

Impact of Juvenile Justice Fines and Fees on Family Life:
Case Study in Dane County, WI

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Executive Summary

National attention has recently turned towards fines and fees in the criminal justice system and the ways in which these legal financial obligations further exacerbate poverty and racial inequality. People involved in the justice system across the country often face many challenges due to their involvement in court, including burdensome fees. Many families find it difficult to pay these bills, leading to a cycle of debt and financial struggle. Most of this attention to fines and fees, however, has focused on the adult system, whereas little attention has been given to parents and youth involved in the juvenile justice system who face similar financial obligations. Charges to youth who commit crimes are complicated by the fact that youth often do not have the financial means to pay. Parents are often left with the financial burden of these fines and fees even though they did not commit any crime.

This report presents selected findings from a study on fines and fees in the juvenile justice system in Dane County, Wisconsin as part of an on-going collaborative project with Juvenile Law Center. Drawing on interviews with 20 parents and their children conducted in July-September 2018, we explore how parents and youth experience and perceive fines and fees. Drawing on 10 additional interviews of victims eligible for restitution for crimes committed by youth, we also explore victims' experiences with restitution and their views on this particular financial obligation for youth. Parents in Dane County can face many different charges for their child's involvement in court, ranging from \$130/night for stays in the Juvenile Detention Center^a to \$240 for a Public Defender in a misdemeanor case. Of the parents we interviewed, the average amount of money charged is \$1,796. Youth can also be charged up to a maximum of \$1,000 for victim restitution.

This report focuses not only on the specific fines and fees and respective amounts that parents and youth are asked to pay, but also the impact of Legal Financial Obligations (LFOs) on their family life. Our research reveals that these charges impose a significant financial burden on families. We also explore how participants view potential and actual alternatives to LFOs.

In the following pages, we bring forward the voices of youth, parents, and victims to share their experiences. Here, we summarize two main findings that emerged in these interviews:

1. **Impact of Fines and Fees on Family Life:** The stories families tell of their experiences with LFOs illustrate the negative impact of these financial bills, which can outweigh any potential of them to instill responsibility in youth. The LFOs have significant negative impact on family life, in material and emotional ways. Parents discuss the psychological toll of these LFOs and the resulting impact on the quality of their relationships with their youths. They also talk about the overall impact on their household, including their other children. In addition to this effect on their family dynamics, families discussed the financial and nonfinancial consequences for not paying LFOs. Those included the state seizing their tax refunds, sending their bill to collections, suspending driver's licenses, as well as

^a This particular fee has recently been abolished as of January 2019. There is a pending bill to make this change retroactive.

increased justice involvement for the youth and potential new court involvement for the parents.

2. **Viable Alternatives to Restitution:** Through private nonprofit agencies, youth in Dane County sometimes have the option of doing community service to start paying for the restitution they owe to victims. While interview participants generally supported community service as an alternative to paying restitution, they also expressed concerns about the types and number of hours of community service needed to complete this process. Moreover, their views on other alternatives, such as writing a letter of apology or meeting with the victim of the crime, were mixed.

Given these findings, we recommend two policy reforms:

1. Abolish all fines and fees

Our findings support other research that advocates for abolishing all fines and fees in the juvenile justice system. There is no therapeutic or deterrent effect of these fines and fees, nor do they teach youths responsibility. Moreover, the youths often have no reasonable way to pay these fines; their parents are not able to do so either. The LFOs also have significant material and emotional impacts on the family, affecting their interpersonal dynamics and household stability.

2. Revise how community service is used as an alternative to restitution

Even with the caps to restitution amounts, the process of paying restitution can be quite complicated. As such, it would be wise to reconsider the ways that the youths can work off restitution. Any option considered should also recognize the non-financial impacts of the crime on the victims.

In sum, there is much more to the story than simply saying families are not paying LFOs because they cannot afford it or that offering alternatives like community service or letters of apology would be viable options. To truly reform this system requires more careful attention to how each local jurisdiction imposes the LFOs and how families and victims experience that process.

Overview

The imposition of fines and fees in the criminal justice system and its effects on poverty and racial and economic inequality have recently become popular topics in public and political discourse.¹ However, much of this attention has focused on adult offenders, leaving the legal financial obligations imposed in the juvenile justice system and its effects on families outside of the spotlight. This report seeks to contribute to a growing body of research that explores fines and fees in the juvenile justice system.

Though there is some variation across states in the specific charges youth face, the imposition of fines and fees in the juvenile justice system is widespread in this country and presents a significant challenge for youth and their families.² These charges take various forms, including charges for supervision, restitution, evaluation/testing, and various court fees. Despite the fact that the Supreme Court established more than fifty years ago that anyone who could not afford a lawyer must be provided one at no cost, most states even permit or require youth or their parents to pay for court-appointed attorneys, including public defenders.³ Though some efforts for reform have succeeded in reducing or eliminating some of these charges, fines and fees in the juvenile justice system remain widespread.⁴

Research has shown that these legal financial obligations (LFOs) create severe financial burdens on families and can increase the likelihood that youth will recidivate.⁵ More specifically, case studies in Alameda County and Philadelphia reveal how administrative fees harm low-income families, undermine efforts to rehabilitate youth involved in the juvenile justice system, and impose a “double punishment” on parents who have their children taken away and then are told they have to pay for it.⁶ While these studies have brought to light some of LFOs’ effects in the juvenile justice system, less is known about how families understand them, what the process of being charged is like for them, and what alternatives they envision or might support.

This report outlines selected findings for an ongoing research project on fines, fees and restitution in the juvenile justice system, conducted in partnership with Juvenile Law Center. The project focuses on how youths and their families perceive and experience fines and fees in juvenile court. It also explores victims’ views about restitution and any other ways that the courts provide financial assistance to victims. The project is based on interviews with 20 families (youths and parents) and 10 victims each in two jurisdictions, for a total of 100 interviews. The goal of the project is to better understand how these fines and fees affect the youths’ cases in court and their family life more generally, as well as how victims learn about and go through the process.

This report presents our findings from the first jurisdiction, Dane County, Wisconsin. After providing an overview of fines, fees and restitution in Dane County and the demographics of the participants, we turn to the two main themes that emerged in these interviews: 1) the impact of LFOs on family life and 2) viable alternatives to LFOs. The report concludes with two policy recommendations as well as an appendix outlining the research setting and methodology.

Fines, Fees and Restitution in Dane County

In Dane County, the families could be assessed LFOs in the following ways:

Table 1: Legal Financial Obligations for Families in Dane County Juvenile Court

Type	Amount	Responsible Party	Billing Entity	Fee Scale	Fee Waivable	Criteria for Waiving Fee
Victim/Witness Office	\$20/case	Child	Clerk of Courts	No	No	
State Public Defender (SPD)	\$240 misdemeanor/ \$480 felony	Parent	State Public Defender	No	Yes	If family is victim or parents eligible for SPD
Court ordered NGI ^b /Competency evaluation	\$400	Parent	Clerk of Courts	Yes	Yes	
Restitution	Varies, up to \$1,000	Child	Courts-Restitution Program	No	No	
Delinquency supervision fee	\$25/month	Parent	Human Services	No	Yes	If family is victim or parents eligible for SSI, SSDI, Veterans Benefits, W-2, below poverty level
Court ordered placement	Child support standard	Parent	Human Services/Juvenile Court Program	Yes	Yes	DHS Uniform Fee Monthly payment schedule
GAL/PRP ^c	\$300 each/ \$600 intact	Parent	Clerk of Courts	No	Yes	

^b NGI stands for Not Guilty by reason of Insanity

^c GAL/PRP refers to Guardian Ad Litem/Parent Representative

Competency evaluations determine if the youth is mentally capable of understanding his actions. There are three categories: 1) not competent (needs to be reevaluated every year) 2) not competent but could be educated to be competent and 3) competent. For the second category, the youth could be subjected to up to three 90-day renewals over a 12-month period if necessary. As noted above, each evaluation costs \$400, so if the youth was found to fall into the 2nd category, the family could be charged up to \$1,200 for these evaluations. The judge can waive these fees.

Youths can get assessed up to \$1,000 maximum for restitution even if the damages are more. They can work off most of that amount by doing community service at local organizations that then send the payments to the victims. They earn \$7.25/hour minus Social Security tax (about \$6.70/hour). If a youth had the maximum amount of restitution at \$1,000, she would need to perform just over 149 hours of community service at \$6.70/hour. However, the agencies do not have funding to support the entirety of the youths’ restitution; they simply get the youth started on making payments in hopes that they and their parents will continue to do so on their own.

