



Reducing Fines and Fees for Low-Income Drivers

Improving California's Online
Ability-to-Pay System

Authors:

Samantha Hammer
Alissa Fishbane
Dinardo Rodriguez
Shannon McAuliffe

June 2021

Acknowledgements

The ideas42 team would like to thank the many partners and participants who contributed to this work. Thank you to the Judicial Council of California for inviting us to work together, and to the hardworking Criminal Justice Services and IT teams for their partnership in shepherding the project forward. Staff of the traffic courts piloting the MyCitations system gave vital input throughout the process, with special thanks to staff in the San Francisco, Shasta, Tulare, and Ventura county traffic courts. This work greatly benefited from advising by expert practitioners working to reform fines and fees and reduce the harm they impose on people experiencing financial hardship and communities of color: the Fines and Fees Justice Center, the Financial Justice Project of San Francisco, Shah'ada Shaban of the Legal Services of Northern California's Shasta Regional Office, and Bréyon Austin of the Lawyers' Committee for Civil Rights of the San Francisco Bay Area. We are deeply grateful to Arnold Ventures for funding this work, and in particular to Carson Whitelemons, Whit Washington, and Juliene James for their stewardship. Finally, thank you to the people who shared their experiences with traffic fines and fees with us and helped improve the final designs.

The findings and views expressed in this brief are the authors' alone and do not necessarily reflect the views of the funder or other project partners.

About ideas42



We are a non-profit looking for deep insights into human behavior—why people do what they do—and using that knowledge in ways that help improve lives, build better systems, and drive social change. Working globally, we reinvent the practices of institutions, and create better products and policies that can be scaled for maximum impact.

We also teach others, ultimately striving to generate lasting social impact and create a future where the universal application of behavioral science powers a world with optimal health, equitable wealth, and environments and systems that are sustainable and just for all.

For more than a decade, we have been at the forefront of applying behavioral science in the real world. And as we've developed our expertise, we've helped to define an entire field. Our efforts have so far extended to 40 countries as we've partnered with governments, foundations, NGOs, private enterprises, and a wide array of public institutions—in short, anyone who wants to make a positive difference in people's lives.

Visit ideas42.org and follow [@ideas42](https://twitter.com/ideas42) on Twitter to learn more about our work. Contact Samantha Hammer at samantha@ideas42.org with questions.

In California, as in other states, high levels of fines and fees imposed by traffic courts disproportionately penalize low-income drivers, saddling them with debt that they cannot afford to pay. To address this inequity, the Judicial Council of California is piloting MyCitations, an online system that allows drivers to request a reduced fine or alternative penalty without having to go to court. In anticipation of a potential statewide expansion, we conducted research to understand the barriers low-income drivers face when using the MyCitations system, and develop behaviorally-informed court materials and recommendations to ensure the system becomes a source of relief for low-income drivers throughout California.

Context and Challenge

Each year thousands of drivers are issued traffic tickets they cannot afford to pay. The situation in California has become especially dramatic as the fines and fees imposed with traffic citations have increased. The astronomical debt Californians owe—\$8.6 billion in delinquent court debt as of 2020¹—imposes disproportionate (and potentially disastrous) consequences on low-income residents: they may face additional fees and lose out on their ability to drive because of a suspended driver license. Though California eliminated driver license suspension for failure to pay, licenses can still be suspended for failure to respond or “appear” for a traffic citation, limiting people’s ability to meet work obligations and access basic needs like groceries, healthcare, and childcare.² In addition to the financial consequences, persistent court debt exacerbates stress and existing health issues experienced by those with low incomes, and strains ties with family and friends who become a source of financial or emotional support.³

These impacts are especially felt by drivers of color in the state, who are both more likely to be low-income and, due to racial profiling in policing, more likely to be given traffic citations than white drivers.⁴ Recent analysis in San Francisco found that Black Americans were overrepresented by 7.8 times among people arrested for driving on a suspended license, of which the most common reason is failure to appear in court for or failure to pay the fine on a traffic citation.⁵

¹ Judicial Council of California. (2020). Report on the Statewide Collection of Court-Ordered Debt for 2019–20. https://www.courts.ca.gov/documents/lr-2020-JC-statewide-court-ordered-debt-2019-20-pc1463_010c.pdf

² New York Law School Racial Justice Project. (2020) Driving while Black and Latinx: Stops, Fines and Fees, and Unjust Debts. https://digitalcommons.nyls.edu/racial_justice_project/8/

³ Alexes Harris, Beth Huebner, Karin Martin, Mary Pattillo, Becky Pettit, Sarah Shannon, Bryan Sykes, and Chris Uggen. (2017). United States Systems of Justice, Poverty and the Consequences of Non-Payment of Monetary Sanctions: Interviews from California, Georgia, Illinois, Minnesota, Missouri, Texas, New York, and Washington. Laura and John Arnold Foundation. <http://www.monetarysanctions.org/wp-content/uploads/2018/01/Monetary-Sanctions-2nd-Year-Report.pdf>

⁴ East Bay Community Law Center. (2016). Stopped, Fined, Arrested: Racial Bias in Policing and Traffic Court in California. http://ebclc.org/wp-content/uploads/2016/04/Stopped_Fined_Arrested_BOTRCA.pdf

⁵ Ibid.

In addition to the harm caused to people, fines and fees are an ineffective way for jurisdictions to raise revenue, as the collections process is expensive and a large portion of imposed debt is never recovered.⁶

In an attempt to impose fines and fees more equitably and provide relief to low-income drivers, California is working to expand its ability-to-pay system for traffic court. Under the existing system, drivers who receive a traffic ticket can submit a petition to the court explaining their financial situation. The petition can either request that the court reduce their fine to a more affordable level or allow a payment alternative like community service. These petitions must be filed in person or by mail, requiring that someone physically show up in court or print the required form and mail it in. These steps can come with hidden costs, like losing time at work, securing childcare, finding transportation, or getting access to a printer, that behavioral science tells us can create significant barriers for people, even more so for those with low incomes.

