



Superior Court of California County of Riverside

Criminal Cases – Frequently Asked Questions

Date: June 15, 2020

The following Frequently Asked Question (FAQ) document is designed to address incoming questions regarding Criminal cases. It will be updated as needed, however, this is an ever-changing, fluid situation. We appreciate your patience.

I. QUESTIONS REGARDING FINE PAYMENTS/VICTIM RESTITUTION

1. I recently lost my job and am unable to pay my fines at this time. What should I do?

- A.** Immediately contact Enhanced Collections to let them know of your financial difficulties. For contact information, click on the “Enhanced Collections” button on the left side of the screen. If you are unable to resolve the issue with Enhanced Collections, you may request that the court allow you to serve the fines by way of work release or community service hours if you can show the court that payments would result in a severe financial hardship to you. A fillable form for fine adjustment requests is available on this website. Go to “local forms” on the “Forms and Filings” drop-down menu located on the tool bar at the top of the page. Scroll down to the forms for the Criminal Division as stated on the left side of the Forms page. Locate the form entitled “Request for Modification of Fines/Fees” (Form # RI-CR085). Fill out the form completely including the attached Financial Declaration (CR-105) and save it in PDF format by clicking on the download button located in the upper right corner. Please keep in mind that you must COMPLETELY fill out the form. An incomplete form will not provide sufficient information for the judge or commissioner to be able to consider your request. Then go to eSubmit located in the drop-down menu under “Online Services”. Use the eSubmit instructions to forward the application to the court clerk for review by a judge or court commissioner. The clerk’s office will provide you with the court’s order by mail within 1 week of receipt.

2. I am able to pay my fines, but not as much monthly as Enhanced Collections is requesting. Can I ask the court for a lower monthly payment?

- A.** You may request that the court order lower payments than what Enhanced Collections has directed you to pay monthly if you are able to show the court that higher payments would result in a severe financial hardship to you. However, keep in mind that, if you are on a period of probation, the entirety of the fines and fees will need to be paid by the probation expiration date. A fillable form for fine adjustment requests is available on this website. For detailed information as to how to make application to the court electronically, go to the response to Question #1 under “Questions Regarding Fine Payments/Restitution” in these Frequently Asked Questions. Fill out the form completely and use eSubmit (under “online services”) to forward it to the court clerk for review by a judge or court commissioner. The clerk’s office will provide you with the court’s order by mail within 1 week of receipt.

3. I don’t have enough money to pay for my fines and my court-ordered program(s) at the same time. Is there something that I can do about that?

A. Yes. If you are having financial problems paying for both your court-ordered programs and fines simultaneously, contact Enhanced Collections immediately and let them know of your difficulties. For contact information, click on the “Enhanced Collections” button on the left side of the screen. If you are unable to resolve the issue with Enhanced Collections, you can request that the court issue a “stay” on your fine payments for a period of time to give you a chance to complete your programs before restarting fine payments. A “stay” means that you would not have to make payments on the fine until the date that the court gives you. But, keep in mind that, if you are on a period of probation, the fines will still need to be paid in full by the expiration date of your probation, so it is possible that the monthly payments may be slightly higher than if you had continued making payments without the “stay”. To request a “stay”, use the fillable form for fine adjustment requests which is available on this website. For detailed information as to how to make application to the court electronically, go to the response to Question #1 under “Questions Regarding Fine Payments/Restitution” in these Frequently Asked Questions. Fill out the form completely and use eSubmit (under “online services”) to forward it to the court clerk for review by a judge or court commissioner. The clerk’s office will provide you with the court’s order by mail within 1 week of receipt.

4. I haven’t been employed in a long time and I don’t believe that I will ever be able to pay my fines. What should I do?

A. You may still request that the court convert some of your fines to work release or community service hours to give you the opportunity to serve them off if you are able to show the court that paying them would result in a severe financial hardship to you. If you are on a period of probation, however, the request must be made and any work completed before your probation expiration date. A fillable form for fine adjustment requests is available on this website. For detailed information as to how to make application to the court electronically, go to the response to Question #1 under “Questions Regarding Fine Payments/Restitution” in these Frequently Asked Questions. Fill out the form completely and use eSubmit (under “online services”) to forward it to the court clerk for review by a judge or court commissioner. The clerk’s office will provide you with the court’s order by mail within 1 week of receipt.

