



The Impact of Court-Imposed Fines and Fees on Youth

On April 20, 2023, the U.S. Department of Justice (DOJ) issued a [Dear Colleague Letter](#) (2023 Letter) regarding the assessment of fines and fees by state and local courts, as well as by juvenile courts. The unjust imposition of fines and fees raises significant public policy concerns. Imposing and enforcing fines and fees on individuals who cannot afford to pay them has been shown to cause profound harm. In particular, young people subjected to fines and fees often suffer escalating negative consequences that may follow them into adulthood.

The 2023 Letter discusses legal requirements regarding fines and fees, as well as policy considerations and best practices for courts.

Listed below are key points regarding the assessment of fines and fees on youth involved in the juvenile court system:



Jurisdictions should presume that children and youth are indigent and unable to pay fines and fees. Minors are generally unable to earn the money needed to pay fines and fees. Many young people are too young to legally work, have school obligations, have difficulty in finding a job because of a juvenile or criminal record, or simply lack employable skills. Parents and guardians may face difficult choices between paying court debts or paying for their family's basic needs.



The constitutional principles regarding fines and fees apply to both youth and adults. Youth have the same protections under the Sixth, Eighth, and Fourteenth Amendments to the U.S. Constitution as adults. This includes, for example, the Fourteenth Amendment's prohibition on incarcerating individuals solely because of their inability to pay a fine or fee.



Fines and fees may deny youth their constitutional right to a lawyer. The Fourteenth Amendment to the U.S. Constitution guarantees the right to a lawyer in juvenile proceedings. Charging for court-appointed lawyers can seriously risk violating the Constitution if the access to a lawyer depends on payment of fees.



A number of states and localities have eliminated or significantly reduced fines and fees in juvenile systems.

DOJ Resources and Technical Assistance

Courts and juvenile court systems can find resources or request technical assistance at:

- **Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention**
<https://ojjdp.ojp.gov/>
- **Office of Justice Programs, Office for Civil Rights**
askojp@ncjrs.gov | <https://www.ojp.gov/about/offices/office-civil-rights-ocr>
- **Civil Rights Division, Federal Coordination and Compliance Section**
FCS.CRT@usdoj.gov | <https://www.justice.gov/crt/fcs> | www.lep.gov
- **Office for Access to Justice**
<https://www.justice.gov/atj>