To address excessive fines and fees and increase access to traffic court, the Judicial Council of California created the MyCitations system, which allows drivers to submit ability-to-pay petitions online. To use MyCitations, drivers visit the MyCitations website and provide the information needed to make a petition. A judge then makes a decision on the petition and the result, an adjusted court order showing an updated amount due or order for community service, is emailed back to the driver.

Since its implementation, MyCitations has made a significant dent in fines and fees owed by low-income drivers. Approved ability-to-pay petition requests have reduced the amount owed by over \$300 per infraction, saving low-income drivers over \$7 million to date.

While the response to MyCitations among users has been largely positive, barriers both to awareness and access remain. Crucially, the system has not shown the hoped-for impact on payment rates: in the pilot's first year, a preliminary survey in three courts showed approximately one-third of all applicants did not make any payment toward their reduced fines. Among the two-thirds who did make payments, roughly 50% or less did not complete full payment.

To strengthen the MyCitations system as a source of meaningful relief for Californians charged with excessive court debt, we partnered with the Judicial Council of California and the county traffic courts⁷ piloting the MyCitations system to understand and address the barriers that may prevent low-income Californians from accessing and using the system and resolving their infraction after an adjustment has been provided.

⁶ Matthew Menendez, Michael F. Crowley, Lauren-Brooke Eisen, Noah Atchison. (2019) The Steep Costs of Criminal Justice Fines and Fees: A Fiscal Analysis of Three States and Ten Counties. Brennan Center for Justice. https://www.brennancenter.org/sites/default/files/2019-11/2019_10_Fees&Fines_Final5.pdf

⁷ Currently, the county courts piloting MyCitations are Tulare, Shasta, Ventura, San Francisco, Santa Clara, Fresno, and Monterey.

Understanding Barriers to MyCitations Use

To identify ways to improve the MyCitations system, we mapped the journey drivers go through from the time they receive their citation through payment of the adjusted court order; evaluated data on MyCitations use to find drop-off points; and analyzed all the materials used to communicate with drivers throughout the process, including the MyCitations site itself. We interviewed drivers who had received citations and traffic court staff to understand what barriers low-income Californians face in resolving their traffic citations. We further interviewed traffic court staff to learn about challenges in implementing the MyCitations system. Individuals representing other key stakeholders in the effort to eliminate excessive fines and fees—such as the Fines and Fees Justice Center, San Francisco’s Financial Justice Project, Legal Services of Northern California, and the Lawyers’ Committee for Civil Rights of the San Francisco Bay Area—also provided important insights.

After system data showed that people were generally able to finish an ability-to-pay application in one sitting, and interviewees revealed that the system was easy to use, we focused on diagnosing barriers to two key actions: learning about the MyCitations system and resolving the citation after receiving an adjusted court order.

Barriers to Learning About the MyCitations System

► **Clear information about MyCitations is not easily available when the driver wants to take action on their ticket.**

Mailed notices from the court are easy to overlook or simply do not reach drivers without a current fixed address on file. MyCitations is sometimes mentioned in these notifications, but its benefits are often unclear or it’s buried below other information, which can leave low-income drivers thinking that the court will not help them, or that they must go to court to find out about options.

“
[The letter] had two options:
pay the \$260, or if I wanted
to I could pay a little more
and go to traffic school
if I didn’t want a strike
on my record.”

► **Drivers’ expectations about engaging with the court may steer them away from noticing or using MyCitations.**

Many drivers may believe they need to go to court for a solution to an unaffordable fine and do not look for other options in the notifications they receive. Additionally, based on previous experiences they’ve had or heard about from others, drivers may not expect the court to help them and therefore may not look for options like MyCitations.

“
I thought I had to pay [the full
fine] and go to a hearing to
see if there was something I
could do about it.”

► **Drivers may put off acting or forget about their citation until they miss crucial deadlines.**

Drivers may procrastinate because they expect it will be arduous or unpleasant to resolve their fine. We also frequently heard that drivers delayed acting on their ticket because of cash flow challenges—they needed to pay an immediate debt and then wait until payday or a benefits payment to have the funds to make a payment on their fine, for instance. Needing to coordinate payment on multiple obligations puts drivers at greater risk for running out of time before their citation due date or not attending to their citation amid other urgent financial challenges.



Barriers to Resolving the Citation

These barriers depended on the kind of adjustment a person was given and were especially significant among those with greater financial hardship:

► **The adjusted fine may still cause financial hardship, especially when additional fees—like fees to set up a payment plan—are added.**

Drivers may still need to prioritize providing necessities for themselves or their families over paying for their traffic citation. While many drivers interviewed felt that the adjustment they received was affordable, only one of eight drivers on a payment plan said that the traffic court debt wasn't causing additional financial hardship.

► **If drivers do receive an adjustment they can't afford, there are barriers to them working out a solution with the court.**

Drivers may not try to pursue other options with the court because the way forward is ambiguous or hassle-filled. After asking the court for relief and receiving an unaffordable adjustment, drivers may also feel that the court has not shown empathy or flexibility. As a result, they may not pay their fines and fees.

► **Finally, drivers who cannot afford to pay outright and find themselves on a payment plan that can stretch over many months or even years may lose the motivation to pay because the fine still seems impossible to afford or never-ending.**

Throughout the process, the cognitive burdens caused by the day-to-day stresses and challenges of living with financial hardship make it difficult to focus on making consistent payments, especially when drivers do not receive clear or actionable statements or reminders from the court.

“

I was waiting until the last minute because there are always other things that I need to pay. I knew I had to pay, but it wasn't a priority yet...delaying one bill to pay to another.”

“

Right now I have to decide between paying the citation or getting toilet paper.”

“

They're getting people who can't afford it...I haven't contacted [the court] because I don't have the money to pay them. I don't think I should get to drive my car around unregistered...but I don't think that not being able to afford it should make me punished more.”

“

You can come up with payment for a couple of months, but you're not going to be able to keep doing it.”

Designing Solutions

To address these barriers and help users resolve their infraction using MyCitations, we redesigned the primary communications that courts send drivers with traffic tickets and introduced new materials to fill gaps.