5. I am disabled and unemployed, so I am unable to pay my fines and unable to do work instead. What should I do?

A. You may request that the court “suspend” some of your fines/fees so that you would be relieved of the obligation to pay them if you can show the court that paying them would result in a severe financial hardship to you and that you are physically unable to do work in the alternative. A fillable form for fine adjustment requests is available on this website. For detailed information as to how to make application electronically, go to the response to Question #1 under “Questions Regarding Fine Payments/Restitution” in these Frequently Asked Questions. Fill out the form completely and use eSubmit (under “Online Services”) to forward it to the court clerk for review by a judge or court commissioner. Keep in mind that you must provide sufficient information to show not only that paying the fines would cause a severe financial hardship to you, but also that you are physically unable to work or perform community service as an alternative to paying the fines. The clerk’s office will provide you with the court’s order within 1 week of receipt.

6. My probation has already expired but I still have fines owing. Can I still request that the court convert them to a work program or waive them?

A. No. Once your probationary period expires, the court is without jurisdiction to change any of the fines. Contact Enhanced Collections to see whether payments can still be made through them (for contact information, click on the “Enhanced Collections” button on the left

side of the screen) or whether you would need to contact the California Franchise Tax Board for more information.

7. Can I serve time/community service instead of paying my fines?

- A. Possibly. If you are able to show the court that paying the fines would result in a severe financial hardship to you, you may request that the court convert some of your fines to work release or community service hours. Remember, however, that court fees, assessments and actual victim restitution are NOT eligible to be served and must be paid. A fillable form for fine adjustment requests is available on this website. For detailed information as to how to make application to the court electronically, go to the response to Question #1 under "Questions Regarding Fine Payments/Restitution" in these Frequently Asked Questions. Fill out the form completely and use eSubmit (under "online services") to forward it to the court clerk for review by a judge or court commissioner. The clerk's office will provide you with the court's order by mail within 1 week of receipt.

8. I went to prison. Do I still owe the fines?

- A. Unless the judge specifically relieved you of the obligation to pay your fines by "suspending" them, you would still owe those fines. Contact Enhanced Collections for additional information about setting up a payment plan. For contact information, click on the "Enhanced Collections" button on the left side of the screen.

9. The judge didn't say that I owe probation costs. Do I still have to pay them?

- A. Penal Code section 1203.1b provides that whenever a defendant is granted probation or a conditional sentence, the probation officer or their authorized representative must make a determination of that defendant's ability to pay all or a portion of the reasonable costs of probation supervision, pre-plea investigation and the preparation of any pre-plea or pre-sentence report, taking into account any fines, fees, assessments or victim restitution that has been ordered by the court. If you feel that payment of these costs would result in a severe financial hardship to you, contact Enhanced Collections to discuss your situation. For contact information, click on the "Enhanced Collections" button on the left side of the screen.

10. Is there a grace period for my fine payment?

- A. No. Payments must be received by the due date each month. If you are having financial difficulties, contact Enhanced Collections before the due date to discuss your situation. For contact information, click on the "Enhanced Collections" button on the left side of the screen.

11. If I mail my payment, will you send a receipt?

- A. Yes, Enhanced Collections will send you a receipt if you include a self-addressed, stamped envelope along with your payment.

12. What happens if my check for a fine payment is returned?

- A. If your check is returned, you will be assessed a \$63.00 returned check fee and payment must be submitted within 20 days by cash, cashier's check, money order, debit or credit card.

13. What methods are available for paying my fines?

- A. A variety of payment methods are available including cash, check, credit and debit card, cashier's check, money order and Western Union Quick Collect. For full information click

on the “Enhanced Collections” button on the left side of the screen and go to “Payment Information”.

14. Do I have to pay my fines in person?

- A. No, various methods are available including mailed payments and online payments. For more information, click on the “Enhanced Collections” button on the left side of the screen and go to “Payment Information”.

