

The High Cost of Arkansas's Juvenile Delinquency Fees and Fines



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**Arkansas Coalition
to End Youth Fees
and Fines**

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The High Cost of Arkansas's Juvenile Delinquency Fees and Fines

Introduction

Arkansas state law authorizes courts to assess a wide variety of fees and fines to system-involved youth and their families.¹ Many juvenile judges actively assess fees and fines, citing their role in holding youth accountable and funding under-resourced, especially rural, courts. However, in practice, fees and fines are an insufficient source of revenue for courts; and, contrary to their statutorily intended rehabilitative purpose, fees and fines can increase recidivism and cause long-lasting financial and emotional harm to youth and their families.

For the past five years, organizations representing youth and families across Arkansas have mobilized alongside a bipartisan group of lawmakers to pursue a legislative fix to address the harm caused by youth fees and fines. This effort has taken place amid broader conversations in the Arkansas Legislature about the costs and benefits of imposing fees and fines across the criminal legal system.

The goal of this report is to provide decision makers with evidence of the inefficiencies and harm caused by court fees and fines practices as they consider pathways for reform. This report 1) examines current court policies and practices; 2) presents quantitative and qualitative research on the impact on youth, families, and the courts; and 3) highlights reform efforts in Arkansas and nationwide.

Key takeaways include:

- **Fees and fines are an unreliable and inefficient source of court revenue:** Though stakeholders have raised concerns that funding for Arkansas's juvenile court system may be insufficient, relying on fees and fines revenue is not sustainable. Despite collection efforts, fees and fines do not generate enough net revenue, and a substantial portion of the amount assessed goes unpaid.
- **Judges have not provided the legislature and public with clear and consistent data on court practices:** Assessment and collection amounts across Arkansas's 28 judicial circuits are inadequately tracked, yielding limited information on judges' decisions and practices. Despite data collection efforts by legislators, advocates, and researchers over five years, judges have returned minimal and incomplete results — if at all.
- **Fees and fines fail to hold youth accountable:** The imposition of fees and fines on youth can increase the likelihood of future involvement in the system. Furthermore, youth fines and fees can erode community trust in the courts.
- **Fees and fines cause long-term harm to vulnerable youth, families, and communities.** For low-income families, facing even relatively small amounts of fees and fines can have a significant impact on their well-being. Families reported foregoing basic needs in order to pay court debt. This financial burden causes emotional and familial strain and instability.
- **There is momentum toward reform.** In addition to Republican-led and community-backed legislative efforts in Arkansas, there is widespread bipartisan support to end youth fees and fines across the region and country. Twenty-four states have already taken action, including Louisiana and Texas, which enacted comprehensive legislative reforms to eliminate juvenile fees. Groups like the American Legislative Exchange Council and Right on Crime have backed efforts in Arkansas and nationally.
- **Change is needed.** To address the harm caused by fees and fines in Arkansas, decision makers must eliminate these costs and find alternative methods to adequately fund juvenile courts and community-based programming and services that support rehabilitation and ensure accountability.

Ineffective and Burdensome Court Policy

Arkansas law authorizes officials to charge families of young people involved in the juvenile delinquency system with a variety of fees and fines, which, in some cases, can total over \$1,000 in costs to the family per case.² These costs are associated with mandated services, including detention or commitment, legal representation, probation and supervision, supportive programming, treatment services, some healthcare, general court fees and fines, and more (see Appendix for a comprehensive list of fees and fines).

Figure 1. Example Juvenile Delinquency Bill³

Fee	Amount
Appointed counsel	\$50*
Court cost	\$35
Delinquency fine	\$500
Drug test	\$50
Total	\$635
<i>*Up to \$500 allowed in statute.</i>	

Source: Data provided by the Arkansas Administrative Office of the Courts

This report focuses on fees and fines authorized in the juvenile delinquency system. However, Arkansas youth as young as 14 years old can be transferred to the adult system where they and their families are also subject to fees and fines authorized in the criminal legal system.⁴ Also, outside the scope of this report, youth are subject to restitution costs in both juvenile and criminal courts.

