement that explains your side.

To do this, you must:

- Fill out the grey box on the reverse side and return the forms we send you within 30 days
- Pay the ticket in full, plus any administrative fee (*if you prove your case, you will get your money back)
- Also pay for traffic school if you want the option to do traffic school. (*You will get a refund if you are found not guilty).

*Refunds will not include the service fee for payments made by credit card.

For additional information, visit the Court's website at www.solano.courts.ca.gov/traffic

EXHIBIT 2



Notice of Rights (Infractions)

Your Rights

You are here today because of an *infraction* ticket. An infraction is something that is against the law.

You have the following rights

- To have a **lawyer** represent you (at your expense).
- To an **interpreter** if you do not speak English well.
- To have the citation or complaint against you read in open court.
- To a **speedy court trial** within 45 days of arraignment (most likely you will be arraigned today). At that trial, you have the right to not testify against yourself, to subpoena witnesses to testify on your behalf, to confront and cross-examine witnesses by asking them questions.
- To have the court decide your case right away or to postpone sentencing for up to 5 days. Tell the court if you want to postpone sentencing.
- To **appeal** the court's decision.

When the court calls your name

Step to the front of the courtroom. You have the right to say if you are *Guilty*, *Not guilty* or *No contest*.

If you say...

- **Not guilty** – The court will schedule a trial. You and the officer that gave you the ticket must return to court on that date. You will each have a chance to present evidence and witnesses.
- **Guilty or No contest** – You accept the charge(s) on the ticket. There will not be a trial or witnesses. "No contest" is like saying "guilty," except that it cannot be used against you if there is a civil lawsuit related to your case.
- **Guilty with explanation** if you accept the charge(s) but want to give the court an explanation.

Can't afford to pay the fine?

If you are unable to pay all or part of your fine due to financial hardship, you may ask the court for a

- lower fine,
- payment plan
- community service (working instead of paying all or some part of the fine), or
- credit for time served (for example, if you have recently been in jail).

DO NOT SIGN UNLESS YOU FULLY UNDERSTAND THE ABOVE RIGHTS

Date: _____

Signed: _____

Telephone: _____

Address: _____

EXHIBIT 3



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO
TRAFFIC DIVISION**

4807-TR

[] Hall of Justice
600 Union Avenue
P.O. Box 2463
Fairfield, CA 94533
(707) 207-7360

[] Solano Justice Center
321 Tuolumne Street
Vallejo, CA 94590
(707) 561-7860

DECLARATION / ABILITY TO PAY FORM

If you have more than one case, use one form for each case.

1. Your Information

Name: _____

Street or Mailing Address: _____

City: _____ State: _____ Zip: _____

Tel.: _____ Date of Birth: _____

E-mail (optional): _____

Case Number: _____

Clerk fills out this box

FTA

FTP

A Traffic School Certificate was filed.

\$ _____
Amount ordered Due date

\$ _____
Amount paid Date paid

Balance due: \$ _____

2. What kind of help do you want from the court? (Check all that apply to your request)

- | | | |
|---|---|--|
| <input type="checkbox"/> 1. Lower the fine | <input type="checkbox"/> 4. Payment plan | <input type="checkbox"/> 8. Release DMV License Hold (Abstract) |
| <input type="checkbox"/> 2. Extend deadline to pay | <input type="checkbox"/> 5. Dismiss the fine/charge | <input type="checkbox"/> 9. Accept Proof of Correction |
| <input type="checkbox"/> 3. Credit for time served
in jail or residential
treatment program | <input type="checkbox"/> 6. Community Service | <input type="checkbox"/> 10. Dismiss late fee for Failure to Appear or Pay |
| | <input type="checkbox"/> 7. Ask for a Court Date | <input type="checkbox"/> 11. Other (specify): _____ |

3. Can you afford to pay?

- Yes** (Skip Sections 4 and 5; Complete Sections 6, 7 and 8)
- No** (If you check this box, you must also fill out Sections 4, 5, 6*, 7 and 8.)

4. Public Benefits – Check any benefits listed below that you are receiving now.

If you do *not* receive benefits, go to the next question.

- Medi-Cal CalFresh/WIC CalWORKs CAPI SSI/SSP Low-Income Veterans Pension
- Tribal TANF Refugee Cash Assistance General Assistance Extended Foster Care IHSS
- Other need-based help (specify): _____

Important! Attach a copy of **any document** that proves you are getting the benefits you checked.

5. Homeless or Temporary Housing

If you are homeless, live in a shelter, or in a transitional living facility, check below.

- Homeless (Where do you usually sleep?): _____
- Shelter or Transitional living facility (Which one?): _____

6. Household Income *(skip this section if you checked any public benefits in Item 4 or any box in Item 5)

Monthly income \$ _____

Number of people in household: _____

Important! Attach a copy of **any document(s)** that proves the amount of gross-monthly income (before tax deductions) for your household. In Item 7, provide any details or special circumstances you want the court to consider.

Applicant's Name: _____

Case Number: _____

7. Describe your Request

Please explain the reason for your request and include any details or special circumstances you want the court to consider. *(Attach more pages if you need more space.)*

8. Read and sign below.

I declare under penalty of perjury under the laws of the State of the California that the information I have provided on this form is true and correct.

