



The Harmful, Unlawful, and Costly Practice of Charging Juvenile Fees

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Fines

Monetary penalties imposed by the court, usually according to type of alleged offense



Fees

Charges imposed to cover costs associated with services



Restitution

Amount ordered to compensate victims for any personal or financial loss

Counties were authorized to charge families fees for:

- Care, support, and maintenance
 - Detention in juvenile facilities
- Probation Supervision
- Electronic Monitoring/Home Supervision
- Drug Testing
- Representation by Counsel

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
JUVENILE COURT

NO. _____

IN THE MATTER OF _____

Parent(s)/Guardian(s): _____

Disposition Date: 10-24-12

ORDER FOR PAYMENT OF SUPPORT (Welfare & Institution Code 903.45)

The petition of the Financial Officer having been submitted to this court for decision,

IT IS ORDERED THAT _____

1) shall pay to the County of Alameda **\$150.00** for legal services and **\$0.00** per calendar month OR daily rate of **\$12.64**, whichever is less for the past support of the minor (from 09-28-12 until released from juvenile institutions facility) in the following manner: X in full by _____ in installments of **\$1118.28** per month, commencing 15 days after receipt of first statement.

2) shall, in addition to the payment(s) ordered in paragraph 1 above, pay to the County of Alameda **\$0.00** per calendar month or a daily rate of **\$0.00**, whichever is less, for the support of the minor effective , until released from the juvenile institutions facility or emancipated.

3) shall, in addition to the payments ordered in paragraphs 1 and 2 above pay to the county the following fees:

Juvenile Investigation Fee	\$ 125.00
Juvenile Supervision Fee	\$ 0.00 per month - TOTAL \$ By <u>0.00</u> Deputy
Electronic & GPS Monitoring	\$ 7.50 per day
Drug & Substance Abuse Testing	\$ 0.00 per test
Lab Test Confirmation	\$ 0.00 per test

4) that on 12-23-12 the parent(s)/guardian(s) incurred **\$52.00** for service of process fees in addition to the above mentioned charges.

5) shall make payments payable to the County of Alameda and send payments to **CENTRAL COLLECTIONS, 1221 Oak Street, Room 220, Oakland, CA 94612.**

Failure to make payments as ordered may result in levy of execution against your property.

FILED
ALAMEDA COUNTY

JAN 15 2013

CLERK OF THE SUPERIOR COURT
By 0.00 Deputy

County	TOTAL	Juvenile Hall	Public Defender	Electronic Monitoring	Probation Supervision	Drug Testing
<i>Average terms</i>		<i>25 days</i>	<i>Per case + 2 hours</i>	<i>50 days</i>	<i>17 months</i>	<i>8 times</i>
Sacramento	\$5,640	\$18.40/day	\$318.00+	\$24.00/day	\$206.00/mo.	\$20.00/test
San Diego	\$2,150	\$30.00/day	-	\$28.00/day	-	-
Kern	\$1,850	\$29.00/day	-	\$25.00 + \$22.00/day	-	-
Ventura	\$1,735	\$33.00/day	\$150.00-300.00 + \$158.75/hour	\$75.00 + \$7.50/day	-	-
Orange	\$1,372	\$23.90/day	\$245.00 + \$220.00/hour	-	-	\$11.30/test
San Mateo	\$1,150	\$30.00/day	\$220.00+	\$8.00/day	-	-
Fresno	\$1,148	\$19.00/day	\$73.00+	\$11.00/day	\$50.00 once	-
Riverside	\$1,039	\$30.00/day	\$50 + \$119.51/hour	-	-	-
San Joaquin	\$972	\$31.12/day	\$125.00-175.00	-	-	-
San Bernardino	\$563	\$20.53/day	\$50	-	-	-
Los Angeles	\$50	Suspended	\$50	-	-	-
Alameda	\$0	Repealed	Repealed	Repealed	Repealed	Repealed
Santa Clara	\$0	Repealed	Repealed	Repealed	-	-
Contra Costa	\$0	Suspended	-	Suspended	-	-
San Francisco	\$0	-	-	-	-	-

Juvenile Administrative Fees for a Youth Serving Common Probation Conditions in California's 15 Largest Counties by Population