Helping Drivers Learn About MyCitations

Redesigned Court Notices: To promote MyCitations as a beneficial option for low-income drivers, we redesigned two mailed communications:

- ▶ The courtesy notice (Figure 1) that courts mail to all drivers who have received a citation.
- ▶ The notice of civil assessment (Figure 1) that informs drivers who do not take action on their citation by the original deadline that a penalty fee has been added to their fine.

For each notice, we made MyCitations the most attention-grabbing option, highlighting its benefits for low-income drivers while making all options clearer and easier to navigate. We created a new envelope for both notices to grab attention and encourage recipients to open the mailing.

Figure 1: Redesigned Courtesy Notice & Notice of Civil Assessment

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SHASTA**

Date of Notice Issuance: 11/16/2020

Alexa, you have received a new traffic ticket from Shasta County. Even if you cannot afford to pay the amount due, you have options to resolve this citation. [Choose 1 of the options below and take action by 1/16/21 to avoid penalties.](#)

ALEXA TORRES
26448 Hilltop Dr.
Redding, CA 96003

HOW TO CONTACT THE COURT
1500 Court Street, Room 219
Redding, CA 96001
www.shasta.courts.ca.gov
530-245-6789

ABOUT YOUR CITATION
Amount Due: \$675.00
Deadline: 01/16/2021
License Number: 00000
License Plate: 010101
Citation Number: 111111
Case Number: 100100

YOUR SITUATION (select one)	YOUR NEXT STEPS
1. CAN'T AFFORD THE AMOUNT DUE?	Request a fine reduction or community service via MyCitations: If the amount due would cause you a financial hardship, request a reduction online in under 10 minutes! If you receive benefits (like CalFresh or MediCal), have a low income or have another financial hardship, your fine may be lowered by 50% or more! ★ To apply, go online to MYCITATIONS.COURTS.CA.GOV ★
2. READY TO PAY IN FULL?	Pay the amount due: You can pay by credit or debit card (online, by phone, or in person), by check or money order (by mail or in person) or in cash (in person only). Use the court's contact information above. NOTE: If paying by check or money order, include your citation number and name as it appears above. A 5% fee will be added to credit or debit card payments.
3. DO YOU HAVE A FIX-IT TICKET?	Correct the violation(s) and give proof of correction to the court: Find your citation at www.shasta.courts.ca.gov and follow instructions to correct the violation(s). Then go to court to pay a \$25 fee for each violation and show proof of correction.
4. WANT TO AVOID POINTS ON YOUR LICENSE?	Complete traffic school: Request traffic school by paying the amount due above, plus a \$52 administrative fee, and letting the court know you want to complete traffic school. Use the court's contact information above. NOTE: You can do traffic school only if you meet all of the following conditions: (1) Your citation is for a moving violation (such as a red light, speeding, etc.) that could cause a point on your license; (2) You have a valid California driver's license; and (3) You have not gotten another ticket in the past 18 months.
5. WANT TO DISPUTE THIS TICKET?	Contest the ticket: Visit the court or go online to www.shasta.courts.ca.gov to schedule a hearing. OR pay the amount due by mail to request a trial or contest the ticket in writing. The amount paid will be your "bail" and will be returned to you if your ticket is dismissed.

Remember, your due date is 1/16/21! If you don't act by then, you could get a penalty of up to \$300, have your license suspended, and/or be charged with a new crime. **Don't let that happen!**

If you are eligible but do not attend traffic school your car insurance may be affected. For drivers with a non-commercial license, one conviction in any 18-month period will not show on your driving record if you complete traffic school. For drivers with a commercial license, cited while driving a non-commercial vehicle, one conviction in any 18-month period will show on your driving record, but you will not receive a violation point if you complete traffic school. *Any person who fails to act as provided by law may be deemed to have elected a Trial by Written Declaration upon any alleged infraction.

Translations / Traducciones / 翻译:
bit.ly/samplelink.com

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE**

Date of Notice Issuance: 1/16/2021

Alexa, a \$300 penalty has been added to your fine because we did not hear from you by the previous deadline. Your new amount due is \$975. [You have options to resolve your citation.](#) Take a look at the options below, choose the one that best fits your situation, and take action by the due date.

ALEXA TORRES
237 Dolores Ave.
Exeter, CA 93221

HOW TO CONTACT THE COURT
221 S Mooney Blvd # 124
Visalia, CA 93291
www.tularesuperiorcourt.ca.gov
559-730-5000

ABOUT YOUR CITATION
License Number: 00000
License Plate: 010101
Citation Number: 111111
Case Number: 100100
Original Amount Due: \$675.00
Original Deadline: 01/16/2021

START HERE: Was there a significant event or hardship that led you to miss the first deadline? The court considers things like hospitalization, incarceration, the death of an immediate family member or military duty to be significant events.

1. YES, there was a significant event or hardship that led me to miss the deadline.

NEXT STEP: Tell the court why you missed the deadline

DUE DATE: 12/5/21

First: Gather any documentation that shows why you missed the deadline. If you have any questions about what information to give the court, call or visit us to speak with a clerk.

Then: Visit the court in person to turn in your proof and submit a request to remove the \$300 penalty.

See "How to contact the court" above for the court's address and phone number.

2. NO, there was no significant event or hardship that led me to miss the deadline.

NEXT STEP: Choose 1 of the options below and follow the instructions

DUE DATE: 1/15/21

OPTION A: If you **cannot** afford the new amount due, apply for a fine reduction or alternative (like community service) online

Use MyCitations, the fast, easy way to ask the court for a reduction. If you receive benefits (like CalFresh or Medicaid), have a low income or other financial hardship, your fine may be lowered by 50% or more.

To apply, go online to MYCITATIONS.COURTS.CA.GOV

OPTION B: If you **can** afford the new amount due, pay in any one of the ways below

Pay the amount due by card (online, by phone, or in person), check or money order (by mail or in person) or in cash (in person only). See "How to contact the court" above for contact information.

If you do not take any action before 1/15/22, your license may be suspended, your fine may be sent to collections, or you may be charged with a new crime. Don't let that happen!