Date: _____

▶ _____
Applicant signs here

For Court Use Only	
Court's Decision	
<input type="checkbox"/> Granted No (s). _____	Deadline to Pay Extended: ___ 3 Months ___ 6 months
<input type="checkbox"/> Denied No (s). _____	
<input type="checkbox"/> Fine reduced to: _____	
<input type="checkbox"/> Other Orders _____	

Date: _____	_____
	JUDICIAL OFFICER/DIVISION MANAGER

Submitted by: _____
Clerk Name

EXHIBIT 4

DATE: _____ __, 2017

TO: Judicial Officers of the Solano County Superior Court

FROM: Robert C. Fracchia, Presiding Judge

RE: Ability to Pay Determinations in Traffic Infraction Cases

On January 1, 2017, the Judicial Council of California adopted three new rules of the California Rules of Court that clarify procedures regarding ability-to-pay determinations: Rules 4.106, 4.107, and 4.335. This memorandum is intended to summarize the content of those rules as relevant to ability-to-pay determinations and to provide guidance to judicial officers conducting ability-to-pay determinations requested by traffic and other infraction defendants pursuant to Vehicle Code § 42003(c).

Rule 4.106 applies to infraction cases for which the defendant has received a written notice to appear and has failed to appear or failed to pay. When a court imposes a civil assessment for failure to appear or pay, Rule 4.106 authorizes traffic defendants to petition the court to vacate or reduce the civil assessment without paying any bail, fines, penalties, fees or assessments. The court must vacate the assessment upon a showing of good cause for failure to appear or failure to pay. If the defendant does not establish good cause, the court may still exercise its discretion to reconsider whether a civil assessment should be imposed and, if so, the amount of the assessment, giving consideration to the defendant's financial circumstances and the defendant's due diligence in appearing or paying after notice of the assessment was given under Penal Code 1214.1(b)(1).

Circumstances that indicate good cause may include, but are not limited to, the defendant's hospitalization, incapacitation, or incarceration; military duty required of the defendant; death or hospitalization of the defendant's dependent or immediate family member; caregiver responsibility for a sick or disabled dependent or immediate family member of the defendant; or other good cause that prevented the defendant from making an appearance or payment on or before the date listed on the notice to appear.

Rule 4.106 also establishes procedures related to when a case has been referred to a collection program prior to adjudication. A defendant may schedule a hearing for adjudication of the underlying charge(s) without payment of the bail amount or the civil assessment. The only circumstances in which the court may require deposit of bail prior to adjudication is if the court finds that the defendant is unlikely to appear as ordered and the court expressly states the reason for the finding.

Rule 4.106 further establishes procedures related to when a defendant fails to pay a fine and make a payment under an installment plan. The court must allow a defendant to petition to modify the payment terms, and cannot require payment of bail, fines, penalties, fees or assessment to consider the petition. When a court agrees to modify or vacate a judgment for a violation of the Vehicle Code, the defendant may request that the court consider the defendant's ability to pay.

Rule 4.107 requires each court to send a reminder notice to infraction defendants that includes information regarding the defendant's right to request an ability-to-pay determination. The court has developed an updated courtesy notice that complies with Rule 4.107's requirements and will be implemented on or before _____.

Rule 4.335 applies to any infraction offense for which the defendant has received a written notice to appear, and establishes procedures for ability-to-pay determinations. Rule 4.335 provides that a defendant may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a collection program.

Based on the ability-to-pay determination, the court may exercise its discretion to provide for payment on an installment plan, allow the defendant to complete reasonable community service in lieu of paying the total fine, suspend the fine in whole or in part, and/or offer an alternative disposition including, but not limited to, dismissal or consideration of credit for time served. Installment plans should take into account what the defendant can afford to pay each month based on their individual financial circumstances.

Congruent with the purpose of the new rules of promoting procedural fairness in infraction cases, ability-to-pay determinations requested by indigent infraction defendants should be adjudicated with the following principle in mind. In cases where the defendant requests an ability-to-pay determination and:

(1) receives public benefits under Supplemental Security Income (SSI), State Supplementary Payment (SSP), California Work Opportunity and Responsibility to Kids (CalWORKS), Federal Tribal Temporary Assistance for Needy Families (Tribal TANF), Supplemental Nutrition Assistance Program, California Food Assistant Program, County Relief, General Relief (GR), General Assistance (GA), Cash Assistance Program for Aged, Blind, and Disabled Legal Immigrants (CAPI), In Home Supportive Services (IHSS), or Medi-Cal;
or

(2) has a monthly income of 250 percent or less of the current poverty guidelines, updated periodically in the Federal Register by the U.S. Department of Health and Human Services under 42 U.S.C. § 9902(2);¹

¹ 250% of FPL Guidelines:

Family Size	Family Income before taxes	Family Size	Family Income before taxes	Family Size	Family Income before taxes
1	\$2,475	3	\$4,200	5	\$5,925
2	\$3,338	4	\$5,063	6	\$6,788

If more than 6 people at home, add \$867 for each extra person.

or

(3) is homeless, including but not limited to living in a shelter or transitional living facility;

the presiding judicial officer should consider alternatives to the payment of a fine, including community service in lieu of a fine, suspension or reduction of the fine in whole or in part, or dismissal.

If the defendant has the ability to pay some but not all of the fines or fees, the court should exercise discretion under Vehicle Code 42003 in determining the appropriate amount of fines and fees, and should consider, among other factors, the defendant's:

(1) Present financial position;

(2) Reasonably discernible future financial position. In no event shall the court consider a period of more than six months from the date of the hearing for purposes of determining reasonably discernible future financial position;

(3) Likelihood that the defendant will be able to obtain employment within the six-month period from the date of the hearing; and

(4) Any other factors that may bear upon the defendant's financial capability to pay.

Section 42003(c) entitles the defendant, among other protections, the right to present witnesses and other documentary evidence concerning his or her ability to pay and to a written statement of the findings of the court or the county officer.

Robert Fracchia
Presiding Judge