15. If I visit an Enhanced Collections office, what should I bring with me?

- A. For full information, click on the “Enhanced Collections” button on the left side of the screen and read the walk-in information sheet which is available under the heading stating this question.

16. Why did the court send my case to Enhanced Collections?

- A. If you are unable to immediately pay all fines, fees and restitution owed, Enhanced Collections can assist you with a payment plan. For more information about Enhanced Collections, click on the “Enhanced Collections” button on the left side of the screen.

17. What happens if I fail to pay my court-ordered fines?

- A. Many things can happen including revocation of your probation, civil action, property liens, wage garnishment and interception of your tax refund. Additionally, a civil assessment in the amount of \$300 can be added and you may be assessed costs and fees that were incurred due to these actions being taken. It is, therefore, extremely important that you make all of your payments by the date that they are due. If you are unable to do so, it is also important that you contact Enhanced Collections immediately to attempt to resolve the situation before your fine payments become delinquent. If you are unable to adequately resolve the issue with Enhanced Collections, you can make electronic application to the court for an alternate method of payment, a temporary stay or suspension of a fine. For more detailed information, go to the responses to Questions #s 1, 2, 4 and 5 under “Questions Regarding Fine Payments/Restitution” in these Frequently Asked Questions.

18. Can I get a violation of my probation for failing to pay my fines?

- A. Fines are considered orders of the court, just like any other term of probation. A willful failure to pay can be grounds for a violation of probation. Therefore, if you are having difficulties making a payment, it is extremely important that you contact Enhanced Collections immediately and before the fine becomes delinquent to attempt to resolve the matter. If you are unable to resolve the matter with Enhanced Collections, you can make electronic application to the court for an alternate method of payment, a temporary stay or suspension of a fine. For more detailed information, go to the responses to Question #s 1, 2, 4 and 5 under “Questions Regarding Fine Payments/Restitution” in these Frequently Asked Questions.

19. What do I do about paying my fines/restitution if I moved?

- A. If you have moved, you should update your address and phone number with Enhanced Collections by way of a phone call or by mail. For contact information for Enhanced Collections, click on the “Enhanced Collections” button on the left side of the screen.

20. I have filed for bankruptcy. Do my fines/restitution go away?

- A. No. Fines, fees and victim restitution in a criminal case cannot be discharged in bankruptcy.

21. Can I sign up for text or e-mail notifications/reminders regarding my fines?

- A. Yes. For full information, click on the “Enhanced Collections” button on the left side of the screen, and go to the heading marked “Sign up for Text/E-Mail Notifications”.

22. I have been ordered to pay victim restitution. What happens now?

- A. If the court set an amount for victim restitution, you should contact Enhanced Collections to set up a payment plan. For contact information, click on the “Enhanced Collections” button on the left side of the screen. If the court did not set an amount, but instead ordered restitution to be determined through the Probation Department, Probation will contact you to provide you with additional information regarding the amount of restitution and manner of payment. If you disagree with the amount that they assess for victim restitution, you may request a Restitution Hearing through the court for the court to decide whether the amount is reasonable. For full information regarding victim restitution, click on the “Enhanced Collections” button on the left side of the screen and go to the heading marked “Victim Restitution”.

23. I was a victim of a crime and the court ordered the defendant to pay restitution to me. What do I do now?

- A. For full information, click on the “Enhanced Collections” button on the left side of the screen and go to the heading marked “Victim Restitution”.

24. I have been notified that my fines are going to be taken by a tax intercept. What is that and what should I do?

- A. For full information, click on the “Enhanced Collections” button on the left side of the screen, and go to the heading marked “Tax Intercept”.

25. Can I make a fine payment over the phone?

- A. Yes, you may make phone payments on your criminal fine if you have already pled guilty and have set up a payment arrangement with Enhanced Collections. For more information, click on the “Enhanced Collections” button on the left side of the screen and go to the heading marked “Payment Information”.

26. Do you have electronic withdrawal for payments made to the court?

- A. No, we do not.