Translations / Traducciones / 翻译:
bit.ly/samplelink.com

MyCitations Handout: To supplement the official notice, we designed a new handout promoting MyCitations (Figure 2) that could be given out by law enforcement at the time of the citation. The handout includes aspects of MyCitations that interviewees told us were most attractive—quick to complete, saves a trip to court, and makes payments more affordable—as well as a planning prompt to encourage recipients to use the system once their citation is filed.

Figure 2: Redesigned MyCitations Handout

Having trouble paying traffic fines?

Go to **MyCitations.courts.ca.gov** to ask the court for a reduced fine or community service

Why drivers ❤️ MyCitations

- ✓ 10 minutes or less
- ✓ Save a trip to court
- ✓ Affordable payments

Save the date!

Visit **MyCitations.courts.ca.gov** 30 days after getting a ticket.*

*Citations may take 30 days or more to enter the system.

DID YOU KNOW?

You can find information about your citation, pay your fine, and more online at: www.tularesuperiorcourt.ca.gov
You can call the court at: 559-730-5000

Encouraging Drivers to Follow Through on Their Adjusted Court Order

Redesigned Adjusted Court Order: We redesigned the adjusted court order (Figure 3) that informs drivers about the reduced amount they now owe. The updated order creates a positive contrast between the new amount owed and the original amount, and makes it easy for the recipient to find the next step that is appropriate for them.

Figure 3: Redesigned Adjusted Court Order

Subject: San Francisco County Court has reduced your fine. We need to hear from you!

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

Dear Shawn,

Based on the information you gave the court, we are **reducing your fine for Citation 123456 and placing you on a payment plan:**

HOW YOUR AMOUNT DUE HAS CHANGED:	ORIGINAL AMOUNT: \$675 → NEW AMOUNT: \$250
YOUR PAYMENT PLAN:	You can pay in installments of \$25 per month. Click here to pay or paste this link into your browser: <u>sanfrancisco.courts.ca.gov</u> You will need to pay an additional \$35 fee with the first payment to set up the payment plan. Alternatively, you can pay the new amount in full.
YOUR NEW DUE DATE:	IMPORTANT! Your first payment is due Nov. 15, 2021. If we don't hear from you by that date, the court may add up to \$300 to your fine, send the debt to collections, or charge you with a new crime. Don't let that happen!

What to do next? TAKE 1 OF THE STEPS BELOW TO AVOID PENALTIES:

Option 1: Can't afford the first payment? → Call or visit the court to discuss your options. See the PDF document attached to this email for ways to contact the court.

Option 2: Ready to make a payment? → Set up a payment plan and make your first payment. See the PDF document attached to this email for ways to pay.

2 more important things:

- See the attached PDF document for your complete court order. It may have special instructions for you from the judge. Save the document and show it to the court if needed!
- If your financial situation changes in the future, you can reapply to MyCitations. For example, if you lose a job, lose housing, or have another financial hardship, the court will reconsider the order. You can reapply at www.mycitations.courts.ca.gov

Sincerely,
The San Francisco Traffic Court

How to contact the court:
Go online: sanfrancisco.courts.ca.gov
Call us: 415-551-8550
Visit us: 850 Bryant Street, Room 145, San Francisco, CA 94103

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

ADJUSTED COURT ORDER FOR: SHAWN PARKER, CASE 333999

Name: Shawn Parker Case Number: 333999 Citation Number: 123456	Original Amount Due: \$675.00 Original Deadline: 08/08/2021
--	--

DETAILS OF THE ADJUSTED ORDER	
AMOUNT DUE:	\$250
PAYMENT PLAN DETAILS:	Pay by monthly payment plan. • Monthly payment amount: \$25 • One-time payment plan start-up fee: \$35 Click here to pay or paste this link into your browser: <u>sanfrancisco.courts.ca.gov</u> Additional payment options are on the next page.
PAYMENT DUE DATE:	November 15, 2021
CONSEQUENCES IF NO ACTION TAKEN:	If you do not make a payment by the due date, you may face one or more of these penalties: up to \$300 may be added to your fine, the debt may be sent to collections, and/or you may be charged with a new crime (misdemeanor or infraction) under Vehicle Code section 40508. Take action to avoid these consequences!
SPECIAL INSTRUCTIONS FROM THE JUDGE:	Please make sure to contact the court before the due date if you have questions!

Commissioner Cara
August 2, 2021

Here's what to do next:

WITH CASH
In Person: Visit
800 S. Victoria Ave
Ventura, CA 93009
between 9AM - 5PM

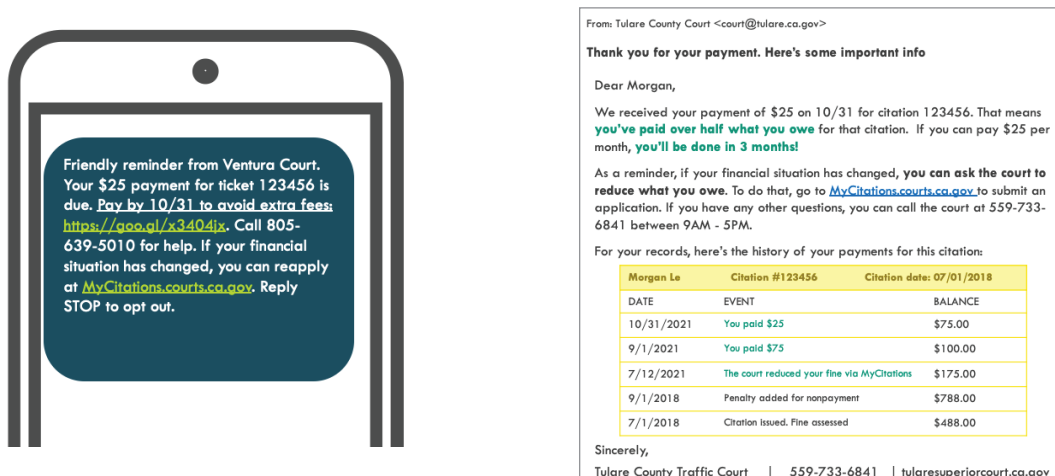
Payments anymore?
Experience a new financial
significant medical
in based on your new

The court can help:

- Find answers online at ventura.courts.ca.gov
- Call a court clerk at 805-639-5010 between 9AM - 5PM
- Visit us at 800 S. Victoria Ave Ventura, CA 93009 between 9AM - 5PM

Text Message Reminder and Thank-You Email: We created a text message reminder notice to encourage drivers to make timely payments (Figure 4). We also created a “thank-you” email confirmation and statement that helps drivers on payment plans focus on the progress they have made in resolving their debt and maintain momentum to continue making payments.

