



Orleans Parish Juvenile Court
1100-B Milton Street
New Orleans, Louisiana 70122

STANDING POLICY ON JUVENILE ADMINISTRATIVE FEES
(EFFECTIVE JUNE 20, 2018)

WHEREAS, Louisiana law authorizes juvenile courts to charge administrative fees to youth and their families in Families in Need of Services and delinquency adjudications;

WHEREAS, in considering whether to impose such fees, the court must take into account youth rehabilitation and public safety, which are the two primary goals of the juvenile justice system;¹

WHEREAS, researchers, policymakers, and the National Council of Juvenile and Family Court Judges have found that juvenile administrative fees undermine rehabilitation and public safety;²

WHEREAS, such fees have been shown to disproportionately burden low income youth and families of color, who are overrepresented in the Louisiana juvenile justice system;³ and

WHEREAS, the failure to pay fees exposes vulnerable families to collection actions, mortgage liens, tax refund garnishment, and contempt of court, putting parents at risk of incarceration;⁴

THEREFORE, to reduce the harmful consequences of juvenile administrative fees, effective June 20, 2018, the Orleans Parish Juvenile Court adopts the following standing policy:

Where state law authorizes but does not require the imposition of juvenile administrative fees, the Orleans Parish Juvenile Court will no longer assess or collect such fees from youth or their families in Families in Need of Services (FINS) or delinquency adjudications.

Discretionary fees currently subject to this policy include:

- (1) physical and mental examination fees,⁵*
- (2) care and treatment fees,⁶*
- (3) teen or youth court program fees under informal adjustment or deferred disposition agreements,⁷*
- (4) appointed counsel fees,⁸*
- (5) medical treatment fees,⁹ and*
- (6) probation supervision fees.¹⁰*

The adoption of this Standing Policy on Juvenile Administrative Fees will allow the Court to better serve the youth of Orleans Parish, their families, and the community. The Court encourages other Louisiana juvenile courts to end juvenile administrative fees in FINS and delinquency adjudications.

Hon. Candice Bates-Anderson
Chief Judge, Orleans Parish Juvenile Court

Date

¹ See LA. CHILD. CODE ANN., arts. 102, 726 & 801 (2018) (describing the purpose of the Children’s Code, of Families in Need of Services, and the juvenile delinquency system).

² See NAT’L COUNCIL OF JUV. AND FAM. CT. JUDGES, RESOLUTION ADDRESSING FINES, FEES, AND COSTS IN JUVENILE COURTS (2018) (calling on juvenile court judges to eliminate fines, fees, and costs). See also JESSICA FEIERMAN, ET AL., JUV. L. CTR., DEBTOR’S PRISON FOR KIDS? THE HIGH COST OF FINES AND FEES IN THE JUVENILE JUSTICE SYSTEM (2016) (documenting the widespread practice in states across the country of charging fines and fees in the juvenile justice system); POL’Y ADVOC. CLINIC, BERKELEY LAW, UNIV. OF CAL., MAKING FAMILIES PAY: THE HARMFUL, UNLAWFUL, AND COSTLY PRACTICE OF CHARGING JUVENILE ADMINISTRATIVE FEES IN CALIFORNIA (2017) (finding that juvenile administrative fees undermine youth rehabilitation); Alex Piquero & Wesley Jennings, *Research Note: Justice System–Imposed Financial Penalties Increase the Likelihood of Recidivism in a Sample of Adolescent Offenders*, YOUTH VIOLENCE & JUV. JUST. (2017) (finding that the imposition of fees and costs on youth and their families led to a higher rate of recidivism).

³ See *Unbalanced Youth Justice*, THE W. HAYWOOD BURNS INST. FOR JUST., FAIRNESS & EQUITY, <http://www.data.burnsinstitute.org> (last visited July 13, 2018) (documenting significant disparities between White and Black youth in arrests, detention, and probation in Louisiana based on data the state provided to the federal Office of Juvenile Justice and Delinquency Prevention).

⁴ See LA. STAT. ANN. §§ 15:910(D) & 15:1086(D) (2018) (authorizing administrative remedies to collect unpaid fees); LA. CHILD. CODE ANN., art. 321(D) (2018) (authorizing judgments for the amount of appointed counsel fees to “be recorded in the mortgage records” and “enforced as provided by law”); LA. STAT. ANN. § 47:299.1 (2018) (authorizing the state to intercept tax refunds for debts owed to Louisiana agencies); LA. CHILD. CODE ANN., arts. 781.1(B) & 901.1(B) (2018) (authorizing judges to find individuals in contempt of court for failure to pay fees).

⁵ LA. CHILD. CODE ANN., arts. 774(B) & 888(C) (2018).

⁶ LA. CHILD. CODE ANN., art. 783 (2018).

⁷ LA. CHILD. CODE ANN., arts. 839(C) & 896(G) (2018).

⁸ LA. CHILD. CODE ANN., art. 848 (2018).

⁹ LA. CHILD. CODE ANN., art. 868(B) (2018).

¹⁰ LA. CHILD. CODE ANN., arts. 897(B)(2)(g) & 899(B)(2)(g) (2018).