Families receive bills for LFOs from the Dane County Department of Human Services’ collection unit. The unit’s main responsibility is to “assess, bill and collect money due Dane County Human Services for services provided to our customers.”^d Those services could be related to delinquency cases, children’s developmental disabilities, delinquency, foster care, physical disabilities and protective services (child and adult). It costs \$500,000 to run the collection unit. In 2017, the unit received \$1.7 million in funds for placement programs (e.g., foster group home, residential treatment and corrections); those funds include payments from families, other counties (if the youths are not from Dane County) or medical assistance. Of that \$1.7 million, \$30,000-40,000 was for shelter and detention costs related to delinquency cases. The unit has 28,000 total accounts, of which 1,700 are for shelter and detention costs.^e

Demographics

As discussed earlier, we conducted interviews with 20 families and 10 victims. In total, we conducted 51 interviews, as one family had two youths currently involved in the system. The following table provides the demographics of the interview participants:

Table 2: Demographics of Interview Participants

Race/Ethnicity	Parents (n=20)	Youths (n=21)	Victims (10)
African American	70%	71%	0
Latinx	10%	10%	0
Caucasian	20%	10%	90%
Other	0%	10%	10%
Age*	Range: 32-53 Mean: 39	Range: 12-16 Mean: 15	Range: 37-76 Mean: 53

*Two parents and one victim did not disclose their ages.

^d This information comes from the Department of Human Services’ website at <https://danecountyhumanservices.org/Collections/default.aspx>

^e These numbers come from the Department of Human Services, who prepared it for the county board supervisor; Dr. Paik obtained them from the Juvenile Court Administrator’s Office.

Fourteen of the parents are working (ten full-time, three part-time and one unclear whether part-time or full-time). Four are working in professional capacities (nurse, human resources) while the other ten are more in customer service jobs (housecleaning, retail). Of the six who are not currently working, one is a student.

The families have an average of 4 children, with a range of 1-10 kids. Fourteen of the parents were single parents; the others were married or living with their partners.

The offenses ranged from stealing cars to assault: youths could have reported more than one offense for the current case in court. Eighteen of the youths had previous cases in juvenile court. Table 3 provides a breakdown of number of youths by type of offense.

Table 3: Offenses by Youths

Offense	Number of Youths (n=21)
Operating car without owner consent (either driving or passenger)	8
Assault/Battery	6
Disorderly conduct	4
Other (e.g., resisting officer, intimidating witness, public urination, school break-in)	4
Possession of firearm/weapon	3
Home arrest violation	3
Property damage	2
Theft	1

The average amount of bills (including four families reporting some restitution amount) is \$1,796. The range was \$180-4,500. Twelve families reported not paying, but of those, two are either currently waiting to hear back about a fee reduction or seeking reductions via restorative justice alternatives^f. Of the remaining eight families who did pay, two paid the full amount, three are on a monthly payment plan and two others have paid partial amounts. Two of those families paid involuntarily through their tax refunds that were automatically deducted by the state.

The families reported receiving fees in all categories except the last one (guardian ad litem). They did not necessarily distinguish between the categories nor fully understand the different agencies involved in assessing and collecting the LFOs.

Among the victims, the offenses were stolen cars (five, with one victim having two cars stolen), one stolen bike, two property damages and two assaults. They all requested restitution for damages in the range of \$25-3,800, with an average of \$1,226. The courts granted restitution in all cases, with an average \$522 and range of \$30-1,600. The maximum amount that youths can be assessed for restitution is \$1,000 but the \$1,600 was assessed between two youths. Six victims reported receiving some restitution, with a wide range between \$8.33-1,250 for an average of \$226. The \$1,250 restitution was split between two youths involved in that particular crime.

^f In Dane County, youths have the option of going through Youth Court in lieu of paying for municipal tickets.

Findings

The following section outlines two main findings that emerged from the interviews, the various impacts of fines and fees on family life, and alternatives to LFOs.

I. Impact of Fines and Fees on Family Life

This section shows the myriad of emotional and material ways that LFOs negatively impact families, as well as the financial and nonfinancial consequences that result from nonpayment of the LFOs. While families and victims both recognize that one of the intended purposes of LFOs is to teach youth responsibility, the actual impacts of LFOs on family life are so detrimental that they hinder any intended positive effects and undermine any trust in the juvenile justice system.

A. Emotional Impact

When asked how the bills and fees affected their family, several parents discussed the negative emotional impact of them. Sabrina, a mother, says “because of us knowing that we owe this money... It's like a worry. You know what I mean?” Meanwhile, another mother, Issatou, says “It’s depressing receiving these bills, because you know, it’s not your choice whether they take your kid there.”

These negative emotions arise due to the additional financial strain that the fines and fees place on families whose financial situations are already tenuous. One mother, Michelle, explains: “It’s stressful. Because it, on top of everything else I have to do, it’s another added cost when I see my paycheck shrinking.” Sarah, another parent, goes further to describe how these fines and fees not only add to her anxiety about her financial situation but also lead to increased anger generally:

It just adds a le-level of anxiety that shouldn’t be there, when everything is so difficult already... I already struggle enough, you know, with no income. I still have bills and still have to find a way to like, take care of the day to day. It’s difficult. And-and, to-to now worry about getting something that's just gonna rack up. And they know I can’t pay it, and I know I can’t pay it, but it’s there... And like, I just... anger at times, but mostly just a lot of anxiety.

Sarah highlights the cumulative effect of these fines: the bills are not just anxiety-producing due to the increased financial stress; they also begin to foster a sense of anger on her part towards the court. That is, her anger arises from the seeming injustice of the court knowing “I can’t pay” yet still assessing these fines. So while the court actors might believe the family only pays what it can afford, the parents have a completely different sense, leading to these feelings of anger (and potential resistance to the court in other aspects).

Two other mothers describe similar frustration with the court, which they perceive as cold and not caring about their situations. In describing her lengthy conversation with someone in the system about these bills, Olga said, “They weren't very understanding. They were like, this is the way it is and I'm like, well, that's unfortunate ... And I'm like, you know that's just adding more and more stress to my stressful situation already.” Marie talks about how the court responded to

her plea to reduce the fees after she had a new baby (increasing the number of dependents in her household):

I had just had a baby and I do not have the money... I work for a nonprofit... I may have a professional job and I have a degree, but I make very little money ...So, I was frustrated that I didn't qualify [for a fee reduction]. I thought I qualified 'cause they had you fill out a form... I don't know if it's 'cause I only had one kid, 'cause I have a ton of debt ... I called once the baby was born. And even when you're pregnant. Like I had to buy everything for the baby... Putting expenses towards the- the care of the child and my medical bills, my hospital, or my doctor visits-... Her response to me was, "Well he [her son] was done with supervision March 1st and the baby was born March 14th so we can't add her [the baby] to your [account]... Can you please help me out here? Like, and they wouldn't.

Parents' frustrations about fines and fees only grow in moments when they see the court system failing their youths and still charging them for those efforts. This frustration leads one parent to become adamant in not paying any of the LFOs. The parent explains:

It's just like when they send them to ...the [group] home for the summer ...That's where they got in trouble, over there in, where they were at. I told the judge, "You want to send them there, you deal with this." I'm not paying for [this stay in the group home]... I don't have the money the others have. I don't want them there. I want them at home where they- where they belong, but you sending them there.

This parent's comments echoes other parents' sentiment that they shouldn't have to pay for the court's decisions to keep their youths in group homes, especially since the parent would prefer if the youths were at home. But this parent also notes that the additional charges happened while the youths were in the court facility, versus under parental supervision. The parent's rationalization for not paying includes this critique of the system for creating the trouble for which the parent now has to pay.

Similarly, Olga has had on-going interactions with the court for her daughter, Beautiful, over several years. Olga describes her reaction upon receiving the bills for these efforts: "I just get them in the mail and I'm just like aarrgghh! And you know, it's... It's so frustrating." Here is a more extended excerpt from her interview:

Olga: The thing is, every time Beautiful is sitting in to juvenile detention, it's costing me money and I'm already in debt from when she was in juvenile detention a year ago... And... They don't have any place else to put her? There's no resources that would take her due to her level of aggression and so I'm paying every single day she's in there.

