

1 [Amending Community Court Program Administrative Fee]

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3 **Ordinance amending Administrative Code Section 10.183 to authorize the District Attorney to**
4 **collect Administrative Fees from persons who are determined by the District Attorney to be**
5 **eligible for the community courts program.**

6 Note: Additions are *single-underline italics Times New Roman*;
7 deletions are *strikethrough italics Times New Roman*.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 The San Francisco Administrative Code is hereby amended to read as follows:

11 SEC. 10.183. COMMUNITY COURT PROGRAM ADMINISTRATIVE FEE.

12 (a) Purpose. In order to recover the cost to the City for the District Attorney
13 to participate in the operation of the Community Courts Program, as described in Section
14 10.100-295 of this Code, the City will collect a Community Court Program Administrative Fee
15 as follows:

16 (b) Collection of Fee. The District Attorney is authorized to collect the
17 Administrative Fee from persons who are determined by the District Attorney to be eligible for
18 the Community Court Program and who elect to participate in the Program. The District
19 Attorney shall explain the basis and amount of any fee to each person in advance of his or her
20 participation in the Community Court Program. The District Attorney is also authorized to
21 collect the Administrative Fee from persons who are eligible for and who elect to participate in
22 the Program but whose cases are heard in an administrative office because there is no
23 community court in the neighborhood in which the incident or dispute occurred.

24 (c) Amount of Fee. Consistent with the Dispute Resolution Program Act
25 (California Business and Professions Code section 465 et seq. and implementing regulations

1 at 16 California Administrative Code section 3600 et seq.), the Administrative Fee shall be
2 assessed on a sliding scale basis. Individuals whose income and resources fall below 60
3 percent of the Area Median Income for individuals ~~100 percent of the federal poverty level~~
4 shall pay no Administrative Fee. Individuals whose income and resources are ~~between 100 to~~
5 ~~200 percent of the federal poverty level~~ shall pay ~~\$75.00 per case~~ at or above 60 percent of
6 the Area Median Income for individuals shall pay \$115.00 per case. ~~Individuals whose~~
7 ~~income and resources exceed 200 percent of the federal poverty level shall pay \$115.00 per~~
8 ~~case~~. A business participating in the Community Courts Program shall pay \$165.00 per case.
9 Beginning with fiscal year 2005-2006, the Controller shall each year review and adjust the
10 Administrative Fees set in this section without further action by the Board of Supervisors to
11 ensure that the Administrative Fees produce sufficient revenue to support the District
12 Attorney's participation in the Community Court Program, but do not produce revenue that
13 exceeds that necessary to support the District Attorney's participation.

14 (d) No Additional Fees. No agency providing dispute resolution services
15 through the Community Court Program may collect any additional administrative fees from
16 participants in the Community Courts Program.

17 (e) Use of Fee. Consistent with the budgetary and fiscal provisions of the
18 Charter, proceeds received from collection of the Administrative Fee shall be used to recover
19 the costs to the City for the District Attorney to participate in the operation of the Community
20 Courts Program.

21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 Deputy City Attorney

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