

## Illinois Statutory Court Fee Task Force

August 26, 2022

Re: **Draft Report Comments, New Initiative 3 (Assessments and Fines in Juvenile Delinquency Cases)**

Dear Chair Steven Pflaum and Members of the Statutory Court Fee Task Force:

The undersigned members of the Debt Free Justice Illinois Coalition (“Coalition”) submit the following comments in support of the Task Force’s findings and recommendations under New Initiative 3. We strongly support the Task Force’s recommendation that “legislation be enacted abolishing assessments and fines in juvenile delinquency cases.”

Debt Free Justice Illinois is a statewide coalition of advocacy organizations, academic institutions, and law and public policy experts dedicated to eliminating the harmful and unjust fees and fines imposed on youth and their families in the juvenile system. The Coalition is comprised of the undersigned organizations and supported by a bipartisan network of Illinois-based and national groups that serve or represent youth and families. The Coalition has researched fees and fines in Illinois, engaged directly with impacted youth and families, and drafted repeal legislation (Senate Bill 3621), which is favorably discussed in the Task Force’s report.

According to the Task Force’s Data Collection and Analysis Committee, juvenile fees and fines generate little revenue for counties. This aligns with the Coalition’s findings regarding juvenile fee and fine practices based on public records investigations, interviews with state and county stakeholders, and attorney surveys. Using available data from juvenile delinquency petitions filed in the 90 Illinois counties that provided collections data from 2017 to 2021,<sup>1</sup> the Coalition estimates that the average annual statewide collection from juvenile assessments is only \$786,065. This is likely an overestimate because these figures include old debt—fees and fines that were assessed in years prior to 2017. Evidence suggests that, for most counties with available data, annual revenue collected from juvenile assessments accounted for far less than 1% of the circuit court’s total revenue.<sup>2</sup> In fact, counties are spending court resources to collect unpaid assessments and wasting probation resources in attempts to collect fees and fines from families who cannot afford these debts.

While juvenile assessment practices generate little revenue for counties, they impose significant harm on families. Data provided by the Task Force’s Data Collection and Analysis Committee shows that Illinois youth and families are most frequently ordered to pay for DNA Identification (\$250 per test in most counties), probation supervision (typically \$50 per month), and room and board while a child is held in detention (\$10 per day). In some counties, children have left detention with over \$10,000 in fees. A family’s inability to pay can lead to years of escalating debt that can force families to choose between paying down these debts or paying for essentials like groceries, medicine, or transportation. Through multiple interviews conducted with district attorneys, public defenders, probation officers, and juvenile court judges in more than a dozen Illinois counties, the Coalition learned that court debt increases tensions between children and their parents or guardians, which can create devastating and long-lasting consequences. Research shows that children with court-related debt are more likely to re-offend than their debt-free peers.<sup>3</sup> Fees and fines can prolong a child’s involvement with the justice system, further delaying college and career plans.<sup>4</sup> These negative consequences run contrary to the purpose of the juvenile system, which is meant to rehabilitate children and youth so that they can grow into productive and thriving members of the Illinois community.

Ultimately, juvenile fees and fines undermine community health, economic stability, and trust in our courts. As a result, twenty states and nine local jurisdictions across the country have reduced or eliminated juvenile fees and fines since 2015.<sup>5</sup> All of these reforms were accomplished through bipartisan efforts. In September 2021, leading conservative, center-right, and libertarian organizations issued a statement calling for an end to juvenile fees and fines,<sup>6</sup> as have a wide variety of other national stakeholders, including judges,<sup>7</sup> district attorneys,<sup>8</sup> probation officials,<sup>9</sup> youth correctional officers,<sup>10</sup> and law enforcement leaders.<sup>11</sup>

Abolishing juvenile court fees and fines will ensure a more just and rehabilitative system for young people in Illinois. We strongly support the Task Force’s recommendation to abolish assessments and fines in juvenile delinquency cases by enacting legislation substantially in the form of Senate Bill 3621.

Sincerely,

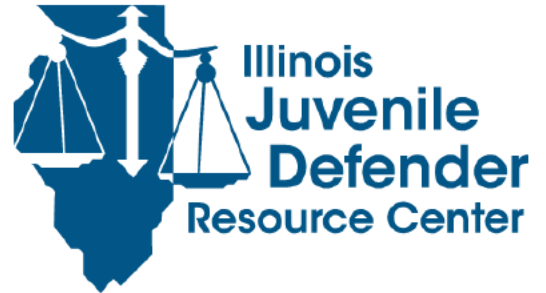
**Debt Free Justice Illinois Coalition**