Figure 4: Text Message Reminder and Thank-You Email



For more detail on these solutions, please see the Design Appendix at the end of this brief.

Recommendations to Improve MyCitations

We recommended changes to the way the ability-to-pay system works to ensure that traffic fines and fees do not become an overwhelming or ongoing burden for those who are experiencing financial hardship. Many of these recommendations come from the Fines and Fees Justice Center (FFJC), which names concrete policy changes that jurisdictions in any state can adopt to ensure that fines and fees do not unfairly punish people experiencing financial hardship.

- Offer a small but meaningful automatic reduction just for using MyCitations by the citation due date. This would build drivers’ trust that the court will work with them and incentivize the use of the system.
- Provide new forgiveness options, such as setting clear criteria under which individuals would have the entire amount owed waived—for example, if a person experienced homelessness within the past 12 months or earns less than 100% of HUD’s “very low” individual income limit for public housing;⁸ forgiving remaining debt after a driver makes 12 payments in 15 months; and placing caps on the amount a driver is required to pay monthly (\$10 or 2% of monthly income, whichever is greater).⁹
- Reduce or remove the fee to set up a payment plan.¹⁰

⁸ Department of Housing and Urban Development (HUD) income limits can be found here: https://www.huduser.gov/portal/datasets/il.html#2020_query

⁹ Fines and Fees Justice Center. (2020). First Steps Toward More Equitable Fines and Fees Practices: Policy Guidance on Ability-to-Pay Assessments, Payment Plans, and Community Service. https://finesandfeesjusticecenter.org/content/uploads/2020/11/FFJC_Policy_Guidance_Ability_to_Pay_Payment_Plan_Community_Service_Final_2.pdf

¹⁰ Fines and Fees Justice Center, 2020.

Integrating these changes into the system and incorporating behavioral design into key materials is an important step forward in making MyCitations an effective lever for fines and fees reform. But ongoing testing is needed to ensure that the process is accessible and useful for drivers representing the full diversity of California residents. Given the challenge of conducting remote interviews during the pandemic, we were only able to interview English-speaking drivers who had used the MyCitations system. More work needs to be done to ensure all drivers can apply for and benefit from an ability-to-pay determination, especially those who communicate in languages other than English or Spanish; who do not have a reliable mailing address; who face challenges to using an internet-based system; or who have other access barriers.

Next Steps

The Judicial Council and select county traffic courts plan to pilot the new and redesigned communications to increase the number of people using MyCitations and help more people resolve their citations. The Judicial Council will consider making the redesigned notices models for all traffic courts within the state. This process will move forward based on upcoming decisions by the California state legislature regarding aspects like which fees and penalties can be used, payment plan terms, and others.

Meanwhile, the Judicial Council has begun incorporating insights from our research into changes to improve the MyCitations website design, and new courts are continuing to sign on to pilot the MyCitations system.

Based on the strong potential of the system, California is considering a proposal to roll out MyCitations to every jurisdiction in the state and expand its use beyond traffic court to offer online adjudication of all types of infractions. An expanded online system will help more drivers faced with excessive traffic debt access the court to request an ability to pay determination.

Implications and Insights

Providing the opportunity for low-income drivers to request a reduced traffic fine through an ability-to-pay determination is just one component of much-needed fines and fees reform. Especially as the COVID-19 pandemic continues to destabilize people's livelihoods, optimizing the MyCitations system leverages the existing channel to deliver urgently needed relief to low-income individuals while larger reforms work their way through the legislature and state court system.

At scale across California, this system would serve the over half a million people each year who receive traffic violations, and even more across all infraction types. The potential to serve all low-income Californians who receive infractions is an important step forward for fines and fees reform and would be the first of its kind in the country. With demonstrated impact, the improved MyCitations system and related materials could serve as an important model that other states can adopt to reduce the outsized burden of unaffordable fines and fees.

Design Appendix

This design appendix includes more detail on each model design we've created for the Judicial Council's MyCitations system and the various county courts using it.

Redesigned Courtesy Notice

This notice is mailed to all drivers after they receive a traffic citation. It is the first and often the only communication that drivers receive directly from the court informing them of their fine amount and telling them what action they need to take.

Before

After

The redesign aimed to:

- ▶ Encourage eligible people to use MyCitations to request a fine reduction by the deadline.
- ▶ Make the most important information about how to respond to the citation salient for all recipients.
- ▶ Include all legally required information and work within formatting constraints (all information fitting on one page, black and white printing, formatted to work with windowed envelopes).


Key behavioral elements include:

- ▶ Explicitly framing the options for responding to the citation, as choices aim to promote agency among citation holders in selecting the option that works best for them.
- ▶ Accessible language throughout, which increases engagement.
- ▶ Naming MyCitations as the first option, leveraging primacy.
- ▶ Giving clear next steps for each option, reducing ambiguity and the feeling of choice overload.
- ▶ Moving specifics of the penalties to the bottom, after presenting MyCitations and other resolution options, to prevent ostriching.

Notice of Civil Assessment

This notice is mailed to drivers who have not taken action on their citation by the deadline, informing them that a penalty (up to \$300) has been added to their fine. This notice frequently gets recipients' attention because of the dramatic increase in the amount owed, but can also be very stress-inducing for those who do not see a way that they will be able to afford the fine.

