

Date of Hearing: March 17, 2026

ASSEMBLY COMMITTEE ON JUDICIARY

Ash Kalra, Chair

AB 1951 (Dixon) – As Introduced February 13, 2026

PROPOSED CONSENT (As Proposed to be Amended)

SUBJECT: CIVIL ACTIONS: FILING FEES: REFUNDS

KEY ISSUE: SHOULD COURT FILING FEE STATUTES BE MODERNIZED TO REFLECT CURRENT ELECTRONIC PAYMENT AND FILING PRACTICES?

SYNOPSIS

Existing law requires the payment of fees for the filing of an initial complaint and most subsequent filings in a civil action. The state's filing fee statute sets forth procedures for what happens when payments are incomplete, including when checks are returned for insufficient funds. As a rule, when payments are insufficient or checks bounce, the clerk of the court notifies the party of this fact and informs them that if required fees are not paid within a specific period, then the filing will be voided and proceedings suspended. These statutes were written when most filing fees were paid by paper checks. Today, however, California courts accept payments by credit cards and various electronic payment methods. In addition, many payments now come through e-Filing Service Providers (EFSPs), and EFSPs have difficulty identifying the source of electronic refunds as easily as they can identify the source of a returned paper check and envelope.

This bill clarifies existing statutes in three ways: (1) it expressly applies insufficient fund and voiding procedures and timelines – which currently reference only paper checks – to credit card and electronic transfer payments; (2) it confirms that filings are voided when required fees and administrative charges are not paid within statutory timelines; and (3) it ensures that refunds are more traceable by requiring the court to include the transaction ID on the check remittance, electronic description, or audit log.

This bill is sponsored by the Coalition for Improving Court Access and supported by the Civil Justice Association of California. There is no known or registered opposition to the bill. The author will take amendments in this Committee, which are reflected in the bill SUMMARY and discussed in the analysis.

SUMMARY: Updates California's court filing fee statutes by applying provisions governing underpayment and overpayment of filing fees, the voiding or suspension of filings for insufficient or returned payments, and the process for refunding payments to credit cards, electronic fund transfers, as defined, or any other means of payment approved by the court.

EXISTING LAW:

- 1) Provides if the court clerk accepts a payment for the initial complaint and any subsequent filings in a civil action, and the payment is made in an amount less than required or by check that is later returned, then the clerk must notify the party who tendered the check of all the following:

- a) The check was made for an amount less than the required filing fee or has been returned without payment, whichever is applicable.
 - b) An administrative charge has been imposed to reimburse the court for the costs of processing the partial payment or returned check.
 - c) The party has 20 days from the date of mailing of the notice to pay the filing fee and administrative charge, except as specified.
- 2) Provides that if the clerk performs a service or issues a document for which a fee is required and payment is made by check that is later returned without payment, the court may order further proceedings suspended as to the party for whom the check was tendered, and shall notify the party who tendered the check that proceedings have been suspended until receipt of payment of the required fee, as specified.
 - 3) Provides that if an electronic filing fee is made to the clerk by an electronic filing service provider, acting as the agent of the court for purposes of collecting and remitting filing fees, and fees owed to the electronic filing service remain unpaid, then the court clerk may notify the attorney of record that they may be sanctioned, as specified.

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: According to the author:

AB 1951 addresses inconsistency in California's electronic payment and filing practices by making a host of necessary clarifying changes to existing statutes. Specifically, this bill will apply existing insufficient funds and voided filing procedures to credit cards, electronic funds transfers and other court-approved payment methods. This legislation will also confirm that filings are voided when required fees are not paid within statutory deadlines, update refund-related provisions to ensure that refunds are properly issued and traceable, and provide clear definitions of ACH debits, ACH credits and electronic funds transfers.

This commonsense bill will promote transparency, fairness, and administrative efficiency while protecting due process and aligning statutes with how courts and filers operate today.

The Vanishing Check: Existing law requires a fee for the filing of an initial complaint and for most subsequent filings in a civil action. The state's filing fee statute sets forth procedures for what happens when payments are incomplete, including when checks are returned for insufficient funds. As a rule, when funds are insufficient or checks bounce, the clerk notifies the party of this fact and informs them that if required fees are not paid within a specific period, then the filing could be voided and proceedings suspended. These statutes were written when most filing fees were paid by paper checks. Today, however, California courts accept payments by credit cards and various electronic payment methods. In addition, many payments come through e-Filing Service Providers (EFSPs), and EFSPs have difficulty identifying the source of electronic refunds as easily as they can identify the source of a returned paper check and envelope.

This non-controversial and sensible bill clarifies existing statutes in three ways: (1) it expressly applies insufficient fund and voiding procedures and timelines – which reference only paper checks – to credit card and electronic transfer payments; (2) it confirms that filings are voided when required fees and administrative charges are not paid within statutory timelines; and (3) it ensures that refunds are more traceable by requiring the court to include the transaction ID on the check remittance, electronic description, or audit log.

Proposed Author Amendments. The author will take amendments that clarify that, as in existing law, court-imposed sanctions for failing to rectify payments owed to an electronic filing service provider, after receiving notice, apply only to attorneys, not to self-represented parties. While self-represented party who fail to pay fees as required may have their filings voided and proceedings suspended, or may owe administrative fees, the additional sanctions apply only to attorneys who fail to timely respond to the clerk’s notice of insufficient payment. The amendments also correct a cross-reference. Specifically, the author wishes to make the following amendments:

- On page 5, lines 35-36, delete “or self-represented party”
- On page 5, lines 36-37, delete “or self-represented party”
- On page 6, line 1, change “415.20” to *411.20*

ARGUMENTS IN SUPPORT: The Coalition for Improving Court Access (CICA), the bill’s sponsor, argues that “AB 1951 updates and clarifies filing fee statutes to reflect modern electronic payment and filing practices,” specifically, by applying “existing insufficient funding and voided-filing procedures to credit cards, electronic fund transfers, and other court-approved payment methods.” CICA adds that AB 1951 will also “confirm when filings must be voided if required fees are not paid” and “improves procedures to ensure payments are traceable.”

The Civil Justice Association of California (CJAC) supports AB 1951 for substantially similar reasons and adds that the bill “promotes transparency, fairness, and administrative efficiency in how filing fees are processed.”

REGISTERED SUPPORT / OPPOSITION:

Support

Coalition for Improving Court Access (sponsor)
Civil Justice Association of California

Opposition

None on file

Analysis Prepared by: Tom Clark / JUD. / (916) 319-2334