

**AMENDMENT #1 TO MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF
NEVADA AND THE NEVADA COUNTY SUPERIOR COURT**

THIS AMENDMENT is entered into by and between the County of Nevada (“County”) and the Nevada County Superior Court (“Court”), and is effective April 1, 2018.

WHEREAS, the parties have previously entered into a Memorandum of Understanding for the period of July 1, 2016 through June 30, 2019 concerning the cooperative working relationship to effectively and efficiently implement state funding of trial court operations while preserving a mutually beneficial relationship; and

WHEREAS, the parties desire to amend the process that manages money collected by the Nevada County Superior Court that is due to the County of Nevada

NOW, THEREFORE, the parties hereto agree as follows:

1. This amendment shall be effective as of April 1, 2018.
2. That **Section II: Services to be provided to the Court by County of Nevada, second sub-section: AUDITOR-CONTROLLER SERVICES** shall be appended to include the following text:

Collection Bank Account for Criminal Fines, Penalties, and Forfeitures

- a. Bank Account Authorization - As authorized by California Government Code section 68085.9, the parties agree that the Court will deposit into a bank account, which has been established by the Judicial Council of California and which is separate from the County treasury, all money that is received by the Court and that is required by law to be deposited into the County treasury or with the County treasurer (“County Money”).
- b. County Money includes, but is not limited to, Sections 24353, 68085, 68085.5, and 68101 of the Government Code and Section 1463.001 of the Penal Code. Money collected pursuant to Government Code section 68085.1 shall be deposited as provided in that section. The bank account has been approved by the Judicial Council’s Administrative Director.
- c. Interest - As currently established, the interest accrued on the County Money will be apportioned 100% to the Court to offset the associated banking, administrative and collections costs.
- d. Payment to County - By the 45th day following the end of each calendar month and by the 30th day following June 30 of each fiscal year, the Court will transfer to the County treasury all County Money deposited during that month in this separate account.

- e. Payment Method - Each transfer will be made by EFT or ACH, dated no later than the applicable transfer date, or other transfer method agreed to by both parties.
 - f. A distribution report will be provided to County to support each payment.
3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:
COUNTY COUNSEL

COUNTY OF NEVADA

By: _____

By: _____

Honorable Edward C. Scofield
Chair of the Board of Supervisors

ATTEST:

CONTRACTOR:

By: _____

By: _____

Julie Patterson Hunter
Clerk of the Board of Supervisors