Leslie: In the JRC [detention facility]?

Olga: Yeah, and that sucks because adults who go to jail don't have to pay for it. Like, the tax payers pay for it, you know?... Yet the parents have to pay... It frustrates me big time... I'm a big advocate for my daughter but you know, it's, it's draining. It's tiring and sometimes I feel like there's no light

at the end of the tunnel...Because, even when she turns 18, I'm probably still going to be paying these bills, you know? ... It sucks.

Olga raises several points about how the bills add to her frustration with the court process. One, she is being penalized for the state not having the appropriate resources for her daughter. Because the state does not have a suitable program for her daughter, Beautiful has to go to a facility that is out-of-state. Yet until a spot opens up in that program, she has to stay in a detention center that costs \$130 a night. Two, Olga contrasts the juvenile and criminal justice systems, saying the latter doesn't impose similar fees for jail stays. Finally, she points to the short and long-term consequences of these bills: the inadequate resources to help her daughter now increase the amount of the bills which will affect her and her daughter even after she turns 18. The overall impact now is that she cannot see the "light at the end of the tunnel," adding to the difficulty in her staying a "big advocate" for her daughter.

B. Relationship between parents, youths and other family members

Given the heightened emotional effects of bills on the parents, it makes sense that the relationships between the youth and parents would be affected as well. While Alice didn't see it affecting her love for her son, she does say it affected their relationship in other ways:

Leslie: Has this affected your relationship with him at all or his relationship with other family members at all?

Alice: Yeah. It has, it- it has. Because I mean no matter what he know we love him and we still gonna be there...but as far as, uh, trust and, uh, putting us through all this.

The bills can lead to increased conflict between the parent and youth. Going back to Marie, she talks about her experience with her 16-year old son, Derrick:

Marie: I mean I paid for some of the stuff, like some of the supervision, but majority of it I made him pay, cause I wanted him to feel the consequence of-...what he did.

Leslie: Well, tell me a little bit of how you got him to do that. That seems like that might have been not the easiest...conversation ever, I imagine.

Marie: It was a lot of fighting. And like I said, it was over, the supervision was over by the time he kind of came [up] with the \$150. I think he realized that I just had the baby and I really did need his help... It's hard as a parent to tell your child, like, I really can't afford these things, but they're extra things that I really couldn't afford,

Derrick was working at a local fast-food restaurant so Marie wanted him to contribute towards his own fines. She says he finally did only when "the supervision was over," meaning there was at least a few months of "a lot of fighting" over the bills. Marie also pointed out the challenges for parents to have to admit to their child that they can't afford these bills.

Youths also pointed out the increased conflicts between the parents and youths. Jim explains his view of the situation:

Me and my mom kind of get like into it over money some times, 'cause I, 'cause I really think she got it, but I only think, but it's probably like she don't got it 'cause she's gotta pay something or she gotta pay this so it's like, I don't know... I ask for something she's like, "They look all of what I could give you 'cause you been in jail, you've got all these restitution." Or whatever so I'm like, "Ah whatever."

One youth, Happy, sees his mom's increased frustration from LFOs affecting their relationship:

Leslie: Okay, um so how do you feel that the fines and fees have affected your family or your relationships with your family
Happy: Bad
Leslie: Bad? Can you tell me why
Happy: 'Cause they ...taking more money that needs to be taken
Leslie: And how does that affect your relationship?
Happy: 'Cause moms get frustrated... Nobody wants to pay that much money

Finally another youth, Lebron, pointed out how his relationship to his siblings is also impacted by these LFOs. In his case, he is describing how doing community service, which is to help pay off his restitution, affects his ability to be there for his siblings:

Lebron: In a bad way, I don't never be at home... I don't ever have time to talk to them.
Leslie: Oh, okay. So you don't get to spend time with them?
Lebron: Mm-hmm (affirmative).
...
Chiara: Do you have any siblings like brothers and sisters?
Lebron: Mm-hmm (affirmative)...I got three siblings.
Leslie: Are you younger or older?
Lebron: I'm the oldest sibling.

So not only do the LFOs create more conflict between the parent and youth, they affect the youth's relationship with the other children in the house. Parents also discussed this issue of the youth being gone from the house - either in detention or out fulfilling these court obligations - as affecting their younger siblings who missed having their role models in the house.

C. Limited activities and purchases for the household

The parents and youths expressed several material ways that the LFOs affected the household. When asked how bills affect his family, James says, "It affects us... cause it's like certain stuff that we gotta get done but because of that, you know... we gotta... limit what we do... like listing stuff that we, like buy or like or pulling a budget forward or something." Similarly, Tierra, a mother, says, "It's hard, like I told her you know, even the financial part is like, dude, really come on now you keep getting trouble. I can't afford this... I got other kids, you know, I'm taking away from their future and their stance right now you know taking away from-." Both James and Tierra articulate the personal ramifications of LFOs to a household budget. James

discusses how they can no longer do certain activities while Tierra literally talks about her daughter's LFOs taking away from her other children's future. Veronica explains in more detail:

- Veronica: It's just affected my household. um, so the fact that I'm not, you know, I can't provide the way I'm able to provide because I have to pay, you know, courts and fees. ...
- Chiara: Right. What do you think you would, um, if you didn't have to pay these fines or fees, what other things would you use that money for?
- Veronica: Oh, something special for the kids you know? A nice trip or, you know, just, you know, something special for them... Whatever they're interested in doing... There's times that, I have a 12 year old, she asks to go to specific places or to do specific things but it requires money... had I had that \$500 [I paid to the court] I probably could've. (laughs)

D. Choosing which bills to pay

Most of the families interviewed reported feeling financially strained even before their youth's involvement in the court. The LFOs only added increased pressure for parents to decide which bills to pay any given month. Shontae, a mother, says, "It [the fines] definitely put an impact on the income-... The prescriptions, all that stuff.... It's just that we can't afford it right now." Julio, a father, says, "I don't have the money for it... I've even said it... I'm not you guys [the court staff], I- I don't have the money that I can throw around... I live day by day... It's harder. You're the only one working... You got to support the family." His daughter, Julia, also sees her father's struggle, as noted in this interview excerpt:

I mean for the most part we can, well, it's just my dad's right now just like stuck at a job that's like kind of low paying. So for the most part with his checks that come in we have to pay for like the rent, electricity... Things that we need... It's [the LFOs] adding on to more of what my dad owes... So it's just like too much for my dad to be paying for, and ... the way we're living right now, also, it's just kind of hard to get everything paid off.

Another youth, Jim, talks about his mom having to decide between paying these fines, their rent and her transportation to work. He says, "It's like we can, we can use that money for much more better, my mom don't have a car. She could be saving for a car so she can get back and forth to work, and she's back, my mom back on her like back on her rent so she could be using that money to get, pay her rent or whatever."

E. Charging both parents if in different households

Five families (four mothers and one youth) mentioned that the court billed both parents if they were no longer living together in the same household. According to the court administrator, the court can charge both parents for attorney costs (guardian ad litem and parent representative) in child welfare cases but the amount should be split (\$300 per parent or \$600 if both reside in same household). Veronica's situation seems to follow that policy as the court apparently split the bill between her and the father of her son. She says, "They took, um, only half of what they were asking because they were going after dad... for the other remaining."

Yet other mothers do not seem to experience the same process as Veronica, expressing confusion over the division of cost. Marie says, "I went down there [to the court], physically paid it in person, then got a call from his dad later saying that he had received a letter too." Olga, reports that the dad was charged, but the court wouldn't reveal that amount to her when she inquired:

Apparently, he has to pay some of the juvenile too, but they wouldn't tell me how much. And I'm like, so, I said, "He's married and they both work two full time jobs and they probably split the bills. I'm a single parent... I cannot split the bills with anybody...and I'm like, I just don't understand their formula." I'm like, "What you're charging me, it cost...you're charging me more a day, then what I get a week in child support." Like it doesn't make sense, like if you can't have her father pay me that much a day in child support, how are you going charge me more than that?...To me it doesn't make sense.