II. QUESTIONS REGARDING COURT-ORDERED PROGRAMS

1. I was not able to enroll in my court-ordered program by the date that was given to me by the court. What should I do?

- A. If you were unable to enroll in a court-ordered program by the date ordered, it is very important that you obtain a reinstatement as soon as possible. (This is also the case if you started the program but were unable to continue participation or were terminated from the program for some reason.) If you have been assigned a probation officer, contact that individual immediately. If your case is a misdemeanor and you are currently serving a period of probation, you may request the court reinstate you in your program so long as a violation of probation has not already been alleged. Similarly, if the program is part of a sentence without probation for a misdemeanor, you may reinstate through application to the court unless an additional charge has been brought against you for failure to comply with court orders. If additional charges or a violation of probation have been alleged, you must appear in court to resolve them. If you do not know whether new charges or a violation of probation have been alleged, you can find out by searching the court’s records.

Go to “Search Court Records” on the drop-down menu of “Online Services” located on the toolbar at the top of the page and do a search through Riverside Public Access-Criminal to obtain this information. If no additional charges or violation of probation have been alleged, you may request a reinstatement by making electronic application directly to the court. Go to “local forms” on the “Forms and Filings” drop-down menu located on the tool bar at the top of the page. Scroll down to the forms for the Criminal Division as stated on the left side of the Forms page. Use the fillable form entitled “Request for Program Reinstatement— Probation/Sentence/Diversion; Self Represented Defendant” (Form # RI-CR084). Fill out the form completely and save it in PDF format by clicking on the download button located in the upper right corner. Then go to eSubmit, in the drop-down menu under “Online Services” which is located in the tool bar at the top of the page. Use the eSubmit instructions to forward the application to the clerk’s office for review by a judge or court commissioner. The clerk’s office will provide you with the court’s order by mail within 1 week of receipt.

2. I won’t be done with my court-ordered program by the date given to me by the court. Can I obtain an extension of my completion date?

A. Possibly. If the court-ordered date for completion has not yet passed and you do not have a violation of probation alleged or additional charges filed for failure to comply with a court order, you may be able to have your completion date adjusted. If a violation of probation or new charges have already been alleged, you will need to go to court to resolve them. If you have been assigned a probation officer, you should contact that person as soon as possible to let them know of the situation and they will give you further instructions. If you do not have a probation officer, it is important that you make application to the court for an extension as soon as possible. Keep in mind that, if your probation expiration date will arrive before you will have completed the program, you may need to additionally request that your probation expiration date be extended to give yourself sufficient time to complete the program before probation expires. You can make application to the court electronically by using the forms on this website created for that purpose. Go to “local forms” in the “Forms and Filings” drop-down menu located on the tool bar at the top of the page. Scroll down to the forms for the Criminal Division as stated on the left side of the Forms page. Use the fillable form entitled “Request for Extension of Program Completion Date” (Form # RI-CR086) Fill out the form completely and save it in PDF format by clicking on the download button located in the upper right corner. Then go to eSubmit, in the drop-down menu under “Online Services” located on the tool bar at the top of the page. Use the eSubmit instructions to forward the application to the clerk’s office for review by a judge or court commissioner. The clerk’s office will provide you with the court’s order by mail within 1 week of receipt.

3. The judge told me to come back to court to show proof of enrollment and/or completion of my program, but I am not able to come to court in person. Is there a way for me to provide that proof without coming back to court?

A. Yes, you may turn in the proof of enrollment or completion by mailing it to the court, however, the court will need to **receive** it at least 1 week prior to your proof of completion date in order to process it and take your appearance date off calendar. Remember to keep a copy of the document for your own records or in the event that the original is lost in the mail so that you have an additional copy.

4. I was not able to do my court-ordered program due to the Covid-19 pandemic. What should I do to get into the program?

A. The court understands that the Covid-19 pandemic has made it difficult for defendants to enroll in and complete many of their court-ordered programs. Therefore, the court is

allowing a grace period to the date of September 21, 2020 to allow you time to enroll into your programs. You will not suffer any court penalties so long as you have enrolled by that date, and you will not need to come to court; you may enroll by going directly to the program. However, be reminded that, if the court gave you a completion date during that time period, it will be your responsibility to obtain an extended completion date. You may do so by making application electronically using forms available on this website. For more detailed information, go to the response to Question #2 under “Questions Regarding Court-Ordered Programs” contained in these Frequently Asked Questions.