Before

**Superior Court of the State of California**
COUNTY OF TULARE

Stephanie Cameron
Court Executive Officer / Jury
Commissioner

Nocoma Soboleski
Assistant Court Executive Officer

PORTERVILLE, CA [REDACTED]
October 23, 2020 Case Number [REDACTED]

You have failed to appear as promised by your signature at the bottom of your citation. Failure to pay this delinquent debt within 20 calendar days from the date of this notice may result in A Civil Assessment in the amount of \$300.00 pursuant to penal code PC1214.1. Upon showing good cause, in person or in writing, within 20 days of the imposition of the civil assessment, the court can consider reducing or vacating the imposed fee pursuant to CRC 4.106.

Your privilege to drive a vehicle may be suspended or revoked. DMV notification and release will result in the addition of a \$10.00 fee (VC40508.6). To avoid fees in addition to your original fines please contact the court immediately. Payments in full in the form of a money order, check or cashier's check can be made at either of our locations.

Payments may also be made by credit card via internet at www.tularesuperiorcourt.ca.gov or by automated phone attendant at 559-730-5000 option 1, option 1.

If your case number begins with a P please call or visit:	If your case number begins with a V please call or visit:
South County Justice Center 300 E. Olive Ave Porterville, CA 93257 (559) 782-3700 option 2, option 2	Visalia Division 221 S. Mooney Blvd. Rm. 124 Visalia, CA 93291 (559) 730-5000 option 1, option 2

All other questions please contact the appropriate division as shown below:

FINANCIAL HARDSHIP AND PAYMENT PLANS

At any time before your final payment, if you experience a change in financial circumstances, you may ask the court to consider your ability to pay. When considering your ability to pay, the court may modify your installment plan, allow you to complete community service (if available) instead of paying the total amount due, or suspend all or part of the fine. The court is not required to offer you any of the above options and the court may deny your request.

You may schedule an appearance in court for an Arraignment without the deposit of bail. If you are unable to pay in full, the Court does offer payment plans with an additional \$35.00 installment fee added to your fine. You must appear at the counter to complete an Agreement to Pay and Forfeit Bail in Installments form. Payments are NOT allowed for Traffic School options.

Thank you,
Traffic Division Clerk

Visalia Division 221 S. Mooney Blvd. Visalia, CA 93291 (559) 730-5000	Juvenile Justice Center 11200 Ave. 9th Visalia, CA 93291 (559) 738-2300	Porterville Facility 2500 6th St. 112 Visalia, CA 93291 (559) 782-3700	South County Justice Center 300 E. Olive Ave. Porterville, CA 93257 (559) 782-3700	Dimock Division 440 S. Alta Ave. Dimock, CA 93608 (559) 392-6400
---	---	--	--	--

Page 1 of 1

After

SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE

Date of Notice Issuance: 11/16/2021

HOW TO CONTACT THE COURT
221 S. Mooney Blvd # 124
Visalia, CA 93291
www.tularesuperiorcourt.ca.gov
559-730-5000

ABOUT YOUR CITATION
License Number: 00000
License Plate: 010101
Citation Number: 111111
Case Number: 100100
Original Amount Due: \$675.00
Original Deadline: 01/16/2021

Alexa, a \$300 penalty has been added to your fine because we did not hear from you by the previous deadline. Your new amount due is \$975. **You have options to resolve your citation.** Take a look at the options below, choose the one that best fits your situation, and take action by the due date.

ALEXA TORRES
237 Delores Ave.
Exeter, CA 93221


START HERE: Was there a significant event or hardship that led you to miss the first deadline?
The court considers things like hospitalization, incarceration, the death of an immediate family member or military duty to be significant events.

1. YES, there was a significant event or hardship that led me to miss the deadline.
DUE DATE: 12/5/21
NEXT STEP: Tell the court why you missed the deadline
First: Gather any documentation that shows why you missed the deadline. If you have any questions about what information to give the court, call or visit us to speak with a clerk.
Then: Visit the court in person to turn in your proof and submit a request to remove the \$300 penalty.
See "How to contact the court" above for the court's address and phone number.

2. NO, there was no significant event or hardship that led me to miss the deadline.
DUE DATE: 1/15/21
NEXT STEP: Choose 1 of the options below and follow the instructions
OPTION A: If you cannot afford the new amount due, apply for a fine reduction or alternative (like community service) online
Use MyCitations, the fast, easy way to ask the court for a reduction. If you receive benefits (like CalFresh or Medicaid), have a low income or other financial hardship, your fine may be lowered by 50% or more.
To apply, go online to MYCITATIONS.COURTS.CA.GOV
OPTION B: If you can afford the new amount due, pay in any one of the ways below
Pay the amount due by card (online, by phone, or in person), check or money order (by mail or in person) or in cash (in person only). See "How to contact the court" above for contact information.

If you do not take any action before 1/15/22, your license may be suspended, your fine may be sent to collections, or you may be charged with a new crime. Don't let that happen!

Translations / Traducciones / 翻译:
bit.ly/samplelink.com



The redesign aimed to:

- ▶ Leverage the penalty as a moment of action to drive people to MyCitations.
- ▶ Make the most important information about how to respond to the citation salient for all recipients.
- ▶ Meet all legal and court workflow requirements, similar to the requirements for the courtesy notice.

Key behavioral elements include:

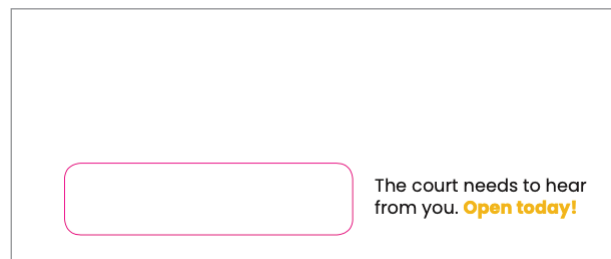
- ▶ Emphasis on options, which prevents avoidance of the ticket at a stressful moment.
- ▶ Structure, which helps drivers quickly find their best option.
- ▶ A clear MyCitations description, including advantages most mentioned by drivers interviewed.
- ▶ Moving penalties to the bottom, after presenting MyCitations and other resolution options, to prevent ostriching.

