

The background features abstract, overlapping green geometric shapes in various shades, including light lime green, medium green, and dark forest green, creating a modern, layered effect.

# Fines and Fees Reform Efforts at Orleans Parish Juvenile Court

Chief Judge Anderson

# Trend to reduce fines, fees, and costs to youth in the justice system

- ▶ “On March 14, 2016, the U.S. Department of Justice (DOJ) called for a national review of all policies that condition release and supervision on financial terms without first considering a person’s ability to pay, calling such practices ‘little more than punishing a person for his poverty.’”
- ▶ Every court ought to inquire about ability to pay in all contexts.

*Ensuring Youth People Are Not Criminalized for Poverty: Bail, Fees, Fines, Costs, and Restitution in Juvenile Court; NCJFCJ, SJI, NJDC.*

# Trend to reduce fines, fees, and costs to youth in the justice system

- ▶ “The DOJ advisory notes the importance of going further to address the problems of charging fines and fees for youth rather than for adults, based on ‘children’s “diminished culpability and greater prospects for reform.”””

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# Trend to reduce fines, fees, and costs to youth in the justice system

The DOJ advisory “references U.S. Supreme Court decisions that rely on adolescent development research showing critical differences between youth and adults when it comes to children’s judgment, understanding, and vulnerability, and explicitly applies that research and legal precedent to this issue: ‘Accordingly, as in virtually every other context, the justice system, with respect to fines and fees, must recognize and protect the special vulnerabilities of children.’”

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# Court Costs

“The imposition of court costs – the collection of which may be unlawful where they are geared toward raising revenue rather than addressing public safety – can ‘cast doubt on the impartiality of the tribunal and erode trust between local governments and their constituents.’”

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# Court Costs

“Court costs imposed on youth undermine other conditions placed on young people – particularly where such legal financial obligations ultimately become debts owed to the court – and create an impression of the court as a collection agency rather than a neutral arbiter.”

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# Orleans Parish Juvenile Court Reducing Fines and Fees

- ▶ Orleans Parish Juvenile Court got rid of all *discretionary fines and fees* in Delinquency cases in 2018.
- ▶ Under Louisiana law, minors are presumed indigent for purposes of appointing a public defender. (La. Ch.C. Art. 320)
- ▶ Indigent status confers an inability to pay fines and fees.
- ▶ Therefore, charging fines and fees in juvenile delinquency cases didn't make sense.



# Challenges & Opportunities



- ▶ Lack of Alternatives to Detention
- ▶ Lack of Community Resources
- ▶ Public Safety and Response
- ▶ Family Accountability
- ▶ Economic Infrastructure lacking
- ▶ Creation of Alternatives to Detention
- ▶ Creation of Community Resources
- ▶ Public Safety and Response
- ▶ Family Accountability
- ▶ Economic Infrastructure building
- ▶ Changing Community Values





# Questions

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