Unlike Veronica, Marie and Olga are unclear as to whether the court has divided the cost of the bill equally with the fathers. While Olga does have primary custody of their daughter, the court's actions confuse her for two reasons. She first seems to say since the father has remarried and is in a dual-income household, the court should assign more of the financial costs to them since she lives on one income. She then points out the apparent irony in how juvenile court cannot force the father to pay child support, but charges her more than what child support would provide. Following the chart of fines laid out on page 7, perhaps Olga's bill includes fees for both child support to help pay for placements and child welfare issues. Yet the ultimate result for Olga is that she experiences them all as the same process, adding to her confusion and frustration about the court overall.

Furthermore, families report that the court will bill the fathers, even if they are not physically present in the youth's life now. Melissa, a mother, says the father is in jail but still gets the bills:

Chiara: You said your daughter's father is not involved.
Melissa: No.
Chiara: But is, is, is he receiving any bills?
Melissa: Oh, yep. He receives the same thing I do... And like, I sign over for placements for her, and sign paperwork, but they don't never make him. And we both share... custody.... when I ask, they say, "Oh well, it doesn't really matter. He's in jail."

So while the dad does not have a say in the court's decisions to place the daughter in programs, the court still charges him for those placements.

Maya, the youth who expects that her mom's tax refund to be taken and that she will receive a bill herself, says that her dad gets the bills, even though he lives in another state:

Maya: My dad get bills at his house too.
Chiara: Wait, so your dad ... has your dad ever come to court?
Maya: He live all the way in Memphis, Tennessee. He appears by phone though.
...
Chiara: Okay. And so, um, so you're saying he gets bills too?

Maya: Mm-hmm (affirmative)
Chiara: Has he told you for how much?
Maya: No. He took, no. But most likely the same amount as my mom too...but they try to like bring portions of it to court, but-
Chiara: Oh okay. Okay.
Maya: But it be a lot. A lot of money...I'm just like, dang, and that don't even, like me being in the group home don't really have nothing to do with her. So, I'm thinking like, one, they actually take child support money and they, I don't know what they do with it.... they take money from my dad for child support for me...well for all his kids. He has three kids including me...So, and then the court take, I don't know who take it but they take half of my money out and give it to the people.

Similar to Olga's situation, Maya points out the implications for this dual assessment in that the father's portion comes out of his child support payments for her. Yet her understanding, whether or not it is accurate, is that the court only uses "half" of that money for her and the rest for an undefined category of "the people."

F. Increased debt and limited social mobility

Families discussed the long-term effect of these bills on their futures, as they envision a lifetime of debt. Sarah, a parent, says, "I don't have a way to pay it. I'm still gonna be held accountable for it... So, I'm just gonna slowly go into arrears with the state." Similarly, Shontae, who in the previous section talked about having to choose now between paying for medicine and the bills, talks about the increasing sense of hopelessness in getting out of this financial struggle. She says, "I'm tryna work on my credit... and it's just like, when these things come in the mail, it's just like, am I ever gonna be able to get over it."

While not as many youths mentioned this issue, some did talk about how their financial futures are going to be affected. Maya says, "I wish I can just, like, take, if I could take it all back I would... Being in the system you're, and I know, um, I'm going to have to pay a lot of money like when I get older. I'm going to have to pay a lot of money for being in group homes, residential centers." Similarly, consider what Derrick says about how these fines affected him; as stated earlier, his mother, Marie, asked him to pay \$150 towards his court fees:

Derrick: Yeah, a bit negatively. I mean I know it's impacted me because I've always been trying to save my money. And it was a point where I was always spending it on weed or clothes or something like that. But there was a point where I was actually trying to save, and then they would get on me trying to, you know, pay the tickets and stuff...so yeah I feel like it might have brought a little stress on my family... especially my mom because she had already, you know, dealing with kids [in her job]...I think there was definitely a negative impact, but in the end, you know, you can make something out of it.
Chiara: How so?
Derrick: By not getting involved in those things anymore.

Both Maya and Derrick say that in retrospect, they see how the fines have shown them that it is not worth doing what they did to get involved in the system. Yet those ‘deterrent’ effects come much later after their cases are almost (or in the case of Derrick, already), resolved. But they cannot take back their actions and also to Maya’s point, the impact of these actions will never go away as she anticipates having to pay for them long after her case is closed.

G. Consequences for not paying bills

While the previous section discussed the ways that LFOs affect family life, this section addresses the actual and perceived consequences for families who do not pay the LFOs. Those consequences included financial penalties, driver license suspensions, and prolonged court involvement with escalating sanctions for both the youth and parents.

1. Financial consequences

Families reported two types of financial consequences for not paying the LFOs: the state taking the parents’ tax refunds and threats to send the bill to collections or to garnish the parents’ wages.

a. Tax refunds: Four families said that the parents’ state tax refunds were actually taken. The range mentioned was between \$400 to \$600 per return. Shontae shares that the state took her taxes at least twice already and then explains what happened:

- Shontae: They just knock your whole statement return... They pay it towards court fees, you know, like his situation...I never seen my statement, period.
- Leslie: So, they just take all of your...refund?
- Shontae: Yeah... they just take it, and then they send you a letter saying where it went to, and how much went here, that a... court case that's probably a couple years old, but, like 400 and something dollars, um, they break it down to where it went ... they take the whole thing.

Veronica, James’ mom, explains the process by which her return ended up being taken. She couldn’t pay \$100 a month in fees, which was what the court expected her to pay. She says, “I started a payment plan, made some payments and then fell off ...Because I couldn't meet it that month- ... once you make that payment plan and you don't adhere to it then ...It kinda defaults... to whatever the options that they're giving you, yeah. ...tax returns, other fees, the loss of license... things like that.”

Veronica goes on to explain the implications for her family saying, “There was limits on what they could get from me, ‘cause basically I didn't have anything to give...but, they're still asking. ... I'd just gotten the job and trying to get on my feet and... only have enough money to provide and take care of my remaining kids that I have in my custody...and, so I wasn't able to pay. ...and due to not paying...they took my tax return.” Similarly, Chase, Jim’s mom, talks about the implications of not receiving her tax refund (Jim mentions in his interview that he thinks they’ve taken her taxes at least a couple times already):

- Chase: I just look at it like it's money I didn't see so-...Now, if it was coming out of my work check, it would affect. (laughs)...But since they only do it like once a year around tax time it's like I didn't see it in the first place so ...
- Chiara: Before they started taking this money out... what did you use those tax returns for?
- Chase: Bills...And taking care of my kids.

As with Shontae, Chase didn't know it was happening until after the state took the money. She explains, "I didn't know nothing about it until it come out my taxes... they sent me a receipt like this is for the court costs ... they took, what they took... I think this year they took over \$600 from my state [refund]."

Four additional families mentioned that the court taking their tax refunds would be a probable outcome in the future. Tierra expects her unpaid bills "will eventually be sent to collections, I mean and they'll go after your taxes or I mean eventually they could probably even garner your taxes... I'm sure if I don't get this set up they will be this year....then 2019 when I get 'em." Maya, a youth, shares the same concern even though her mother hasn't experienced this consequence yet: "I'm thinking like next year, you know my mom tax, they going to take some of her tax money... I'm pretty sure it's going to happen sooner or later."

While Julio envisions that his tax refund will be taken, he still expresses his explicit intent to not pay bills, even if that will not have the intended impact that he wanted. He says, "I'm not paying for these bills...I told her, their attorney, I'm not paying for these bills...They're just going to take it out of your income tax ...[at] the end of the year." Sandra also recognizes the futility in trying to avoid paying because the state will find a way to collect the money.

- Sandra: They send you bills, they'll send you, now they're so slick now, they send you tickets, unpaid tickets to the IRS now. The IRS now garnish your wages, the state, they send it to state collection, now IRS is taking it...whether you want it to or not, they're taking your money right out of your account...out of your income taxes, they've done me like that for tickets... for me and my grandson, yeah. They're gonna get their money.
- Leslie: Even though you said, "I ... refuse to pay this," they just run around you and collect...
- Sandra: The state, they got a setup now that the state can go and ... they've taken peoples' money for tickets...through your tax returns.

b. Threat of sending bills to collections and garnishing wages: In addition to reporting that the court threatens to take the parents' state tax refunds, six parents say the court could also send the bills into collections or even garnish their wages. Most of these parents said they expect these bills to affect their credit. For example, Marie says that since the dad hasn't paid yet, "I'm pretty sure that's sitting on his, uh, credit report." Melissa says the social worker at the court told her the same if she doesn't pay her bill. She says, "They're not gonna take you to jail for not paying it, but it might go to collections. I'm like, "Well hey, my credit sucks anyways."... so it don't

really bother me, but ... what if it wasn't? And what if I am trying to work on it? Why should I have to pay that? I didn't tell him to get in trouble.”