Envelope for Courtesy Notice and Civil Assessment

Typically, court notices are sent in a plain business envelope, which interviewees told us was easy to overlook or set aside. We redesigned the envelope to help ensure more recipients would see the redesigned notices.

The redesign aimed to:

- ▶ Make the notice stand out among other mailings.
- ▶ Encourage recipients to open the notice immediately.
- ▶ Let those concerned about receiving a traffic fine know that MyCitations could be an option for them.



Key behavioral elements include:

- ▶ Messages on the envelope that stand out through placement and color (where available).
- ▶ Signaling urgency to prompt action.
- ▶ A friendly tone to reduce ostriching.
- ▶ Signaling the MyCitations option to increase hope and decrease fear.



Handout Promoting MyCitations

This handout ideally would be given to drivers along with their traffic citation, leveraging the moment when the citation is most salient in recipients' minds. This handout could also be adapted to be distributed by traffic courts, or by other social services or community organizations, like community health centers and homeless shelters, that serve individuals who could benefit from MyCitations.

The design aimed to:

- ▶ Build broad awareness about MyCitations.
- ▶ Associate MyCitations with popular benefits.
- ▶ Leverage the key moment of citation receipt to encourage eligible people to use MyCitations.

Key behavioral elements include:

- ▶ A small, portable handout easy to keep with the citation.
- ▶ A list of top benefits of MyCitations named by drivers.
- ▶ A “save the date” to encourage planning.
- ▶ A friendly tone, framing the court as helpful and non-intimidating.
- ▶ Multiple ways to get help for drivers with different needs.



Redesigned Adjusted Court Order

MyCitations users receive their adjusted court order by email. Currently, the system sends a PDF order that contains the judge's decision, but that is not very easy to navigate and may not provide clear instructions for what the recipient needs to do next. There is no information in the email body itself. The redesigned adjusted court order includes an email along with an attached PDF.

Before (PDF order)

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

For Ability to Pay Court Determination

Defendant Name : XXXX VALLE


Case Number : INF-19-0233XXXX


Citation Number : 02336XXXX

Judgment/Order

See below for the court's decision:

Request Granted: The court decided that you don't have enough money to pay what you owe.

 **Reduction of Fine**
The total amount you owe has been lowered to \$162.00


 **Payment Plan**
Pay Monthly \$25. You will pay what you owe in monthly payments. Your first payment will be on 02-22-2020

You can pay reduced amount here: <https://www.ncourt.com/x-press/x-onlinepayments.aspx?juris=5B7E609F-2C24-48A0-9DCL-19A46FD42FCD>
OR

You can pay by mail or in person here:

Address: Superior Court of California, 850 Bryant Street, Room 145, San Francisco, CA 94103

Phone: (415) 551-8550

Date: 01-08-2020 **Judicial Officer:** 
Commissioner Catharine Lyons

After (PDF order)

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

ADJUSTED COURT ORDER FOR: SHAWN PARKER, CASE 333999

Name: Shawn Parker	Original Amount Due: \$675.00
Case Number: 333999	Original Deadline: 08/08/2021
Citation Number: 123456	

DETAILS OF THE ADJUSTED ORDER

AMOUNT DUE:	\$250
PAYMENT PLAN DETAILS:	Pay by monthly payment plan. • Monthly payment amount: \$25 • One-time payment plan start-up fee: \$35 Click here to pay or paste this link into your browser: sanfrancisco.courts.ca.gov Additional payment options are on the next page.
PAYMENT DUE DATE:	November 15, 2021
CONSEQUENCES IF NO ACTION TAKEN:	If you do not make a payment by the due date, you may face one or more of these penalties: up to \$300 may be added to your fine, the debt may be sent to collections, and/or you may be charged with a new crime (misdemeanor or infraction) under Vehicle Code section 40508. Take action to avoid these consequences!
SPECIAL INSTRUCTIONS FROM THE JUDGE:	Please make sure to contact the court before the due date if you have questions!

Commissioner Cara

August 2, 2021

The redesigned adjusted court order aimed to:

- ▶ Leverage the email body to deliver key information in an accessible, less intimidating way.
- ▶ Make the driver's new obligations clear.
- ▶ Make next steps clear and easy.
- ▶ Encourage recipients to work with the court if adjustment is/becomes unaffordable.

Behavioral elements are listed below.

- ▶ In the PDF:
 - Creating a sense of progress encourages action.
 - A familiar and easy-to-navigate Q&A format helps drivers quickly find their best option.
 - Naming multiple options for drivers with questions or concerns encourages follow through even if payment is difficult.
- ▶ In the email:
 - Results of the adjustment are clearly named at the top for easy visibility.
 - Contrasting the old and new amount emphasizes the reduction.
 - The due date is attention-grabbing and salient.
 - Naming options emphasize the recipient's agency and reduces stress.
- ▶ Overall:
 - Key information simplified and organized by category makes reading easy and reduces ambiguity about what the order is saying.
 - Payment links enable immediate action.
 - Naming possible penalties after presenting options leverages loss aversion while preventing recipients from becoming overly fearful about penalties and ostriching.

After (2nd page of the order)

You have already taken an important step to resolve your fine. Here's what to do next:

① I'm ready to make a payment. What are my payment options?

You can pay in any one of these ways:

BY CREDIT OR DEBIT CARD <small>A 3% fee will be added for credit or debit card payments</small> Online: Click here to pay or paste this link into your browser: sanfrancisco.courts.ca.gov Phone: Call 415-551-8550 between 9AM - 5PM In Person: Visit 850 Bryant Street, Room 145, San Francisco, CA 94103 between 9AM - 5PM	BY CHECK OR MONEY ORDER <small>Write your name as it appears on this order and your citation number on your payment</small> By Mail: Send payment to: 850 Bryant Street, Room 145, San Francisco, CA 94103 In Person: Visit 850 Bryant Street, Room 145, San Francisco, CA 94103 between 9AM - 5PM	WITH CASH In Person: Visit 850 Bryant Street, Room 145, San Francisco, CA 94103 between 9AM - 5PM
---	--	--

② What if I can't afford to make a payment?