Some judges view fees and fines not only as a tool to hold youth and families accountable, but also as a means to keep the lights on in their courtrooms. Judges and other stakeholders have expressed concern about the limited state funding available for Arkansas's juvenile court system.⁵ However, relying on fees and fines revenue collected from families in Arkansas, many of whom are low-income, is an unreliable and insufficient source of funding for courts.⁶ Assessment and collection amounts across Arkansas's 28 judicial circuits are inconsistently tracked, resulting in limited oversight of judges' decisions and practices.

This section presents key takeaways from the available data on court practices, discusses the financial implications for courts, and outlines the efforts undertaken to collect this information.

Types of Youth Fees and Fines Authorized in Arkansas



Administrative court costs and service fees



Fine associated with truancy



Probation and supervision fees



Out-of-state mental health costs



Detention and electronic monitoring fees



Cost of parent programs



Cost of court-appointed counsel



Cost of court-ordered diversion programs

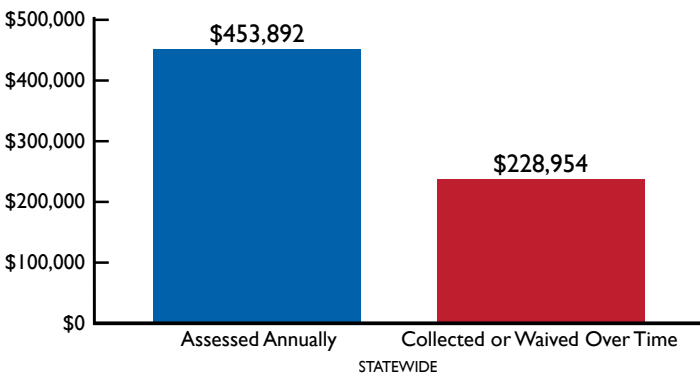
Unreliable Revenue

Data from the Administrative Office of the Courts (AOC) shows that amounts assessed and collected from families vary every year on a state and county-by-county level. Though by their own admission, data from the AOC does not capture the full amounts assessed or collected; courts have been unable or unwilling to provide comprehensive data illustrating their fees and fines practices. Later sections of this report discuss broader data transparency issues.

According to judges in Arkansas, the state does not adequately fund its juvenile court system. Though across the country it is a common government practice to rely on fees and fines revenue to cover gaps in court costs, especially during recessions, fees and fines collection practices do not compensate for the financial shortfalls of the juvenile court system in Arkansas.⁷

Based on data from cases filed between 2021 and 2024, researchers estimate that less than half of the youth fees and fines assessed are collected (see Figure 2).⁸ This amount does not equate to actual annual revenue.⁹

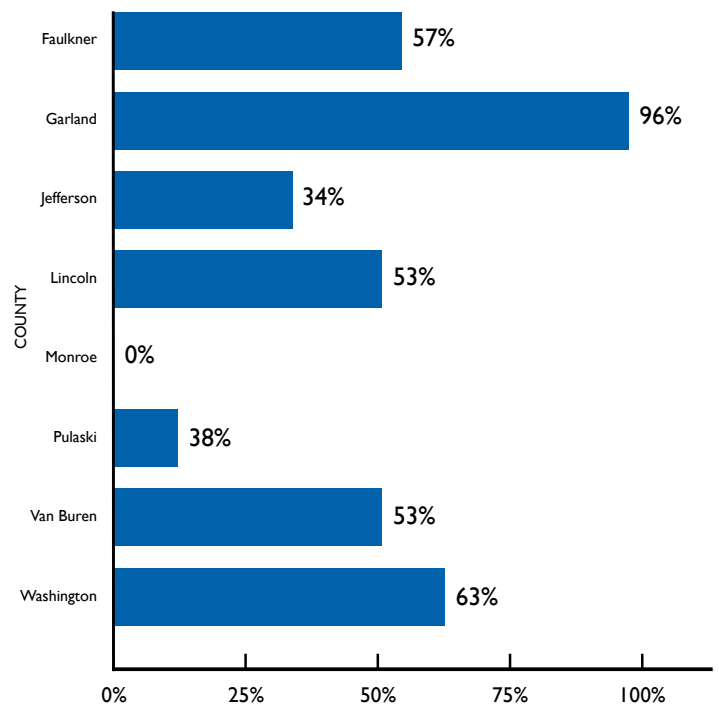
Figure 2. Youth Fees and Fines Assessed vs. Amount Collected or Waived