Two mothers talk about the long-term implications of these bills going into collections. Candy, is trying to clean up her credit but sees these bills as a significant barrier to that effort. She says,

They gonna affect me because they're going on my credit...Cause I've seen on one of them it says gonna go to your credit...That's always gonna affect me...:Cause I'm in the process of cleaning my credit up and I'm trying to buy a house. ...So um eventually, I'm a have to work something out, some type of payment arrangement...Or eventually pay them cause I'm in the process of getting my credit up.

Jane goes even further to suggest an intergenerational impact of the bills, imagining that both she and her daughter’s credit will be affected. She explains: “Whenever she goes to JRC [detention] or shelter, I, um, I'm gonna end up having to pay for that. So I don't know if it stays on her record when she doesn't ... it's probably going to go on my credit, and I'm probably not going to be to do anything, or I don't know if it goes on her credit when she gets 18.”

One mom also talked about her wages being garnished as a possible consequence of not paying the bills. Alice says that even if the bills haven’t affected her family right now (as she isn’t paying them), she fully expects both her tax refund and wages to be affected in the future. Below is an extended excerpt of our interview that talks about how her son understands these issues:

Leslie: Have they [the bills] affected your family at all
...
Alice: They didn't affect me 'cause I didn't pay 'em...But they're eventually gonna affect me, especially when they start taking my taxes or if they ... I don't, I don't know if they garnish check. I hope they don't. But, right now it don't affect me 'cause it's just like a bill I try to put in the back of my head... until they actually come after me...Then it's gonna affect me a lot 'cause- ...I'm gonna have to try to figure out how it's gonna get paid.
Leslie : Yeah. Do you ever talk with your son about that like-
Alice: Ev- every chance I get.
...
Leslie: What does he say?
Alice: He just basically just listen and just say, "Okay." I don't think he understands, or if he does understand he don't care. Um, but I'm guessing it's a little of both...Because it's not like he gotta pay it. He's just sitting in JRC or whatever.

Recall from the previous section on family dynamics that Alice mentions these bills affects the level of trust she has in her son, even if he knows she loves him and will always be there for him. Here, Alice delves further into how bills can potentially create a source of tension and frustration between parents and youths, if the latter does not fully understand the impact of the bills on the parents’ financial and psychological well-being.

2. Non-financial consequences

Both parents and youths mentioned the possibility of their driver's licenses being suspended as a result of nonpayment of LFOs. One grandmother, Sandra, said that her grandson who is 18 cannot get a license due to his outstanding fines from a few years ago. She explains: "Well with my grandson how I dealt with it, I'd go to court with him. I'd tell him, right now he still got tickets that he can't get his driver's license cause he has all these tickets." She mentions that other parents in her community also have experienced the same issue: "There were parents calling me saying, 'I got \$1500 worth of tickets when my kids went to Verona school and my kid is 26 now and still can't get her driver's license cause we can't afford to pay all those tickets that she got in high school.' It was like crazy testimonies that we were getting from parents."

Three youth with current cases anticipate the same outcome. JT explains, "They don't ask about it [the bill] in court... they'll give it to you and they'll forget about it. Well, the court will, but not like the, the Dane County people. They, they, they won't forget about it... Like, if I don't pay it in like two months, last time they, they sent the paper and they said 'Your license, you can't have your license until you're like this age'... I think it was like 21, something like that." Maria also says that based on what the police officer told her, "I just know if you don't pay tickets like, if you're 18 your license could be suspended." Moreover, this affects how youth can access other resources to obtain their license, as shown in this example with Maya:

She [the judge] gave me a list of things that can happen... like I can, she can take my license, I can write an apology letter, I can do community service. She, it was a just a lot of things that she listed... I ended up getting 10 hours of community service... I can't get my license until I'm off probation. So, I'm hoping because my ... high school...they do, um, give out scholarships. Because you know you gotta pay a lot of money to get your permit. Well, I'm going to be getting my permit, well hopefully ... Because I know I'm going to be taking a class next year....to get my permit.

Parents receive these threats to take away their license, which would have immediate and significant impact on their lives. When asked what would happen if she doesn't pay the LFOs, Michelle says, "They suspend my driver's license, and um, when you get your taxes, they take that." Marie talks about how she immediately went down to the courthouse after receiving a 'threatening letter' in the mail:

And then I went down there trying to pay it cause they said they were going to send collections or suspend my license or they, they sent it, or even send me to jail even. They sent me some threatening letter, I can't remember what it was exactly, so I went down there trying to pay it and everyone's like, no one could tell me where I was supposed to pay it. Like, everyone's like, "I don't know what you're talking about." I went to three different spots in the county courthouse and finally figured out that it was the clerk of courts that had it.

Recall that Marie is the professional who works for a nonprofit and had her son pay for half of the fines. Yet while the letter states clearly those consequences, it appears to not be clear as to how to pay the bill, which Marie was trying to do. Even with her professional background and

degree, she could not easily navigate which department would accept her payment, especially given the lack of help from the court actors whom she encountered in her efforts.

3. Additional court involvement

The third category of consequences pertains to extended and potentially new forms of court involvement for both youths and parents. This section outlines the two main ways that the LFOs extend court involvement for families, further tethering them to the system: threat of arrest and threat of extended supervision.

a. Threat of warrant for arrest: As Marie indicates in the last paragraph, parents receive letters from the court that threaten jail for nonpayment. During another part of the interview, she goes into more detail, saying, “I wish I could find the letter... it was something that scared me when I read the letter...It was either my license or, like, jail or something, you know? Or a warrant, like putting a warrant.” Similarly, Melissa says, “They sent a paper and they said that if you don't pay the little fees that they send you, that you could get a warrant out for your arrest or, you know, or it could go to a collection agency.” Other parents also reported these threats as being posed in the same letter: threats of collections, license suspension and jail; yet none of them reported having received a warrant yet for nonpayment.

Youth also said they might face the possibility of jail as well for not paying the LFOs. When asked what would happen if they didn't pay, Pookie says, “I think I would have to go back to jail or I would have to pay it off with my money, but they was helping me out with like community service.” G Money talks about a similar threat that he received while dealing with some issues at school:

- Leslie: Did they ever tell you or do you think they've ever asked your mom? Like if you don't pay these things, this'll be what will happen?
- G Money: Oh yeah. Like I remember one time I had like school thing, that I wasn't going to school and they said if I didn't get like, get that done or get that paid, I'll have to do like three days in jail or something.
- Leslie: Okay, for not doing whatever you're supposed to do in school?
- G Money: No, [for having] not paid to [the] fine.

b. Extended court supervision for youth: Families reported receiving threats or actual extensions of court supervision for their youths as a consequence for failure to pay. Lebron, a youth, outlines what he anticipates happening if he couldn't pay the court fees:

- Lebron: You just have to do restitution.
- Leslie: If you didn't show up for community service, what do you think would happen?
- Lebron: You'll get a sanction.
- Leslie: Okay, what sanction?
- Lebron: It's like you have to stay at JRC for 10 days, or you have to sit at Shelter for 30 days, or they'll put you on ankle bracelet monitoring.... they'll just add more community service hours.

Lebron expects these consequences even though they haven't happened yet. He mentions later in the interview that he shows up for community service "when I can."

Veronica, a mother, says that her son actually did get his supervision extended because of nonpayment of fees:

- Chiara: Were there any consequences for not paying that once the deadline passed?
- Veronica: They extended the supervision.
- Chiara: Okay. How long was the supervision initially, like, how long was he supposed to- ?
- Veronica: He's been in supervision for three years (laughs).

James, a youth, also documents this link between his restitution and continued supervision when he says, "as long as I get restitution I'm gonna be on probation... basically [that's] what they was doing." Both these excerpts show the vicious cycle that could result from nonpayment. If it adds more time to the supervision, that in turn, creates opportunities for the youth to get into more trouble with the court which only adds to the fines and fees, etc.

II. Alternatives to Legal Financial Obligations

In this section, we consider alternatives to legal financial obligations. While families did discuss alternatives as a way to pay off all LFOs more generally, we focus primarily here on nonfinancial alternatives to restitution.