Organizations

Gamaliel Network of Illinois  
Stand for Children Illinois  
ACLU of Illinois  
Americans for Prosperity - Illinois  
*Civitas* ChildLaw Center at Loyola University Chicago School of Law  
Due Process Institute  
Institute for Justice  
Illinois Juvenile Defender Resource Center  
Juvenile Justice Initiative  
Juvenile Law Center  
Law Enforcement Action Partnership  
National Center for Youth Law  
Restore Justice Illinois

Individuals

Eric Rinehart State’s Attorney of Lake County Co-Chair, Lake County Juvenile Justice Council	Joy Gossman Public Defender of Lake County Board Member, Lake County Juvenile Justice Council
Gina Roberts Lake County Board Member Board Member, Lake County Juvenile Justice Council	John Idleberg Sheriff of Lake County Board Member, Lake County Juvenile Justice Council
Dr. Michael Karner Regional Superintendent of Schools Lake County Regional Office of Education Board Member, Lake County Juvenile Justice Council	
Karen Levi Chief of Juvenile Division - Lake County State’s Attorney’s Office Co-Chair, Lake County Juvenile Justice Council	



## References

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- <sup>1</sup> Analyzing county-level juvenile case counts in Illinois from 2017 to 2019, about 85% of all juvenile delinquency petitions in the state were filed in the 90 counties with collection data provided by the Task Force’s Data Collection and Analysis Committee. See OFF. OF JUV. JUST. & DELINQ. PREVENTION, “Illinois Juvenile Court Case Counts,” <https://www.ojjdp.gov/ojstatbb/ezaco/asp/TableDisplay.asp>.
- <sup>2</sup> County Circuit Court Clerk Financial Statements and Public Audit Reports from 2017 to 2021; see also ILL. COURTS, *Annual Reports*, (2017–2021), <https://www.illinoiscourts.gov/reports/annual-report-illinois-courts/>.
- <sup>3</sup> L. ENF’T LEADERS TO REDUCE CRIME & INCARCERATION, *Ensuring Justice and Public Safety: Federal Criminal Justice Priorities for 2020 and Beyond* (Apr. 2020), <https://lawenforcementleaders.org/ensuring-justice-public-safety-federal-criminal-justice-priorities-for-2020-and-beyond/>; see also Alex R. Piquero & Wesley G. Jennings, *Research Note: Justice System–Imposed Financial Penalties Increase the Likelihood of Recidivism in a Sample of Adolescent Offenders*, 15 YOUTH VIOLENCE & JUV. JUST., 325 (2017), <https://journals.sagepub.com/doi/10.1177/1541204016669213> (finding that total assessed fees/fines at disposition and fees/fines owed at discharge of the case each significantly increased the likelihood of youth reoffending within two years.).
- <sup>4</sup> *Id.*
- <sup>5</sup> See *Our Impact*, DEBT FREE JUSTICE, <https://debtfreejustice.org/our-impact>.
- <sup>6</sup> See *Widespread and Bipartisan Support for Ending Fees and Fines for Youth*, DEBT FREE JUSTICE (Sep. 2021), <https://debtfreejustice.org/supporters>.
- <sup>7</sup> See NAT’L COUNCIL OF JUV. AND FAM. CT. JUDGES, *Resolution Addressing Fines, Fees, and Costs in Juvenile Courts* (Mar. 2018), [https://www.ncjfcj.org/wp-content/uploads/2019/10/ExXIII\\_FinesFeesCosts\\_Resolution.pdf](https://www.ncjfcj.org/wp-content/uploads/2019/10/ExXIII_FinesFeesCosts_Resolution.pdf).
- <sup>8</sup> See FAIR AND JUST PROSECUTION, *Fines, Fees, and the Poverty Penalty* (2017), [https://fairandjustprosecution.org/wp-content/uploads/2017/11/FJPBrief\\_Fines.Fees\\_.pdf](https://fairandjustprosecution.org/wp-content/uploads/2017/11/FJPBrief_Fines.Fees_.pdf).
- <sup>9</sup> See AM. PROB. AND PAROLE ASS’N, *Use of Monetary Judgments for Justice-Involved Individuals* (Mar. 2017), [https://www.appa-net.org/eweb/Dynamicpage.aspx?webcode=IB\\_Resolution&wps\\_key=d7b47532-7ae7-4464-b8bb-d667fb2f3d10](https://www.appa-net.org/eweb/Dynamicpage.aspx?webcode=IB_Resolution&wps_key=d7b47532-7ae7-4464-b8bb-d667fb2f3d10).
- <sup>10</sup> See YOUTH CORR. LEADERS FOR JUST., *Statement on Abolishing Youth Fines and Fees* (May 2021), <https://yclj.org/fines-and-fees>.
- <sup>11</sup> See L. ENF’T LEADERS, *supra* note 3.