
FINES AND FEES POLICY LEARNING CONSORTIUM

FIRST MULTI-STATE CONVENING

NOV. 4-6, 2019

NEW ORLEANS, LA



EXPERT ORGANIZATIONS IN THE ROOM

- American Association of Motor Vehicle Administrators
- Berkeley Law Policy Advocacy Clinic
- Civil Rights Corps
- Council of State Governments Justice Center
- Fines and Fees Justice Center
- Institute for Justice
- Juvenile Law Center
- Legal Aid Justice Center
- National Center for State Courts
- National Juvenile Defender Center
- Right on Crime

REPORTING OUT

ARKANSAS

- Key Issues in Arkansas

1. Data: AR can collect data through the “Context System” but more district courts need to be onboarded.
2. In AR, there are numerous non-driving offenses that has the possibility of DL suspension. People can also get license suspended for nonpayment of fines and fees.

- Key Action Steps

1. Assessing which offenses could easily be modified to remove the possibility of the suspended DL without a great deal of pushback.
2. Examine limited data from Context system and see how the fines are being assessed in district court.
3. Look at information from Maine and other states that created a conditional license for failure to pay fines and fees.

COLORADO

- Key Issues

1. Baseline understanding of state fines and fees.
2. Explore “ability to pay” models.
3. License suspensions for non-driving offenses.
4. Juvenile fines and fees.
5. Community service alternatives and “creative sentencing.”
6. Probation/parole termination, expungement and restitution policies.

HAWAII

■ Key Issues

1. Hawaii has a good fundamental base; however, fines & fees are assessed in some areas and financial disparities may still exist.
2. Lack of data.

■ Key Action Steps

1. Task Chief Administrator of the Courts with conducting a research project including information on:
 - Fines and fees assessed (in policy and in practice);
 - Existing judicial discretion in the assessment of fines and fees;
 - Collecting data (assessment v. actual collection, cost of collection, collection procedure/who is collecting).
2. Communicate with Chief Administrator to begin work, introduce resolution in the legislature in May of 2020.

LOUISIANA

- Key Issues

1. Compliance with court decisions
2. Act 260 implementation
3. Alternative sources of funding

- Key Action Steps

1. Commission is meeting. Extend date by one year
2. Require collection of data from courts on LFO revenue
3. Figure out how to determine ability to pay
4. Lessons learned from other states.

NEVADA

■ Key Issues

1. Establish uniform fines and fee schedule for traffic misdemeanors and bench warrant fees.
2. Decrease the list of factors that require suspension of drivers' licenses.

■ Key Action Steps

1. *Applies to #1* - First, have Legislative Counsel Bureau (LCB) look at NV statutory fine and fees and to other states that have successfully uniformed fines and fees. Next, implement court rule or commission to study issue and then make recommendation to Legislature in 2021.
2. *Applies to #2* - Have LCB and DMV look and analyze at all laws requiring DL suspensions. Consider legislation and/or grant judicial discretion in suspending licenses to avoid automatic suspensions.

WASHINGTON

■ Key Issues

1. Decriminalization of driving while license is suspended
2. Delinking drivers license suspension for FTAs for willful noncompliance (failure to pay/appear/comply etc.)
3. Centralized statewide system for payment remission of traffic fines
4. Reducing prioritization of restitution to insurance companies
5. Addressing interest accumulation on restitution.

■ Key Action Steps

1. Stakeholder meeting Dec. 4th to discuss licensing bills(s)
2. Meeting with Justice Yu during the legislative session