5. I can't afford to pay for my court-ordered program at this time. What should I do?

- A.** The court is not able to waive program fees for court-ordered programs, however, the court may be able to either stagger your programs so that you do not have to participate in and pay for them all at the same time, or may be able to put a “stay” on your fines and fees for a short time so that you would not need to pay them while you are completing your programs. You can apply electronically for a stay on your fines by using the fillable forms available on this website. For more detailed information on how to apply, go to the response to Question #3 under “Questions Regarding Fine Payments/Victim Restitution” contained in these Frequently Asked Questions.

6. I started my court-ordered program but was dropped from the program in the middle. How do I get back into the program?

- A.** If you have been assigned a probation officer on your case, you should immediately contact that person and let them know what happened so that they can give you instructions on what to do next. If you have not been assigned a probation officer on your case, and a violation of probation has not been alleged, you may be able to reinstate the program by making electronic application directly to the court. For detailed information, go to the response to Question #1 under “Questions Regarding Court-Ordered Programs” contained in these Frequently Asked Questions.

7. I want to get into my court-ordered program, but I lost my instructions and don't know where to go. What should I do?

- A.** If you know the name of the court-ordered program, but just don't have an address, a list of all court-ordered programs and their addresses is located on this website. Just click on the link **here** to obtain that information and make sure that you sign up by the date indicated on your Sentencing Memorandum, if you were placed on probation. If you do not know the name of the program you were ordered to attend, you may obtain additional information about the orders in your case by searching the court's records. Go to “Search Court Records” on the drop-down menu of “Online Services” located on the toolbar at the top of the page and do a search through Riverside Public Access-Criminal to obtain information about which program(s) you were ordered to complete. Additionally, you may obtain a copy of an instruction sheet by requesting a copy directly from the clerk's office. You may do so by clicking on the link **here**.

8. The court ordered me to get an ignition interlock device in my car, but DMV refuses to refer me for one because my driver's license is still suspended. What should I do? /The court ordered me to get an ignition interlock device but I was unable to get my car out of impound and I don't have any other vehicles at my residence. What should I do?

- A.** If you have been assigned a probation officer, you should contact that person immediately for additional instructions. If you do not have a probation officer, and you are unable to comply with a court order, it is important that you let the court know of your difficulties as soon as possible in order to avoid a violation of your probation or new charges being alleged. If a violation of probation or new charges have already been alleged, you will

need to go to court to resolve them. If you do not have a violation of probation or new charges alleged, you may use the forms available on this website to make an electronic request to the court to either extend the date for obtaining an Ignition Interlock device or issue a “stay” for a period of time so that you are relieved of the obligation of performing while your license is suspended or during the time when you do not have a vehicle. For detailed information as to how to make application to the court electronically, go to the response to Question #1 under “Questions Regarding Court-Ordered Programs” in these Frequently Asked Questions.

9. I don’t live in California and will not be staying here. Is there a way to complete my court-ordered programs in my home state?

- A.** Possibly. If you are not represented by an attorney, you may need to return to court with your request including your proposed out-of-state alternative. If you are represented by a private attorney or an attorney from the Law Offices of the Public Defender, you may be able to make application through your attorney without the need for your personal appearance in court. If you are not currently represented by an attorney and are interested in finding out whether you qualify for the services of an attorney through the Law Offices of the Public Defender, please refer to the response to Question #2 under “General Questions Regarding My Case” in these Frequently Asked Questions.

III. GENERAL QUESTIONS REGARDING MY CASE

1. I need information about my case. What should I do?

- A.** You can obtain information about your case by searching the court’s records on this website. Go to “Search Court Records” on the drop-down menu of “Online Services” located on the toolbar at the top of the page and do a search for your case through Riverside Public Access-Criminal to obtain further information.

2. I have an active case, cannot afford a lawyer and would like to apply for an appointed lawyer before I go to court. Can I do this?