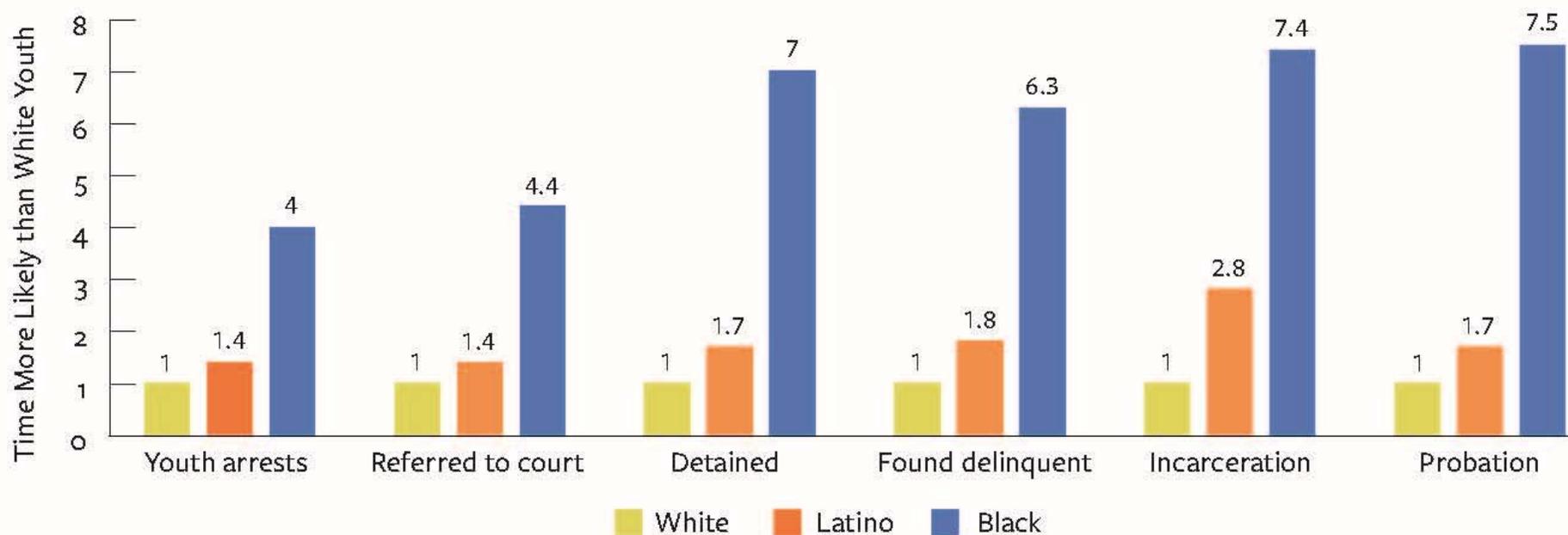
(March 2016)

Harmful

- Create financial hardship
- Weaken family ties
- Undermine family reunification



Racial Disparity in California's Juvenile System, 2014



Average Juvenile Probation Conditions and Fees by Race and Ethnicity in Alameda County, 2013

Race and Ethnicity	Total Fee Liability	Average Probation Conditions			
		Juvenile Hall (days)	Probation Supervision (months)	Electronic Monitoring (days)	Drug Testing (tests)
		\$25.29/day	\$90.00/mo.	\$15.00/day	\$28.68/test
Black	\$3,438	25	22	34	11
Latino	\$2,563	24	14	33	7
Asian	\$2,269	7	12	56	6
White	\$1,637	11	10	21	5
Other	\$1,192	4	6	31	3

“Financial penalties in general and the sheer amount of financial penalties in particular significantly increase the likelihood of recidivism, even after controlling for relevant demographics and case characteristics.”

Justice System Imposed Financial Penalties Increase the Likelihood of Recidivism in a Sample of Adolescent Offenders by Alex Piquero & Welsey Jennings (2017)

Costly

- Collecting little revenue
- Revenue paying for collection activities, not support for youth

County	Revenue	Collection Costs (% of Revenue)	Youth Support (% of Revenue)
Alameda	\$419,830	59.77%	40.23%
Contra Costa	\$430,926	67.38%	32.62%
Orange	\$2,071,347	82.07%	17.93%
Sacramento	\$682,636	32.53%	67.47%
Santa Clara	\$399,228	112.72%	-12.72%

Fees for Collection Activity and for Youth, FY 2014-15

Legal Concerns

- Charging fees not authorized by statute
- Charging fees in violation of state law and constitution
 - Due process
 - Equal protection
- Charging fees in violation of federal law

- After careful review of the information provided by the parent, the FHO will determine if the parents have the ability to pay. If the parent has the ability to pay, a payment plan is arranged and first payment is due 30 days after the interview date. Central Collections will send a monthly statement .
- ~~X~~ *currently not being done* The FHO's keep a log of the parents not having the ability to pay along with reasons justifying why they were not billed.

Local Efforts

- San Francisco
- Alameda
- Santa Clara
- Contra Costa
- Sacramento
- Sonoma



Statewide Legislation

- Senate Bill 190 (2017)
 - Ended assessment of all juvenile fees
 - Detention
 - Electronic monitoring
 - Supervision
 - Drug testing
 - Representation by counsel
- Implementation
 - January 1, 2018

SB 190 - END ADMINISTRATIVE FEES



EVERY YOUTH DESERVES A FRESH START
EVERY FAMILY DESERVES EQUAL JUSTICE

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Impact

- No more charges!
- Ending collection on previously assessed fees
- Writing off accounts and declaring civil judgments satisfied
- Refunding families

Contact Information

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