Source: Arkansas Administrative Office of the Courts

There is significant variation in the amount of youth fees and fines collected and waived across counties and over time. According to AOC data on cases filed between 2017 and 2023 in eight counties, some counties reported minimal to no outstanding youth fees and fines balance, implying that all or nearly all youth fees and fines were collected or waived.¹⁰ For cases filed in 2023 in Monroe County, however, the entire amount of youth fees and fines assessed remains outstanding, indicating that none of the youth fees and fines were collected or waived.

Figure 3. Rate of Youth Fees and Fines Collected or Waived by County, 2023



Source: Arkansas Administrative Office of the Courts

Interviews and court data collected indicated that much of this variation is likely due to an individual judge’s practice around waiving fees once someone has fulfilled their other obligations to the court.¹¹ Other low collections or high waiver rates may be due to families’ abilities to afford the court costs or a court spending more resources on collections. Figure 4 illustrates the rates of youth fees and fines forgiven, as per data shared by the AOC. The inconsistent rates of collection and waivers granted demonstrate that fees and fines are an unreliable source of revenue for courts.

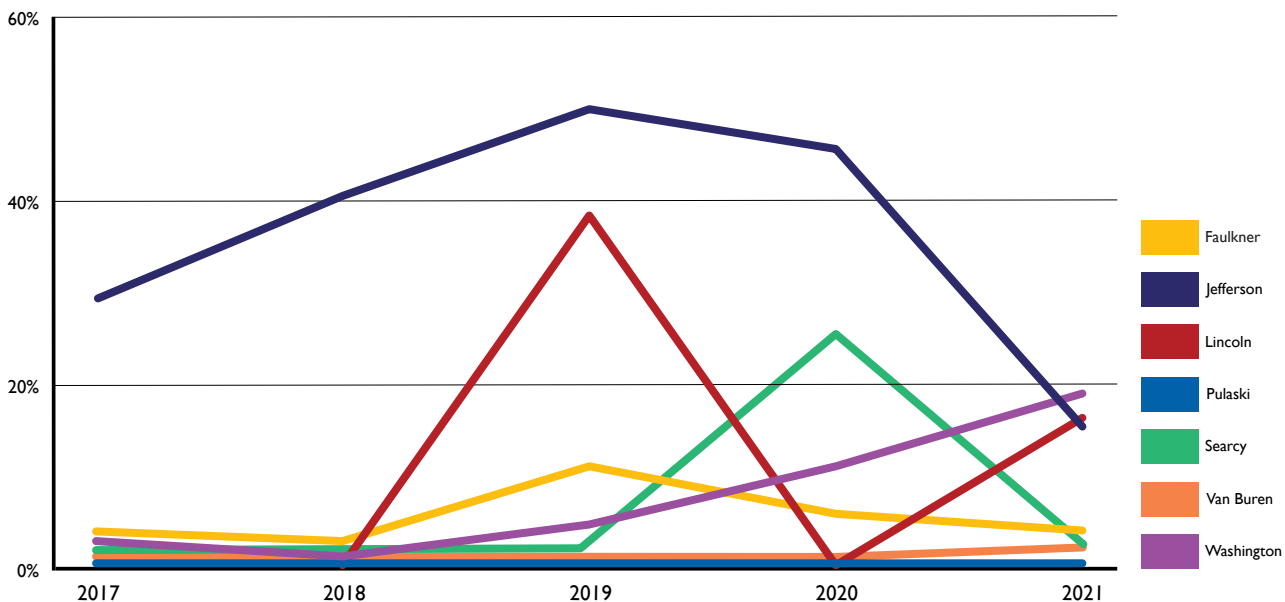
A substantial portion of youth fees and fines debt has gone uncollected for years, or even decades. The total amount of outstanding youth fees and fines debt tracked by the AOC, which dates to the 1970s, is over half a million dollars (\$541,892)¹² Approximately 63% of this debt is at least nine years old, and 80% is more than five years old (see Figure 5).

