

## IL Statutory Court Fee Task Force Report Testimony August 30, 2022

Hello, my name is CJ Beck, and I am here today on behalf of Chicago Appleseed Center for Fair Courts. Chicago Appleseed is a non-profit that seeks equitable and fair solutions to systemic injustices in Illinois' courts and criminal legal system.

I am here today in support of the recommendations made in the Illinois Statutory Court Fee Task Force drafted report. The issue of reducing court fines and fees is of particular importance to Chicago Appleseed because fines and fees perpetuate inequality as opposed to serving justice. Court fines and fees construct a cycle of debt as punishment for people in the court system, disproportionately impacting low-income people and communities of color. For example, a [2017 study by the Fines & Fees Justice Center](#) found that “[o]n average, monetary punishment increases by \$34,864 per 100,000 residents for every 1% increase in the Black population.” Moreover, collection of these debts are generally inefficient and do not contribute a significant portion of funding towards the court system. The recommendations that the task force have made minimize the burden of legal financial obligations on individuals in Illinois and are undoubtedly a step in the right direction.

I would like to emphasize that the Criminal and Traffic Assessment Act (CTAA), passed in 2019, was a significant step forward for creating a more just Illinois court system. The CTAA has created some clarity in court costs and fees for court staff as well as litigants, and has helped minimize the cost burden on individuals and families. Therefore, we strongly support the elimination of the sunset date of January 1, 2024. Termination of the provisions in this law would effectively undercut substantial efforts to move the courts towards greater progress and dispensation of equitable justice.

While there were many important recommendations in the report, from standardizing procedures for assessment waiver applications to improving data reporting, I would like to highlight two new initiatives that are critical to creating a more equitable court system. These initiatives are: Assessments and Fines in Juvenile Delinquency Cases, and Assessments and Fines Imposed on Defendants Sentenced to the Department of Corrections.

Chicago Appleseed supports the Task Force's recommendation to abolish assessments and fines in juvenile delinquency cases because youth are rarely independently able to pay these fees and the burden falls on their family. As fundamentally shown in the proposal of [SB3621](#), assessing fines and fees for juveniles and their families undermines the rehabilitative emphasis of the Juvenile Court Act of 1987. Furthermore, these fees compound youth hardship by doing nothing to address the root issues that influence youth towards coming into contact with the legal system. Failure to pay these fees and fines create barriers to reentry such as harming the young person's credit and limiting their eligibility for student loans, rental leases, or car loans. What is proven to be most effective for kids and their families is providing resources to ameliorate the challenges that lead to system involvement. Support for SB3621 is fully in-line with [Illinois' Department of Child and Family Services' Family First](#)

[Prevention Plan](#) that provides comprehensive services to families to limit youth legal system involvement. As such, we at Chicago Appleseed urge stakeholders to voice support for this Act.

Similarly, the Task Force's recommendation to create a sliding-scale of fees for people who have been sentenced to the Department of Corrections is a point of progress. However, we implore the Task Force to go further and abolish fees for people sentenced to IDOC regardless of how long they will be incarcerated because court costs can act as a significant barrier to reentry from incarceration. Incorporating the findings from this Fines and Fees Task Force, the [Illinois Criminal Justice Information Authority Research and Analysis Unit](#) displays the collateral consequences of fines and fees imposed on this population which can amount to individuals forgoing basic needs such as groceries, utilities, rent, among others. Inability to pay fines, considering that the average annual salary for this population amounted to \$15,000, also led to more than half of individuals surveyed in the report stating that it negatively impacted their credit. Credit issues can lead to eligibility challenges as far as loans, education, and housing, as previously stated. We strongly encourage a robust push beyond sliding scale methodology towards elimination of fees for IDOC-involved individuals to support reentry into their communities.

Research in a variety of systems demonstrates that fines and fees do not create a significant source of revenue for court systems or the counties where they are seated. A key [2019 study from the Brennan Center](#) called fees and fines an "inefficient source of government revenue," citing costs of collection, diversion of resources from core responsibilities to collection efforts, and costs of imposing sanctions on those who remain unable to pay.

While the prospect of lost revenue is generally unappealing, collecting monetary sanctions has considerable and widely distributed costs for the court system and usually results in spending dollars to collect pennies. [The Brennan Center's study](#) found that ten U.S. court jurisdictions spent on average \$0.41 for every dollar they collected. Profit from court fees is so low that reducing court fees would not have a significant impact on the court's revenue.

In sum, the report makes significant headway in reducing the amount of court fees and is an important step towards a fully taxpayer-funded court system in Illinois that will eliminate court costs and fees entirely.

Thank you for your time and work on this report.