We divide up the alternatives in two categories: we first discuss community service and then turn to other options such as letters of apology and victim/offender mediation or circles. The first category is a more direct approach of 'working off' the fines, fees or restitution on projects that do not involve the victim (e.g., picking up trash off highways, mowing lawns, shoveling snow), while the second is more about a direct effort to confront the harm imposed on the victim. Looking at the nuances among the participants' responses, we see that the reality of doing these alternatives, as well as the parents, youth, and victims' views about them are much more complex than one might assume.

A. Community Service

Many youth involved in the juvenile justice system in Dane County have the opportunity to earn money to pay part of their restitution by doing community service through a private, non-profit organization called Briarpatch Youth Services. This organization provides a broad array of services for at-risk youth, one of which is to give them the chance to pay restitution through volunteering. In interviews, kids mentioned a variety of community service activities they had completed through Briarpatch, from mowing lawns to picking up dog feces or shoveling snow. The number of hours completed for community service ranged from 20 to more than 200.

This section centers around our participants' thoughts on community service as an alternative to fines, fees and restitution: First, we discuss parents' views on this alternative for youth, which is generally supportive, particularly because community service can hold their kids accountable for

their actions; second, we turn to the youth's perspective, bringing in their experience with and opinions on community service; third, we discuss victim's views of this alternative. Yet as our findings show, it is also important to think about the meaning behind community service as an alternative. How do people conceive of this alternative? Does it restore the harm done? Does it help youth learn responsibility?

For the most part, parents were supportive of having their kids do community service as an alternative to paying for restitution or the fines and fees charged by the juvenile justice system. These parents provided a variety of explanations for their support of community service, the primary of which were 1) if their child does community service, parents are not left with the financial burden of legal financial obligations, 2) this type of alternative teaches their kid to be responsible for their actions, 3) community service can be a positive educational experience for youth.

Some parents expressed relief at the prospect of having their bills paid through the community service of their children. For example, Alice shared that her son had already completed several dozen hours of community service for restitution, but she still received bills in the mail that she was having difficulty paying. We asked how she would feel if her son could do community service to help pay off some of those bills. She explains:

Oh, I love it, I would love it. That way less money coming out my pocket. [...] Yeah. So, yeah, the community service, I would love, or anything that he can have to contribute 'cause you did this, you made this. I didn't. [...] I look at it like, your consequences. Like I tell my son all the time every action has a consequence. [...] So, you did it you gotta do this to get through it.

One reason Alice supported this alternative was that she would not have to pay the bills herself. However, she also appreciated this option, because it would keep her son accountable for his actions.

If the court does not offer community service as an option for young offenders, paying restitution often falls on the shoulders of parents. Many parents view this shift to them as failing to hold their children accountable. As one parent noted, "Well how's a thirteen-year-old going to get five hundred dollars? Where's that going to come from? His mother." Another parent asked, "What else can we do to make the kid responsible for this instead of, um, giving the parents these tickets?" Sarah, the mother of a young boy who was required to pay restitution for a broken window, acknowledged that damage was done and that the damage needed to be repaired. She argued, however, that having parents pay doesn't teach her kid any lesson whereas community service would hold him accountable for his actions.

I think [community service] would be better than, you know, them saying, 'Your mom has to pay this,' because Batman has no money. Um, so, for them to expect him to learn a lesson from me paying for his damaged window, it's like, it-it seems pointless to me to begin with. I think community service, something similar is something that he may actually benefit from doing, rather than just being told 'Oh, your mom had to pay.'

Sarah, like many other parents we interviewed, values holding her child accountable for his actions. Chase, the mother of a 16-year old boy, also supported community service for this reason, saying, “He [her son] need to do something. [...] I feel like he need to learn how to be accountable for what he do.”

Issatou similarly feels that she is being punished for her son’s actions by being asked to pay all these bills. She points out that these charges do nothing to help her child learn from their actions. She explains:

You're doing the best with your kid and your kid goes out and do something, and they [the court] bring the consequences on you, which the kid doesn't get any consequence... And they say, "Oh you have to pay this. This is on your mom to do." So what did they learn from what they did?

Issatou notes another common theme regarding the extent to which parents should be held responsible in comparison to their youths. Beyond noting the irony that the parents pay for the youths’ actions, Issatou equates the financial obligations with a kind of punishment for the youths. That leads her to question the fairness of the fines.

Some parents value the alternative of community service not just because it takes off the financial burden from them and holds their child accountable for their actions, but also because they believe it will be a positive experience for their kid. For example, one parent named Sabrina felt that volunteering would be “making them feel in charge of something positive. Yeah. I think that'd be good.” Another parent, Sandra, is also very supportive of community service for its educational component:

From my perspective, I think that, I always tell them community service. Get them to do some community service, get them to go and volunteer at some food pantries and some shelters, homeless shelters, which I wish we could get rid of them. Or go in your neighborhood and pick up trash, do some things like that. That's what I was telling the police about, volunteer on any level would be a way to educate them. Instead of continuing to oppress them as well.

Another parent, Olga, also supports community service, though she proposes that youth should get half the paycheck while also emphasizing that the community service would force youth to take responsibility for what they did. She explains:

I think if they created some kind of program that like said, ‘Hey, what you can do is, you know, work. We'll pay you like half of your work...monetary...you know and then half your work will go towards, you know... your juvenile class.’ Or whatever. And kind of work something out like that... So that they can take some responsibility for their actions.

These accounts illustrate how parents are in favor of holding their kids accountable for their actions and view community service as a positive way to making them take responsibility.

Youth are also generally supportive of the option of community service as an alternative to paying restitution. Maya, a 16-year old, said, "I'd rather work it off" instead of having to pay. However, several participants expressed frustration with the types of community service they were required to do, the seemingly endless hours required which brought them away from time with family and friends, and the lack of communication about how much progress they were making to reach their mandatory number of hours. For example, James, a 16-year old boy, mentioned that he had completed many hours of community service, working on weekends, weekends, and over the holidays. He admits that "Yes, it's a good ... it's a good opportunity to be out there. So you don't have to come up with a lot of cash." However, he had become frustrated because it seemed to him that the number of hours he owed was not going down. He felt that Briarpatch did not communicate with him about how many hours he had completed and how many he still had left. James explains:

I ... like, after all my hours of service ... I've never seen a paper like, I never seen no papers saying like, "Okay, this how much he paid, this how much he got left". I never seen a paper like that. Never. [...] I've seen the papers, like when they first give it to me saying the amounts of them. How much I have to pay. But once I start working on them, I've never seen them sending back like, "Okay, take a hundred ... you did a hundred dollars worth of work and now you only have four hundred dollars." I've never seen no papers like that. [...] I don't know how much it's subtracting... If they're subtracting...

This lack of communication led James to distrust the organization because he felt that the hours he was putting in weren't actually being subtracted from the total amount owed. Eventually, James became so frustrated with the endless hour of community service he still needed to complete, that he stopped going altogether. He continues:

I was doing all that stuff and then... That stuff, like I don't understand how it's still not paid off. [...] I stopped going to that. [...] 'Cause I ... I wasn't getting nothing... like I didn't feel like it was working. Like I was still, I was going to Briarpatch and then every time I asked them the amount they still talking about the thousand and... I'm like, how? How? I come here like every weekend. In the evening, in the summer on weekdays, on Wednesdays, you know? Like, how do I still got this much? So I just stopped going. Like whatever...

The lack of communication combined with the endless number of hours was too much for James to handle, so he just stopped going to community service.

Despite some negative views of community service, most kids were supportive of this option when faced with the alternative of paying for restitution themselves. For example, Lebron, a 16-year old, told us he had done 200 hours of community service out of 500 ordered by the court. He would work six hours throughout the week and three hours on the weekend. Despite this intense work schedule, Lebron said that the community service, "It's fair [...] because I made the decision to catch the case." For one case he was involved in, another 16-year old youth named Kobe simply chose not to complete the community service hours, saying, "It probably was like, ruled that I do community service, but I never did it." However, Kobe said he would be more willing to do community service if he could choose what type of community service to do. He

mentioned he would be willing to do something like “helping, like, old people or children [...] I could help them at school or something. Like help them with they work or [...] Like, just [with old people] like, talking to them and feeding them if I had to. Like, cleaning up after them or something.” This account reveals that youth may be more likely to participate in community service if they are given a voice in the choice of volunteering that they do.

