



NATIONAL TASK FORCE ON FINES, FEES, AND BAIL PRACTICES

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National Task Force on Fines, Fees, and Bail Practices

WORK PLAN

Structure

Advisory Committee – 18 to 21 members; co-chaired by CCJ/COSCA; judges and court administrators from state and local courts; legal advocates; policymakers from state, county, and municipal government; representatives from academia; representatives from foundations; SJI and DOJ ex officio representatives; et al.

3 Working Groups and 1 Steering Committee – each chaired by a member of the Advisory Committee; representatives from stakeholder groups related to the assignment.

Working Groups

Access to Justice and Fairness

- Recommend indigency standards following *Bearden v. Georgia* including consideration of access to counsel for dispositions that move from financial sanction to incarceration, and steps for implementation (e.g., mobile applications, webpages, uniform citations, FAQ fliers, etc.). Issue of timing of indigency determinations will be included.
- Recommend standards for pretrial release options and alternatives for financial and nonfinancial conditions of release.

- Create models of alternative forms of sanctions including community service and innovate alternatives to monetary penalties. Include model amnesty programs.
- Sponsor a hackathon to encourage development of innovative technological solutions to assist courts in ensuring access and fairness (e.g. online application for indigency).

Transparency, Governance, and Structural Reform

- Review statutory/constitutional authority for establishing local courts including minimum requirements to insure fairness, access, and transparency.
- Examine authority for establishment and supervision of local courts, processes, and procedures for setting, collecting, and waiving court-imposed financial sanctions such as fines and fees (including per diem “pay-to-stay” jail fees and the use of “private probation” services for collection).
- Examine the process for setting fines, fees, and assessments, and the use of traffic ordinance violations for raising general government revenue.
- Develop and recommend financial accounting standards for reporting court revenue.
- Consider model statutes/court rules for creating statewide fee schedules, and uniform traffic citations.

- Explore issues of court funding with a focus on revenue streams for operational costs.

Accountability, Judicial Performance and Qualifications, and Oversight

- Review guidelines for selection, tenure, quality assurance, and oversight of all local court judges (municipal, village, mayor, etc.) and the application of state Codes of Judicial Conduct and disciplinary commissions. Also review authority of state supreme courts over full-time and part-time judges.
- Make recommendations regarding the appearance of fairness, impartiality, and conflicts of interest with respect to part-time judicial officers. Consider related preparation of model policies and procedures.
- Consider mandatory training and education requirements, including orientation and continuing education, for all judicial officers and court employees regarding indigency determination and access to counsel (e.g., bench cards, procedural manuals, online training, orientation, etc.). Develop model curriculum.

Steering Committee

Best Practices, Tools, Clearinghouse, and Pilot Projects

- Identify best practices and tools for codifying, determining, and processing court-imposed financial sanctions (e.g., fines, fees, bail, bonds). Include examination of existing amnesty programs.
- Conduct, as an initial step, a national survey of court practices in the aforementioned areas.

- Develop a webpage/interactive map where litigants may access information regarding courts.
- Identify TA experts to assist jurisdictions with implementing reforms and serving as pilot states.