CIVIL ASSESSMENT FOR FAILURE TO APPEAR OR FAILURE TO PAY
Instruction and Information Sheet

INSTRUCTIONS: Complete this Request Form (Form # RI-OTS38) in order to ask the court to address your civil assessment. You must attach supporting documentation and take care of **all** original violations with which you were charged (For example, pay the ticket in full, set up payment arrangements, submit proof of correction or schedule a court trial). For information regarding all available options, visit our website at www.riverside.courts.ca.gov. See step 2 below for filing instructions.

NOTE: A separate Request to Address Civil Assessment must be filed for each case/citation.

Information about Civil Assessments:

What is a Civil Assessment? A civil assessment of up to $300 may be imposed on anyone charged with a traffic, misdemeanor or felony offense who (after notice) fails to appear and/or fails to pay a court ordered fine by the due date.

How is the Civil Assessment imposed? If you failed to appear on or before your court date or failed to pay a fine by the due date, a warning notice will be mailed to your last known address. If mailed, there is a presumption that the notice has been received. There is no requirement that the court prove that you actually received the notice, only that it was mailed.

Is there a grace period? If you respond within the 20-day time frame shown on the warning notice and show good cause for not appearing or paying on the date you were supposed to appear or pay, the court may vacate the assessment.

What are the consequences of a Civil Assessment for a failure to appear? The court will notify the DMV and the DMV may place a hold or suspend your driving privileges until the civil assessment is cleared with the court.

NOTE: If your civil assessment is for a failure to pay, you will be required to pay the fine in full, including the civil assessment amount. The court may refer your case to collections, which may result in wage garnishment, tax interception and negative credit reporting.

What if I have moved? The Court is under no obligation to try to find your current address. You have an obligation to notify the court while the case is still open of any change of address. Please check the box on Form # RI-OTS38 if your address has changed.

Can there be more than one Civil Assessment added to my case? Yes. It is possible to have a civil assessment added for each failure to appear or failure to pay. A separate warning notice is required to be sent for each assessment.

What is Good Cause? Good cause is a sufficient reason that is beyond your control, (e.g. medical emergency, military orders, incarceration, etc.), which prevented you from making an appearance or payment on or before the due date listed on your citation (ticket) and a demonstration that you attempted to resolve the matter as soon as possible after that date. Good Cause is determined on a case-by-case basis.

Steps to Resolving Your Civil Assessment

Step 1:
Complete the form, "Request to Address Civil Assessment for Failure to Appear or Failure to Pay" (Form # RI-OTS38).
1. Insert your name, address, phone number and case number.
2. Select and complete option 1 or 2.
3. Date and sign the request.

Step 2:
You may file this form via eSubmit (an eSubmit submission fee of $2.00 is required) or mail your request, along with the supporting documents to any one of the locations below. The court will notify you of the outcome of your request by mail.

Banning 311 E. Ramsey St., Banning, CA 92220
Blythe 265 N. Broadway, Blythe, CA 92225
Corona 505 S. Buena Vista Ave., Room 201, Corona, CA 92882
Indio 46-200 Oasis St., Indio, CA 92201
Murrieta 30755-D Auld Rd., Ste. 1226, Murrieta, CA 92563
Riverside 4100 Main St., Riverside, CA 92501
Moreno Valley, 13800 Heacock St., Bldg. D #201, Moreno Valley, CA 92553

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

(DEFENDANT NAME)

(ADDRESS) ☐ Check here if your address has changed.

(CITY)   (STATE)   (ZIP)

(TELEPHONE)

People of the State of California,

Plaintiff:

v.

Defendant:

**REQUEST TO ADDRESS CIVIL ASSESSMENT FOR
FAILURE TO APPEAR OR FAILURE TO PAY (PC § 1214.1 (a))**

DECLARATION IN SUPPORT OF REQUEST

CASE NUMBER:

In accordance with Penal Code section 1214.1(a), the Court imposed a Civil Assessment on your case in lieu of issuing a warrant. **NOTE:** Only one request to address this civil assessment may be filed for each citation.

Please select one of the following options (1 or 2):

OPTION 1: Establish payment arrangements.   (No court appearance required):

You may set up a monthly payment plan. For more information you may visit our website at www.riverside.courts.ca.gov and select the payment plan option.

You may also establish payment arrangements based on your personal financial evaluation. Please contact the Enhanced Collections Division (ECD) at 1-877-955-3463.

OPTION 2: Submit a "good cause" statement and attach supporting documents. (Court appearance may be required):

You must show good cause (explain in writing the circumstance beyond your control) as to why you failed to appear or failed to pay; **and** you must attach documentation to support the explanation which includes <u>written proof</u> of the following:

Good Cause Statement: I failed to appear in court or I had good reason for not paying my fine when due for the following reason(s):

A. ☐ Medical Incapacitation/Hospitalization I have attached proof of incapacitation/hospitalization from _____ to _____.

B. ☐ Incarceration. I have attached proof of incarceration from _____ to _____.

C. ☐ Military Orders. I have attached proof of military orders for the dates of _____.

D. ☐ Other: I have attached a good cause statement and supporting documents. _____

_____

IMPORTANT: Attach copies only of written proof, originals will not be returned to you.

I understand that I may be ordered to appear in court to explain these circumstances. NOTE: The Court will notify you regarding all required court appearances.

I declare under penalty of perjury that the foregoing statement is true and correct to the best of my knowledge and that written proof is attached to this form as required.

_____   _____
(SIGNATURE OF DEFENDANT)   (DATE)

Riverside Superior Court
RI-OTS38 [Rev. 10/05/21]

**REQUEST TO ADDRESS CIVIL ASSESSMENT FOR
FAILURE TO APPEAR OR FAILURE TO PAY- PC §1214.1(a)**

PC §1214.1(a)
riverside.courts.ca.gov/localfrms/localfrms.shtml