

THE DEBT FREE JUSTICE FOR CHILDREN ACT

ISSUE - BILL SUMMARY - WHY WE NEED REFORM - SUPPORTERS

ISSUE

Florida charges youth and their families a wide range of fees and costs for their involvement in the justice system, regardless of guilt or innocence. These costs include: court administration fees, medical care costs, public defender fees, probation supervision fees, the costs of detention, and surcharges.

Young people cannot pay fees. The majority of youth and families impacted by the justice system come from poor, marginalized communities where securing even basic necessities is a constant struggle. The immense debt that youth incur on account of their system involvement 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. Most of this debt is entirely uncollectible.

HB257/SB428: DEBT FREE JUSTICE FOR CHILDREN ACT

Sponsored by Representative Duran and Representative Aloupis; and Senator Book, Florida's Debt Free Justice for Children Act (HB257/SB428):

- Eliminates fees on all young people up to age 18 and provides further fee protection for foster youth in the delinquency system who are eligible for continued care up to age 21.
- Creates exclusions for children, young adults, or a child's parents or legal guardian from court fees in 31 statutes.
- Deems balances of any court fees owed by a child, young adult, or a child's parent or legal guardian as unenforceable and uncollectible. Vacates and discharges all unsatisfied civil judgements based on unpaid court fees.

This bill does not Impact a judge's ability to order victim restitution, community service, or other appropriate non-monetary conditions.

WHY FLORIDA'S JUVENILE COURT FEES NEED REFORM

- **The impact of court debt lasts into adulthood and severely reduces successful outcomes:** young people who owe court debts are pushed deeper into poverty, have higher recidivism rates, stay on probation longer, are unable to expunge court records, obtain driver's licenses, or participate in job corps programs.
- **Revenue collected from fees is not worth the cost to families or the government.** In 2019, only 11% of the \$5.1 million dollars that was assessed against youth was collected - but the financial and emotional cost to families was enormous. Young people are either too young to work, unable to find work or are in school. Their parents are then forced to make an impossible choice: put food on the table or pay down court debt.
- **Court costs charged to children are uncollectible.** 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).

12 STATES HAVE REFORMED JUVENILE FEES

The Debt Free Justice for Children Act aligns Florida with other states. 12 states across the country have enacted reforms within the last 5 years to eliminate harmful fines, fees and costs assessed against juveniles and their families. In 2021, 6 states - **Texas, Louisiana, Virginia, New Mexico, Colorado, and Oregon** all passed reforms to end juvenile fees. The list is growing each year.

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.