Victims’ views on community service as an alternative to paying restitution were pretty consistently positive. For example, when asked how she would feel about community service as an alternative if a kid couldn’t pay, Sally responded, “Oh that would be, that would’ve been fine. [...] Anything to, to help the kids out.” Fred, whose property had recently been damaged by a young offender, supported the idea of a program where youth could earn money for restitution, acknowledging that, “The families may be strapped or they don’t have a way to get them to do a job or whatever.”

However, there also exists a level of confusion among victims about the process, as well as a general disconnect between the abstract and actual experiences with community service. Going back to Fred, he mentioned Briarpatch, one of the agencies supervising youth community service, while also surprisingly admitting, “I don’t know exactly what Briarpatch does.” Similarly, when asked about possible options for youth that couldn’t afford restitution, Fred K., a young man whose bike had recently been stolen and damaged, proposed a solution very similar to Briarpatch’s program, but admitted that he didn’t know of the existence of any such program despite the fact that he received checks from Briarpatch for restitution every couple weeks. He speculated:

I would imagine there's some sort of program where they could, you know, require him to ... have some sort of job that earns him money, to make him pay back. Um ... But without, you know, knowing if there are any programs like that that exist, I don't know.

These two accounts reveal a lack of communication between Briarpatch and the victim about where these checks are coming from and what the youth is actually doing to earn that money. Several other victims reported receiving checks in the mail for restitution, but like Fred K., a couple of them seemed oblivious to the fact that those checks were likely coming in because the youth was doing community service. An increased communication may garner more trust in the system and provide more transparency with the restitution process.

While showing general support for community service as an alternative, two victims expressed trust in professionals within the juvenile justice system to know “what’s best” and know what kind of programs will be effective for kids. Fred, the property manager, noted that “I’m not working with these, these juveniles, they [professionals] know what's best for them. [...] It's up to them to know what's best for that kid.” Similarly, Sally, a woman whose window had been broken in the late evening by a group of kids, said “We don’t know what works with kids and doesn’t. You know, whereas I think the program knows what makes a, imprint on them.” This trust in the professionals led Sally to accept any alternatives they might propose, such as writing a letter of apology. She says, “If, if they thought it was beneficial for them to have to do that... You know we would definitely accept it. But um, like I said, they know more what'll work. And it doesn't make a difference to us at all.”

This section illustrates the complexities of community service as an alternative to restitution in the juvenile justice system. Ultimately, the alternative of community service gives youth the chance to directly pay off the restitution that they owe victims without requiring them to find employment or hand off the financial burden to their parents. Parents are often supportive of this alternative, primarily because it holds their children accountable for their actions. Youth express mixed feelings about doing community service, but ultimately appreciate this option as an alternative to having to pay the fines themselves. However, the lack of input into the types of community service and the burden of endless hours of community service make it challenging for many youth to complete. Moreover, the accounts of both youth and victims reveal a lack of transparency with community service and its direct ties to restitution, undermining the efforts of this alternative to be effective.

B. Letter of Apology

Another possible alternative for youths is based on having them communicate with the victim through various means and confront the harm that was done rather than just “pay it off.” This alternative received mixed support among our participants. We present here the wide array of voices and emphasize that there is no one victim’s voice, parent’s voice, or youth’s voice. This section is organized as follows: First, we discuss letters of apology to victims, youth’s willingness to write these letters, victim’s thoughts on these letters, and people’s actual experience with writing or receiving letters.

While many youth and victims were open to the letter of apology as an alternative to fines and fees, an important concern for the victims was the sincerity of these letters. Happy, a young boy who was caught in a stolen car, was open to the idea of writing a letter of apology and said, “I would do that, that ain’t nothing bad. I would do it.” Jim, another young boy involved in the juvenile justice system, said he would be willing to write a letter, especially if the letter was offered as an alternative to paying restitution. He admits, “That’s better than paying all the money.” However, one parent noted that her son “should apologize and still do community service.” She did not think the letter should absolve her son from paying for what he did. One victim said she would have appreciated a letter of apology saying, “Honestly, that would have been... And even something to say, you know, I want to get my life together. I don’t know that’s ... I guess that’s just what my hope for him is.” Other victims, on the other hand, worried that the apology would not be genuine. Sam, who recently had her car stolen, shared that “I mean, that would be ... I would be fine with that [...] as long as they’re sincere about it. [...] I wasn’t gonna like, ask for it. I don’t want your fake apology.” Fred K. also seemed unconvinced that the letter of apology would be sincere saying, “I’d be less accepting of that. ‘Cause that’s something that could be ... could be forced.”

While generally youth were willing to write letters of apology, in particular if the letters replaced any restitution owed, some were opposed to writing a letter of apology in circumstances where they felt the victim was also at fault or if they believed they did not commit the offense. Rose, who had recently been involved in a fight, said, “Oh, I’d do that. But, um, it would, I would have to have a lot of courage on that day cuz them people made me mad... You know. It’s ridiculous how they treated me.” Rose admits that she would write the letter if she had to, but it would be hard since she feels she was also wronged. One 14-year old boy, JT, says he was asked to write a

letter, but didn't want to do it because he didn't commit the crime. He said, "They tell me to do it, and I ain't do it either... I said I wasn't finna [going to] write them a letter if I didn't do it... And then they got all offended and was like 'You have to write it!' and I just never wrote it." Shontae, the mother of a young boy, also said she would not want her son to have to write a letter if he didn't actually commit the crime. She exclaimed, "That's when I will fight." These accounts reveal the complexity of the circumstances in which these youth find themselves, especially in cases where blame is far from clear in the youth or parent's eyes. As such, letters of apology may not be appropriate if the youth does not feel they did anything wrong or if they feel that the victim was also to blame.

Many of our youth participants actually had written letters to the victims of their crimes as court ordered by their judge, and some victims had received letters of apology. For example, James, a 16-year old, had written a letter, but felt that it was pointless because it didn't change any other outcomes in his case. He said, "Still didn't do nothing though. It ain't stop them from sending me away and, you know ... stuff like that, so. I felt like it was pointless." Derrick who is also 16 years old had also written a letter, but said it was hard to remember to write it with everything else he was required to do by the court. He explained:

I mean, I see why they do it. But it was hard to remember, like hey I gotta do that, when there's so many other things like school, homework... You don't really have time for it. You know. I mean the fact that I'm going to court and stuff really is already teaching me a lesson.

Derrick's account indicates that a letter of apology is one thing on a long list of things youth are supposed to do. For this alternative to be successful, it may be useful to provide more structured timeframe and support when the youth can complete the letter.

C. Restorative Justice

Finally, in this section, we discuss the option of restorative justice and how open people are with the idea of a meeting between youth and victim. Similar to the youths and victims' views about letters of apology, there are many different perspectives regarding restorative justice as well.

Youths' willingness to meet with the victims for restorative justice options such as a victim-offender mediation or circle was mixed, though many seemed open to the idea. "I'll do that," said Maya, a 16-year old girl who had been involved in a fight. Derrick found the possibility of restorative justice interesting, particularly because he felt that it would force youth to face the consequences of their actions. He reflects, "I feel like that'd be... That'd be interesting. [...] I think that'd be cool too because then they'd be like 'Hey, you stole my car. Do you even think about how I'm gonna get to work or get around?' I think that'd be a good idea." James, said, "I wouldn't mind [meeting with the victim] [...] over all the other stuff." It seems important for James that the court show that these alternatives, restorative justice or writing the letter of apology, did in fact change the outcome of their case in some way. He felt that these needed to be true alternatives rather than just something added onto everything else. Some youth felt that they would just do whatever they had to do. For example, Kobe said, "I don't like apologizing, but if I have to, then I'll do it."

Other youth were resistant to the idea of meeting with the victim. Pookie, a 16-year old youth, seemed perplexed by this idea, asking, "What is the point in meeting? I'm giving your money back for your car. But I mean it depends all on there are people, some people don't want to see the person car they took." Similarly, JT was strongly opposed to the idea of meeting with the victim. He said, "If I did something to you, I don't wanna meet you. Okay, it's just like dumb to meet them... Yeah, it's just awkward, like I stole something from you." Pookie and JT both don't see any point in meeting the victim and seem appalled by the idea. Another young boy, Happy, said he was not interested in restorative justice because he feared that the victim would want to meet just to retaliate. Julia, on the other hand, didn't think it would be a good idea to meet with her victim because she was worried she would get upset. She said, "Hmm ... I don't think I should be around them." These accounts reveal how complicated the option of meeting with victims can be and how many different perspectives there are about this particular alternative.

