

Superior Court of California, County of Orange Collection Unit

INFORMATION AND INSTRUCTION SHEET Petition to Vacate Civil Assessment (Penal Code 1214.1)

What is a Civil Assessment?

A Civil Assessment fee of up to \$100.00 is imposed against anyone who fails to appear (FTA) in court and/or fails to pay (FTP) a court-ordered fine by the due date.

The Civil Assessment is separate and distinct and in addition to any bail, fines and fees associated to the underlying charge in your case.

Can the Civil Assessment be Reviewed?

You may petition the Court to vacate the Civil Assessment if your failure to appear or failure to pay was due to one of the following reasons:

- Active Military Duty
- Hospitalization of self, dependent or immediate family
- Death of dependent or immediate family member
- Incarceration
- Extraordinary Reason

How Do I Petition to Vacate the Civil Assessment?

1. Fill out and complete the Petition to Vacate Civil Assessment form.
2. Provide documented proof of the reason for your failure to appear or pay.*

* Your petition may be denied if documented proof is not received.

Examples of supporting documentation include:

- Records of admission and discharge from the hospital
- Court ordered to remand into custody and/or records of release from custody
- Appropriate military orders for active service
- Death certificate and proof of relationship to the deceased

Note: The period of hospitalization, incarceration, military duty, or death of immediate family member must coincide with the failure to appear or failure to pay date.

You may file your petition by fax to **(657) 622-8093** or mail your request, along with the supporting documents to **North Justice Center, Attention: Collection Unit, 1275 North Berkeley Avenue Fullerton, CA 92832**. The court will notify you of the outcome of your request by mail.

**Superior Court of California, County of Orange
Collection Unit**

**Request to Vacate Civil Assessment (Penal Code 1214.1)
Petition and Order**

DEFENDANT'S NAME:

CASE NUMBER:

IMPORTANT: Provide a written explanation of any of the following that shows you were unable to appear or contact the Court. Attach supporting documentation with your petition. Your petition may be denied if written proof is not received.

MILITARY DUTY INCARCERATION HOSPITALIZED DEATH EXTRAORDINARY REASON

The following is an explanation of my failure to appear and/or pay: (Please print and include attachments)

I declare under penalty of perjury that the foregoing statement is true and correct to the best of my knowledge.

Executed at _____ on _____
City and State Date

Mailing Address _____
(Street Address, Apartment/Unit #, City, State, Zip Code)

Telephone # _____ Signature _____

(CLERK'S OFFICE ONLY)

Supporting Documents Received

YES NO

Admin Order 17/01 Eligible

YES NO

ORDER RE: CIVIL ASSESSMENT (COURT USE ONLY)

The Court having read and considered the Petition regarding vacating the Civil Assessment pursuant to Penal Code 1214.1, hereby makes the following order:

Defendant's Petition to Vacate is: GRANTED DENIED
 GRANTED IN PART. Civil Assessment Reduced to \$ _____

Signature _____ Date _____
Judicial Officer