- A.** Yes. If your case is of a type where the law provides that possible punishment is jail or prison time and you fall into the category of individuals determined to be “indigent”, meaning without sufficient funds to hire an attorney, then you may qualify for the services of a court-appointed lawyer. You can make a request for an attorney from the Law Offices of the Public Defender at your first court appearance, or you can contact the Law Offices of the Public Defender before your court date for assistance. In some instances, the lawyer from the Law Offices of the Public Defender may be able to appear for you in court without the need for you to personally appear. To obtain additional information about the Law Offices of the Public Defender for Riverside County, go to the FAQ page of their website, publicdef.co.riverside.ca.us/faq. You may also call them to set up an appointment at one of the phone numbers listed on their website or send an e-mail directly to them from their website; publicdef.co.riverside.ca.us/Contact-us. You may click on the link **here** to be routed directly to their website.

3. I have an active warrant, but live out of state and cannot appear in person. What can I do?

- A.** If you have an active warrant on a criminal case, you may be able to have an attorney appear on your behalf without your personal appearance. If you are unable to afford the services of a private attorney, you may qualify for a court-appointed attorney through the Law Offices of the Public Defender if you fall into the category of individuals determined to be “indigent”. To obtain additional information about the Law Offices of the Public Defender for Riverside County, go to the FAQ page of their website, publicdef.co.riverside.ca.us/faq. You may also call them to set up a phone appointment at

one of the phone numbers listed on their site or send an e-mail directly to them from their website, publicdef.co.riverside.ca.us/Contact-us. You may click on the link [here](#) to be routed directly to their website.

4. I have a court hearing. Where do I go?

- A. When you arrive at the courthouse, you will see calendars posted in the lobby. Find your name on the calendar to determine which courtroom you should go to. If you are unable to find your name on the calendar, go to the clerk's window to obtain assistance.

5. Do I have to go to court?

- A. Your personal appearance in court is usually required in a criminal case. Failure to appear will normally result in the issuance of a warrant for your arrest. However, if you are represented by a private attorney or obtain appointment of an attorney from the Law Offices of the Public Defender, your attorney may be able to appear for you in court without the need for your personal appearance. If you are interested in finding out if you qualify for attorney services through the Law Offices of the Public Defender before your court date, please refer to the response to Question #2 under "General Questions Regarding My Case" in these Frequently Asked Questions.

6. Can I get an extension on my case from the clerk's office?

- A. No. Either you or your attorney must appear in court to request an extension/continuance.

7. How do I get a Public Defender?

- A. For full information, see the response to Question #2 under "General Questions Regarding My Case" in these Frequently Asked Questions.

8. Can I tell the judge some information for my friend because they have difficulty with English?

- A. No. However, an interpreter will be available to assist in any language translation.

9. Can I speak with my friend, who is in custody, in the courtroom?

- A. No. Attempting to communicate with a person in custody in the courtroom without permission from the judge is actually a criminal offense. Visitation with defendants who are in custody can be arranged at the jail facility where they are being held.

10. I been convicted of a crime and I have completed my probation. How can I get the conviction expunged (removed from my record)?

- A. So long as you have completed all of the court-ordered terms of probation, you may be able to request that the conviction be removed from your record by a process called "expungement". For detailed information, click on the "Self Help" button located on home page of this website. Then click on the "Expungement" button located on the left side of the "Self Help" page.

11. May I get a driver's license in another state if my license is suspended in California and I move out of state?

- A. Possibly. You may wish to contact the Department of Motor Vehicles in the state you will be moving to in order to find out the law for that jurisdiction.

12. I have a case pending against me that really belongs to someone else. Is there anything I can do about it?

- A. Yes. If you have discovered that a warrant is outstanding, you may request to add-on to the court's calendar to handle the matter or have an attorney do so on your behalf. At the hearing, you or your attorney can inform the attorney from the Office of the District Attorney prosecuting your case so that a full investigation can be conducted.

13. May I appear in court for a relative?

- A. Unless you are an attorney licensed by the State of California to practice law, you may not appear on a criminal case for another person.

14. I hold power of attorney for a person charged with a crime or traffic ticket. May I appear for them?

- A. No. Holding a power of attorney does not allow you to appear on behalf of another person in a criminal or traffic case unless you are actually an attorney licensed by the State of California to practice law.