

THE DEBT FREE JUSTICE FOR CHILDREN ACT

FREQUENTLY ASKED QUESTIONS

1. What issue is addressed by the Debt Free Justice for Children Act HB257/SB428?

Juvenile fees, costs, assessments and surcharges. Florida charges youth and their families a wide range of fees and costs regardless of guilt or innocence, including: administration fees, medical care costs, public defender fees, probation supervision fees, and the costs of detention, and surcharges. There are 31 fees that these bills exclude children and their families from paying. The youth and families most impacted by the justice system are mostly poor and disproportionately from Black communities who don't have the means or ability to pay.

2. What are court fees and costs?

Fees, costs, assessments and surcharges imposed for involvement in the justice system.

Examples:

- Circuit courts charge separate application and counsel fees for public defenders, as well as the costs of prosecution, among many other fees.
- The Department of Juvenile Justice charges administrative fees for probation supervision, electronic monitoring, mandatory classes, and other aspects of system involvement.
- The Department of Juvenile Justice charges families for their children's detention in their facilities

3. How do court fees impact youth and families?

Research shows that fees assessed against youth cause an enormous financial and emotional burden on youth and their families.

The immense debt that youth incur on account of court fees obliterates their future prospects while driving them, and their families, deeper into poverty. Young people who are in school and without employment have no means to pay these costs. The burden then falls on their parents, who are then forced to choose between putting food on the table or paying down court debt.

Relevant research:

- A [2017 study](#) found that fees assessed against youth cause financial hardship to families, weaken family ties, and undermine family reunification.
- A [2018 study](#) found that fees assessed against youth had negative impacts on families including loss of housing, lack of money to pay transportation costs, loss of utilities or other basic necessities.
- A [2019 study](#) found that fees assessed against youth strain family ties and can adversely affect mental and emotional health.

4. Would ending youth court fees decrease public safety?

No. In fact, studies show the opposite to be true: continuing to charge young people court fees and costs that push them into debt result in less public safety.

Relevant research:

- A [2016 study](#) found that fees push youth deeper into the criminal system.
- A related [2016 study](#) found that the economic harm of juvenile monetary sanctions corresponds with increased recidivism.

5. How will youth be held accountable for their actions?

The Debt Free Justice for Children Act does not impact a judge's ability to order victim restitution, community service, or other appropriate non-monetary conditions.

6. How will ending juvenile fees affect budgets and trust funds?

Revenue collected from juvenile fees is not worth the cost to the government.

Court costs assessed to children are uncollectible. In 2019, only 11% of the \$5.1 million dollars that was assessed against youth was collected. Florida's Clerks of Court have repeatedly recognized that youth cannot pay, noting, "This group does not have jobs" Alachua (2019), "Juveniles and their families are historically unable to pay" Dixie (2019) and "Juvenile dollars are so immaterial, it is not worth pursuing." Orange (2017).

Fees are not a significant revenue source for any government fund. In the rare cases that fees *are* collected, that miniscule amount is then distributed amongst multiple trust funds with no single trust fund holding any significant portion of revenue.

7. Which organizations support HB257/SB428?

Americans for Prosperity-Florida, Catalyst Miami, Fines and Fees Justice Center, Florida Juvenile Justice Association, Florida Policy Institute, Florida Rising, the Juvenile Law Center, the Players Coalition, the Tampa Bay Rays and many others.

The following national organizations have advocated for ending fees imposed on youth: National Conference of Juvenile and Family Court Judges, the American Probation and Parole Association, Fair and Just Prosecution, Law Enforcement Leaders to Reduce Crime and Incarceration, and Youth Correctional Leaders for Justice.

Learn more

Contact the Fines and Fees Justice Center Florida State Director, Sarah Couture at scouture@ffjc.us or visit ffjc.us/florida for more information and resources.