

ASSEMBLY BILL

No. 1718

Introduced by Assembly Member Monning

February 2, 2010

An act to amend Section 470.5 of the Business and Business Code, relating to dispute resolution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1718, as introduced, Monning. Dispute resolution.

Existing law requires the Administrative Office of the Courts to make monthly distributions from superior court filing fees for the support of specified dispute resolution programs established by counties. Existing law provides that the total amount to be distributed for those programs may be no more than \$8 per filing fee.

This bill would, on and after January 1, 2012, increase the authorized amount of those distributions to no more than \$13 per filing fee.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 470.5 of the Business and Professions
- 2 Code is amended to read:
- 3 470.5. (a) On and after January 1, 2006, as described in Section
- 4 68085.1 of the Government Code, the Administrative Office of
- 5 the Courts shall make monthly distributions from superior court
- 6 filing fees for the support of dispute resolution programs under
- 7 this chapter in each county that has acted to establish a program.

1 The amount distributed in each county shall be equal to the
2 following:

3 (1) From each first paper filing fee collected by the court as
4 provided under Section 70611 or 70612, subdivision (a) of Section
5 70613, subdivision (a) of Section 70614, or Section 70670 of the
6 Government Code, and each first paper or petition filing fee
7 collected by the court in a probate matter as provided under Section
8 70650, 70651, 70652, 70653, or 70655 of the Government Code,
9 the same amount as was required to be collected for the support
10 of dispute resolution programs in that county as of December 31,
11 2005, when a fee was collected for the filing of a first paper in a
12 civil action under Section 26820.4 of the Government Code.

13 (2) From each first paper filing fee in a limited civil case
14 collected by the court as provided under subdivision (b) of Section
15 70613 or subdivision (b) of Section 70614 of the Government
16 Code, and each first paper or petition filing fee collected by the
17 court in a probate matter as provided under Section 70654, 70656,
18 or 70658 of the Government Code, the same amount as was
19 required to be collected for the support of dispute resolution
20 programs in that county as of December 31, 2005, when a fee was
21 collected for the filing of a first paper in a civil action under Section
22 72055 of the Government Code where the amount demanded,
23 excluding attorney's fees and costs, was ten thousand dollars
24 (\$10,000) or less.

25 (b) Distributions under this section shall be used only for the
26 support of dispute resolution programs authorized by this chapter.
27 The county shall deposit the amounts distributed under this section
28 in an account created and maintained for this purpose by the
29 county. Records of these distributions shall be available for
30 inspection by the public upon request.

31 (c) After January 1, 2006, a county that does not already have
32 a distribution from superior court filing fees under this section and
33 that establishes a dispute resolution program authorized by this
34 chapter may approve a distribution under this section. A county
35 that already has a distribution under this section may change the
36 amount of the distribution. ~~The~~ *Until January 1, 2012, the total*
37 *amount to be distributed for the support of dispute resolution*
38 *programs under this section may not exceed eight dollars (\$8) per*
39 *filing fee. On and after January 1, 2012, the total amount to be*

1 *distributed for the support of dispute resolution programs under*
2 *this section may not exceed thirteen dollars (\$13) per filing fee.*
3 (d) The county may make changes under subdivision (c) to be
4 effective January 1 or July 1 of any year, on and after January 1,
5 2006. The county shall provide the Administrative Office of the
6 Courts with a copy of the action of the board of supervisors that
7 establishes the change at least 15 days before the date that the
8 change goes into effect.

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