

**PHILLIP J. CLINE**  
***District Attorney and***  
***Public Administrator***

***County of Tulare***  
***DISTRICT ATTORNEY***



***Special Prosecution Division***  
***701 W. Center St.***  
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DATE: March 10, 2006

BOARD OF SUPERVISORS AGENDA ITEM

ITEM NO. \_\_\_\_\_

AGENDA DATE: March 28, 2006

CONTACT PERSON: DON H. GALLIAN, ASSISTANT DISTRICT ATTORNEY

SUBJECT: AGREEMENT BETWEEN THE TULARE COUNTY DISTRICT ATTORNEY  
AND AMERICAN CORRECTIVE COUNSELING SERVICES, INC. (ACCS)  
FOR BAD CHECK RESTITUTION AND DIVERSION SERVICES

RECOMMENDATIONS That the Board of Supervisors:

Approve the Agreement between the Tulare County District Attorney and American Corrective Counseling Services Inc. (ACCS) for Bad Check Restitution and Diversion Services.

SUMMARY:

The services proposed are designed to engage ACCS as an independent contractor to furnish Bad Check Restitution Services as a direct representative of the Tulare County District Attorney's Office, and to conduct the Tulare County District Attorney's Office legally authorized restitution recovery procedures in accordance with State of California, Penal Code § 476(a), Senate Bill 1108 (Penal Code §1001.60 et seq.). Only the District Attorney's Office has the charging authority to enter into this kind of Agreement.

This Agreement would provide the District Attorney's Office with continued service to collect payments from the Bad Check writer for the restitution to the victim, conduct training on the proper identification of bad check writing, conduct diversion class programs for those Bad Check writers who qualify, disburse collected funds monthly to the victims with a detailed voucher of each Bad Check writers' payment and provide the District Attorney's Office a monthly audit report at the time of disbursement of funds.

Agenda Item: AGREEMENT BETWEEN THE TULARE COUNTY DISTRICT ATTORNEY AND AMERICAN CORRECTIVE COUNSELING

ACCS will deliver to the District Attorney's Office the files of non-responding delinquent Bad Check writers after notification efforts have failed. ACCS also agrees to keep confidential all information received in the course of rendering these services.

County Counsel has reviewed and approved this Agreement.

**FINANCING:**

ACCS is to be compensated from the proceeds of the Diversion Seminar Fees charged to the Participants, from Incidental Expenses (if any) charged to the Participants for monitoring restitution, accounting costs associated with payment arrangements, and any other incidental costs authorized by law or the District Attorney. There is no County Cost associated with this agreement.

**SIGNATURE REQUIREMENTS**

**ADMINISTRATIVE SIGN-OFF:**

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DON H. GALLIAN  
ASSISTANT DISTRICT ATTORNEY

**IN THE MATTER OF AGREEMENT }  
BETWEEN THE TULARE COUNTY }  
DISTRICT ATTORNEY AND AMERICIAN }  
CORRECTIVE COUNSELING SERVICES, }  
INC. (ACCS) FOR BAD CHECK RESTITUTION }  
AND DIVERSION SERVICES }**

Approved the Agreement between the Tulare County District Attorney and American Corrective Counseling Services Inc. (ACCS) for Bad Check Restitution and Diversion Services.