Victims also expressed a wide range of opinions about meeting with the youth who committed the crime. For example, Christine, when asked how she would feel about a face to face victim-offender mediated conversation, responded, "Yeah I think that's a, that's actually a good option, 'cause you know ... Maybe that is a way to teach empathy." Fred said he would be open to meeting with the offender. On the other hand, some victims, like Sam, were resistant to the idea and said, "If I woulda seen, I think, the kids who did that, I probably would be like really upset." Similarly, Sally said, "I wouldn't want to meet him ... 'cause I don't know that it would do any good." Sue said, "I'm not sure that I want that pressure on me," but also suggested that she would be willing to help pick the types of volunteer activities that the youth would do in order to pay back the restitution. In particular, she wanted the youth to get involved in mentoring groups and have positive role models.

In summary, youth and victims generally respond favorably to the idea of alternatives for LFOs, particularly restitution. Yet at the same time, for those alternatives to have the intended effect of being reasonable substitutes, youth need to be able to finish them in a timely manner. Letters of apology and restorative justice options also are only meaningful to both victims and youths, if the youths did commit the offense and willingly engage in those options. Otherwise any alternatives would be just like LFOs, which do not teach youth accountability; as one youth, Rose, says "if you tellin, yeah you have to pay it, that's not responsibility... No, that's not nothin to do with responsibility. Her grandmother, Sandra, goes a step further to say "I do believe in teaching kids responsibility, but there's a difference between responsibility and the way the system has abused people."

Conclusion

This report presented findings from 51 interviews with parents, youths and victims in Dane County about their views of and experiences with legal financial obligations. Families reported LFOs ranging from \$180-4,500 for the youths' stays in detention, group homes, neighborhood supervision, public defender costs, competency evaluations and restitution. Victims asked for restitution ranging from \$25-\$3,800, of which the court granted restitution ranging from \$30-1,600. Six victims reported receiving some restitution between \$8.33-1,250, often months after the offense occurred.

Families all reported frustrations and challenges in dealing with these LFOs. The LFOs have significant negative impact on family life, in material and emotional ways. Parents discuss the psychological toll of these LFOs and the resulting impact on the quality of their relationships with their youths. They also talk about the overall impact on their household, including their other children. Financially, even if they are working in full-time professional jobs, the families report feeling too strapped to pay the amounts. Parents in two separate households also appeared to be charged twice for counsel on the same delinquency case. In addition to the impact of LFOs on their family, families discussed the financial and nonfinancial consequences for not paying LFOs. Those included the state seizing their tax refunds, sending their bill to collections, suspending driver's licenses, as well as increased justice involvement for the youth and potential new court involvement for the parents.

In contrast, victims generally reported satisfaction with the communication from the Victim Witness Office, at least initially. Many victims praised that office, describing how they called them to discuss the issues. However, that communication appears to break down after the victim gets restitution as to where and how many hours the youth has performed community service. Moreover, many victims did not receive any restitution or if they did, it often came months or years after the offense.

The experiences of these families and victims lead to two larger implications: 1) The LFOs affect parents' relationship with their youths, often placing more stress on the very relationship that the courts and victims hope will prevent the youths' future delinquency; and 2) As victims wait for restitution that may or may not come, they begin to question how the youths are taking responsibility for their actions. The result is that many now see the system as 'broken' and youths and families get further propelled into the justice system as they are not able to pay the LFOs.

The following two policy implications are designed to ameliorate the issues:

1. Abolish all fines and fees

Our findings support other research that advocates for abolishing all fines and fees in the juvenile justice system. There is no therapeutic or meaningful deterrent effect of these fines and fees, nor do they teach youths responsibility. Moreover, the youths often have no reasonable way to pay these fines; their parents also are not able to do so either.

2. Revise how community service is used as an alternative to restitution

Even with the caps to restitution amounts, the process of doing restitution can be quite complicated. The agencies monitoring the community service do not fund the entirety of this amount but rather just gets them started. Youths have no choice in what community service they can do in these agencies, nor the amount of hours, which could affect their motivation in completing the community service. As such, it would be wise to reconsider the ways that the youths can work off restitution. One victim mentioned the possibility of having the youths do some projects for the victims as a way to pay off the restitution. At the same time, we recognize that for victims, the financial amount is not the only harm done by the offense. There is also the psychological impact of the crime. For some whose cars were stolen, they described ongoing feelings of fear and uncertainty as their house keys, work ids and garage openers were in the cars. Two victims ended up selling their cars due to the fact that the youths had used drugs in the car and the victims didn't want their young children exposed to any remnants of those drugs even after having the cars cleaned.

In closing, it would be worth reconsidering the goals of legal financial obligations. Our findings in Dane County show that imposing LFOs creates confusion, instead of clarity, in trying to fulfill multiple goals of teaching youths responsibility, helping to pay for the system, and teaching parents to be more in control over their youths. As such, it seems illogical to continue to impose fines, fees and restitution, especially if the consequence is that it alienates the parents and youths, and to some extent, victims, even more.

Appendix: Setting and Methodology

We chose Dane County as our first jurisdiction based on initial conversations that the Juvenile Law Center had with public defenders, community based organizations and families related to their ongoing work in the state regarding the youth correctional facilities. Dr. Paik then worked with the University of Wisconsin-Madison's Center for Law, Society, & Justice to find additional contacts in the juvenile justice system to help with the recruitment of families and victims for this project.

We conducted semi-structured interviews with 21 youths and 20 parents, as well as 10 victims of juvenile crime during July -September 2018. We recruited families through the juvenile court administrator's office and several community agencies working with youths involved in the system. They informed families about our study on our behalf; if the families were interested, they would contact us directly. To recruit victims, we sent letters through one of the agencies working with youths, both for their supervision and restitution obligations. That agency sent the letter to all victims of the youths on their roster who are currently or have done some amount of community service in lieu of restitution.

The interviews focused on the people's understandings and experiences with the juvenile justice system, particularly regarding fines, fees and restitution. The interviews were conducted in the respondents' homes, local cafes or libraries based on wherever the respondent felt most comfortable. They lasted between 25 minutes to 2 hours. We paid the youths \$20 and \$40 to the parents and victims for their participation in the study.

For the analysis, we transcribed all the interviews and coded them in Dedoose. We coded for discussion about parental and youth responsibility, fairness in the actual versus ideal outcomes in court, family interactions with the court actors, and alternatives to LFOs. In the final report, we purposely omitted selected information about each family for confidentiality purposes. Due to the relatively small size of the Dane County juvenile court population, it would be easy for staff to identify the families based on the typical demographic information included (e.g., parents and youths' gender, age, and race/ethnicity as well as the youths' offenses). In analyzing the data, we did consider if the youth's offense, past court history or the family's demographic background affect their view. As those factors did not significantly change the views of families or victims, we are not including them in the report.

NOTES

¹ U.S. Department of Justice’s Office of Justice Programs Diagnostic Center, *Resource Guide: Reforming the Assessment and Enforcement of Fines and Fees* (2016).

² Jessica Feierman, et al., Juvenile Law Center, *Debtors’ Prison For Kids?: The High Cost of Fines & Fees in the Juvenile Justice System* (2016).

³ Jessica Feierman, et al., Juvenile Law Center, *The Price of Justice: The High Cost of “Free” Counsel for Youth in the Juvenile Justice System* (2018).

⁴ U.S. Department of Justice’s Office of Justice Programs Diagnostic Center, *supra* note 1

⁵ Jessica Feierman, et al., *supra* note 2; Alex R. Piquero & Wesley G. Jennings, *Research Note: Justice System-Imposed Financial Penalties Increase the Likelihood of Recidivism in a Sample of Adolescent Offenders*, 15 *Youth Violence & Juvenile Justice* 1 (2016); Sela Cowger et al., Justice Lab at the Sheller Center for Social Justice, Temple University Beasley School of Law, *Double Punishment: Philadelphia’s Practice of Charging Parents for their Child’s Incarceration Costs* (2016).

⁶ Jeffrey Selbin & Stephanie Campos, *High Pain, No Gain: How Juvenile Administrative Fees Harm Low-In- come Families in Alameda County, California 15-17* (2016); Sela Cowger et al., *supra* note 5.