

UNDERSTANDING COURT COSTS + FEES IN ILLINOIS

JUNE 2020

ILLINOIS HAS AT LEAST 90 DISTINCT FINES, FEES, AND COSTS THAT ARE IMPOSED ON DEFENDANTS BY THE CRIMINAL COURTS, AND NO LIMIT TO THE NUMBER OF COSTS FOR A SINGLE OFFENSE.

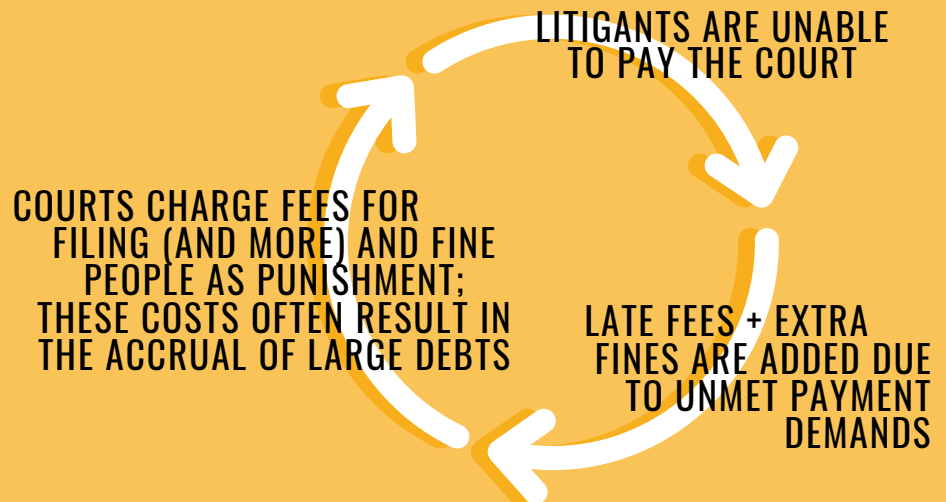
THE RISE IN COURT FINES, FEES, AND COSTS IS DEEPLY CONNECTED TO OVER-INCARCERATION AND MEASURES TO REDUCE PUBLIC FUNDING FOR ESSENTIAL SERVICES.

REDUCING THE NUMBER OF FINES, FEES, AND COURT COSTS WOULD LEAD TO ADMINISTRATIVE SAVINGS AND MORE EFFICIENT PROCESSING OF OTHER KINDS OF CASES.

COURT DEBT PUNISHMENT CYCLE

These fines, fees, and costs support a system where our poorest community members are subject to repeated court appearances and, potentially, additional jail time.

Once caught in the cycle, it can be very difficult for defendants to emerge from the criminal legal system, regardless of their original crime of conviction.



TAKE ACTION

Extend Fee Waiver Pilot:

While we determine the effects of fines and fees conclusively, we should increase compliance with constitutional mandates by only assessing fines and fees to those who can actually afford them.

Support Efforts to Improve Illinois' System of Monetary Sanctions:

Monetary sanctions are ineffective and harmful. There are more efficient, equitable ways to fund our courts that do not undermine public safety or community and family wellbeing in the way regressive court debts have.

Support Committee for Data Collection:

Illinois needs to generate conclusive data about the impact of fines & fees on agency budgets and the lives of Illinoisians.

MYTHS: COURT FINES + FEES IN ILLINOIS

Several myths dominate public policy conversations around court costs, administrative fees, and fines.

MYTH 1:

"COURTS WILL FAIL WITHOUT FUNDING FROM FINES + FEES."

As we gather more empirical evidence, we learn just how high the costs of collection and administration are for the courts.

FACT: COLLECTING FINES AND FEES CAN ACTUALLY END UP COSTING THE COURT.

There are significant time requirements and labor costs for the court in assessing and collecting fines and fees.

MYTH 2:

"FINES AND COURT FEES SUPPORT PUBLIC SAFETY."

Court debts are devastating and primarily harm lower-income communities, Black and Brown families, and individuals newly released from incarceration - hurting marginalized communities most and undermining public trust in the legal system, which actually worsens public safety.

FACT: COURT DEBTS DO NOT "DETER" CRIME.

Instead, they can make finding housing and sustainable employment more difficult, which could actually increase someone's likelihood to eventually recidivate.

MYTH 3:

"COURT COSTS ARE FAIR (THE SAME FOR EVERYONE)."

Wealthy people pay their fines or fees and are done with their system involvement, suffering no significant consequences to their lives or livelihood, while lower-income people face severe long-term socioeconomic consequences.

FACT: UNDER THE OLD SYSTEM, FINES + FEES FOR THE SAME OFFENSE VARIED WIDELY ACROSS COUNTIES + COURTROOMS.

The new system creates clearer standards but does not erase the fact that the impact of a \$300 fine or fee for a doctor is not equivalent to the impact of a \$300 fine or fee for a home healthcare worker.

MYTH 4:

"FINES ARE A SOURCE OF RESTITUTION FOR CRIME VICTIMS."

Fines and fees create new victims of the criminal legal system itself. People who cannot pay get trapped in a cycle of unconstitutional punishments that go far beyond what is appropriate for the alleged offense committed.

FACT: THERE ARE WAYS TO COMPENSATE VICTIMS UNRELATED TO CURRENT COLLECTION PRACTICES.

Illinois has other legal + financial means to compensate victims, so eliminating fines and fees need not change victims restitution practices.