

1 [Repealing Community Court Program Administrative Fee]

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3 **Ordinance repealing 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 by repealing Section 10.183 to read
11 as follows:

12 ~~SEC. 10.183. COMMUNITY COURT PROGRAM ADMINISTRATIVE FEE.~~

13 ~~———— (a) ——— Purpose. In order to recover the cost to the City for the District Attorney to~~
14 ~~participate in the operation of the Community Courts Program, as described in Section 10.100-295 of~~
15 ~~this Code, the City will collect a Community Court Program Administrative Fee 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 the~~
18 ~~Community Court Program and who elect to participate in the Program. The District Attorney shall~~
19 ~~explain the basis and amount of any fee to each person in advance of his or her participation in the~~
20 ~~Community Court Program. The District Attorney is also authorized to collect the Administrative Fee~~
21 ~~from persons who are eligible for and who elect to participate in the Program but whose cases are~~
22 ~~heard in an administrative office because there is no community court in the neighborhood in which the~~
23 ~~incident or dispute occurred.~~

24 ~~———— (c) ——— Amount of Fee. Consistent with the Dispute Resolution Program Act (California~~
25 ~~Business and Professions Code section 465 et seq. and implementing regulations at 16 California~~

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

11 ~~———— (d) ——— No Additional Fees. No agency providing dispute resolution services through~~
12 ~~the Community Court Program may collect any additional administrative fees from participants in the~~
13 ~~Community Courts Program.~~

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

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18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: _____
21 Deputy City Attorney

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