

# Confronting Criminal Justice Debt: A Comprehensive Project for Reform

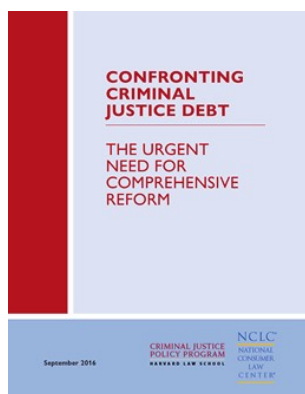
This initiative is a collaboration of the National Consumer Law Center (NCLC) and Harvard Law School's Criminal Justice Policy Program (CJPP) and focuses on the financial costs of the criminal justice system, which can take a devastating toll on individuals and their families, as well as on society more broadly. The harms of excessive fines and fees disproportionately impact the poor and people of color. This project aims to equip advocates to meet the urgent challenges posed by criminal justice debt. The project consists of three parts:

## Part 1: Confronting Criminal Justice Debt: The Urgent Need for Comprehensive Reform (NCLC and CJPP)

## Part 2: Confronting Criminal Justice Debt: A Guide for Litigation (NCLC)

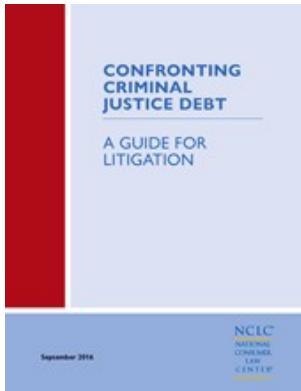
## Part 3: Confronting Criminal Justice Debt: A Guide for Policy Reform (CJPP)

- Confronting Criminal Justice Debt Free Webinar Series Fall 2017 (cosponsored by The National Consumer Law Center and the Criminal Justice Policy Program at Harvard Law School)  
(Sign up to be notified for future NCLC webinars; review archived webinars)



## CONFRONTING CRIMINAL JUSTICE DEBT: THE URGENT NEED FOR COMPREHENSIVE REFORM

Increasingly, people who interact with the criminal justice system come away with significant, sometimes crippling debts. The persistence of these debts can deepen exposure to the criminal justice system, impede successful reentry, and cause spiraling harms for individuals, their families, and their communities. Indeed, the drive to raise revenue through fines and fees has in many ways monetized the relationship between the justice system and the people it is supposed to serve. These harms fall disproportionately on poor people and people of color. *Confronting Criminal Justice Debt: The Urgent Need for Reform* provides an overview of this collaborative initiative, which aims to equip criminal justice advocates and civil justice advocates—including those who work on issues of consumer rights, civil rights, and poverty law—to work together to meet the challenges posed by criminal justice debt. This initiative provides tools for advocates around the nation to seize this moment of reform.

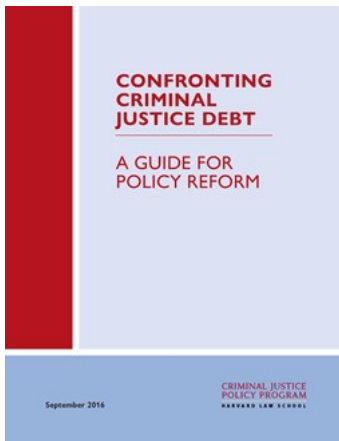


## CONFRONTING CRIMINAL JUSTICE DEBT: A GUIDE FOR LITIGATION

NCLC has developed a *Guide for Litigation* to assist those who represent clients in criminal justice debt matters. The guide identifies a range of potential tools based in constitutional, criminal, and consumer protection law that attorneys may use in protecting clients from the harms of criminal justice debt practices. The categories of representation addressed include:

- ▶ Defending against imposition of criminal justice debt;
- ▶ Defending against collection of criminal justice debt, including defending against sanctions or incarceration for nonpayment and seeking remission of debts;
- ▶ Seeking discharge of criminal justice debts through bankruptcy;
- ▶ Protecting assets, wages, and benefits from involuntary collection of criminal justice debts; and
- ▶ Asserting affirmative claims and counterclaims relating to criminal justice debts.

Additionally the *Guide for Litigation* includes checklists of key factual and legal issues for attorneys to consider when representing clients in criminal justice debt matters, and analysis of the underlying constitutional principles that animate much of the law in this area.



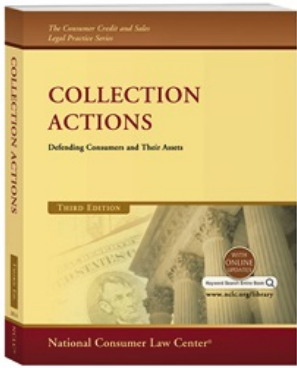
## CONFRONTING CRIMINAL JUSTICE DEBT: A GUIDE FOR POLICY REFORM

CJPP has developed a *Guide for Policy Reform*, which highlights the different areas of law that spawn harmful practices and outlines a wide array of policy levers for bringing about systemic reform. The guide provides a detailed discussion of policy strategies for (1) addressing conflicts of interest that arise when legal actors rely on revenue generated through court debt; (2) identifying and eliminating practices that act as poverty traps or poverty penalties; (3) structuring ability-to-pay determinations to protect individuals from being punished for non-payment of financial obligations they cannot afford; and (4) ensuring transparency and accountability throughout the system. For each area, the *Guide for Policy Reform* provides an overview of the issue as well as reform strategies that might be implemented through legislation, court rules, or executive action.

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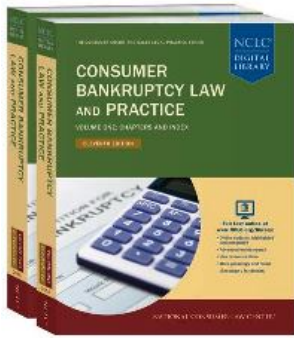
## RELATED BOOKS

**For Attorneys:**

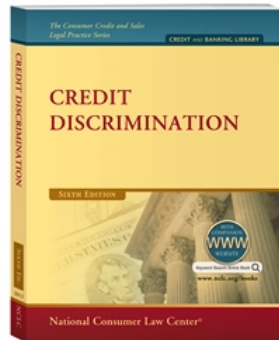


Collection Actions

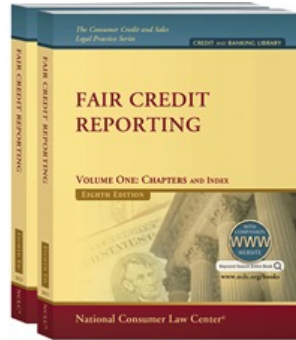
Continuing updates and additional information concerning criminal justice debt will be available for subscribers to this legal treatise.



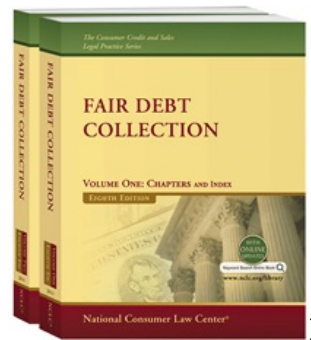
Consumer Bankruptcy Law and Practice



Credit Discrimination

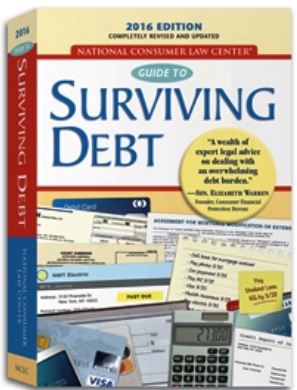


Fair Credit Reporting



Fair Debt Collection

**For Consumers:**



Guide to Surviving Debt