Call or visit the court to discuss your situation:

Call the court at 415-551-8550 between 9AM - 5PM	Visit the court at 850 Bryant Street, Room 145, San Francisco, CA 94103 between 9AM - 5PM
--	---

③ What if my financial situation changes and I can't afford payments anymore?

Submit another application through MyCitations. If you experience a new financial hardship (for example, because you lose a job, lose housing, have significant medical expenses, etc.) you can ask the court to consider another reduction based on your new financial situation.

Reapply here: [www.mycitations.courts.ca.gov](#)

④ What if I have other questions?

The court can help:

Find answers online at sanfrancisco.courts.ca.gov	Call a court clerk at 415-551-8550 between 9AM - 5PM	Visit us at 850 Bryant Street, Room 145, San Francisco, CA 94103 between 9AM - 5PM
---	--	--

After (email body)

Subject: San Francisco County Court has reduced your fine. We need to hear from you!

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

Dear Shawn,

Based on the information you gave the court, we are **reducing your fine for Citation 123456 and placing you on a payment plan:**

HOW YOUR AMOUNT DUE HAS CHANGED:	ORIGINAL AMOUNT: \$675 → NEW AMOUNT: \$250
----------------------------------	---

YOUR PAYMENT PLAN:	You can pay in installments of \$25 per month . Click here to pay or paste this link into your browser: sanfrancisco.courts.ca.gov You will need to pay an additional \$35 fee with the first payment to set up the payment plan. Alternatively, you can pay the new amount in full.
--------------------	---

YOUR NEW DUE DATE:	IMPORTANT! Your first payment is due Nov. 15, 2021. If we don't hear from you by that date, the court may add up to \$300 to your fine, send the debt to collections, or charge you with a new crime. Don't let that happen!
--------------------	--

What to do next? TAKE 1 OF THE STEPS BELOW TO AVOID PENALTIES:

Option 1: Can't afford the first payment? → Call or visit the court to discuss your options. See the PDF document attached to this email for ways to contact the court.

Option 2: Ready to make a payment? → Set up a payment plan and make your first payment. See the PDF document attached to this email for ways to pay.

2 more important things:

- See the attached PDF document for your complete court order. It may have special instructions for you from the judge. Save the document and show it to the court if needed!
- If your financial situation changes in the future, you can reapply to MyCitations. For example, if you lose a job, lose housing, or have another financial hardship, the court will reconsider the order. You can reapply at [www.mycitations.courts.ca.gov](#)

Sincerely,
The San Francisco Traffic Court

How to contact the court:
Go online: [sanfrancisco.courts.ca.gov](#) Call us: 415-551-8550 Visit us: 850 Bryant Street, Room 145, San Francisco, CA 94103

Text Message Payment Reminders

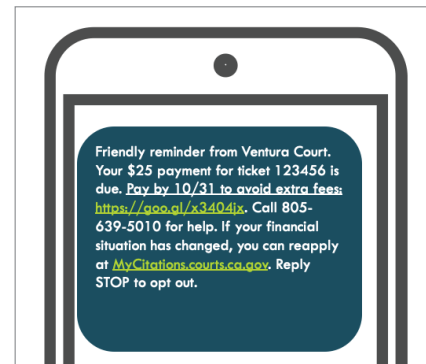
While none of the MyCitations pilot courts are currently using text messaging to remind drivers to make their monthly payments on time, some are exploring this relatively inexpensive and accessible way to help more drivers make steady payments and resolve their court debt. We designed a simple reminder message as an example of how courts could use text messaging for MyCitations users.

The design aimed to:

- ▶ Help people get on track with their first payment, and stay on track with subsequent payments.
- ▶ Encourage people to contact the court if they struggle.

Key behavioral elements include:

- ▶ Important details (date and amount due) that are salient.
- ▶ A payment link to remove hassles to paying.
- ▶ Timely, actionable reminders to help drivers remember payment dates.
- ▶ Information for help or reapplication, providing options for those who need more support.



Emailed Payment Thank-You Messages

Some pilot courts provide emailed or mailed statements to drivers periodically to confirm the status of the debt. But we heard in interviews that these statements could be confusing, and they did not seem to help drivers with court debt feel more in control of their debt or motivated to continue paying. We aimed to design a statement that could help drivers focus on the progress they had made toward resolving their debt, and encourage them to be in communication with the court if payments became unaffordable.

The design aimed to:

- ▶ Motivate people to continue paying their debt.
- ▶ Encourage people to contact the court if the adjustment becomes unaffordable.

Key behavioral elements include:

- ▶ Highlighting the accumulated payments made, celebrating progress and encouraging continuation.
- ▶ Listing out the citation history to help drivers feel informed and in control.
- ▶ Emphasizing action the court has taken to reduce the fine, leveraging reciprocity.
- ▶ Prompts to contact the court if further support is needed to prevent ostriching.

From: Tulare County Court <court@tulare.ca.gov>

Thank you for your payment. Here's some important info

Dear Morgan,

We received your payment of \$25 on 10/31 for citation 123456. That means **you've paid over half what you owe** for that citation. If you can pay \$25 per month, **you'll be done in 3 months!**

As a reminder, if your financial situation has changed, **you can ask the court to reduce what you owe**. To do that, go to [MyCitations.courts.ca.gov](https://mycitations.courts.ca.gov) to submit an application. If you have any other questions, you can call the court at 559-733-6841 between 9AM - 5PM.

For your records, here's the history of your payments for this citation:

Morgan Le	Citation #123456	Citation date: 07/01/2018
DATE	EVENT	BALANCE
10/31/2021	You paid \$25	\$75.00
9/1/2021	You paid \$75	\$100.00
7/12/2021	The court reduced your fine via MyCitations	\$175.00
9/1/2018	Penalty added for nonpayment	\$788.00
7/1/2018	Citation issued. Fine assessed	\$488.00

Sincerely,
Tulare County Traffic Court | 559-733-6841 | tularesuperiorcourt.ca.gov