An analysis of juvenile delinquency cases filed between 2017 and 2023 from the 10 counties¹³ that provided assessment and balance data shows that:

- 97% of cases had youth fees and fines assessed
- 50% of cases with youth fees and fines assessed have some outstanding balance
- 43% of cases with youth fees and fines assessed have had no payments made
- 41% of the total amount assessed to youth and families is outstanding¹⁴

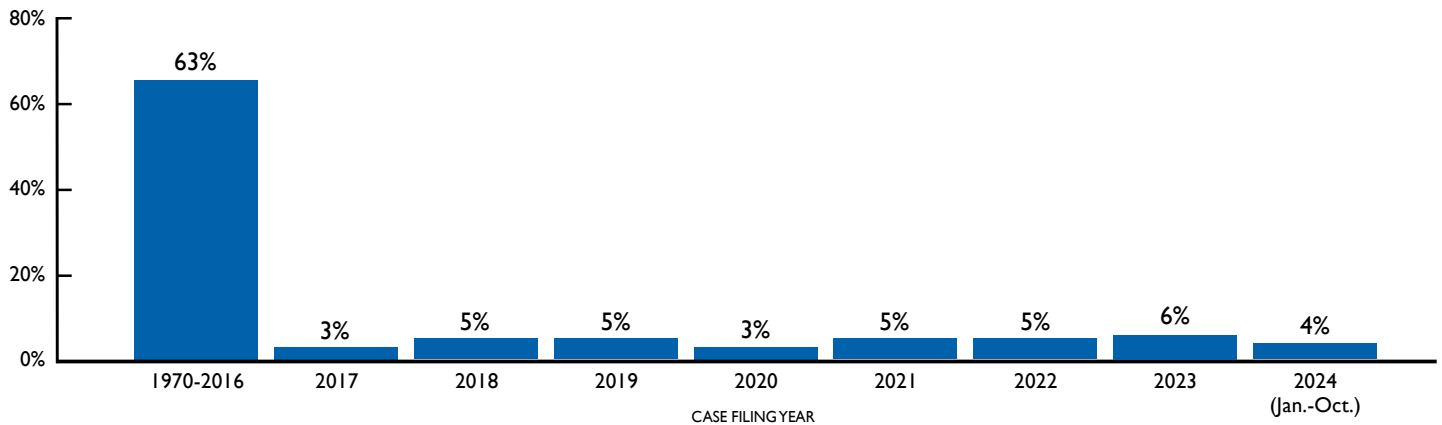
As debt ages, it is less likely to be collected. A study in Texas found that collection rates decreased significantly over time, starting at 66% in the first 30 days after imposition and decreasing to 5.5% in the next 30 days. This indicates that those who can afford to pay will do so almost immediately while, “those who cannot will struggle to pay for a much longer period, and many older debts may never be paid.”¹⁵ Given the age of debts, the majority of youth fees and fines debt in Arkansas is unlikely to be collected, a reality not unique to Arkansas. In Florida, only 9% of costs associated with juvenile delinquency cases are expected to be collected, according to the Clerks of Court Operations Collection Performance Measures Standards.¹⁶ The Oregon Judicial Department considers debt that is older than five years to be “virtually uncollectable,” an assumption largely shared by the Rhode Island judicial office.¹⁷ Government entities cannot rely on prospective assessments and outstanding debt as a source of future revenue.

Figure 4. Rates of Youth Fees and Fines Forgiven



Source: Arkansas Administrative Office of the Courts

Figure 5. Outstanding Youth Fee and Fine Debt by Case Filing Year



Source: Arkansas Administrative Office of the Courts

Costly Collections

Youth fees and fines can be **expensive to collect and therefore, are an inefficient revenue source**. Accurately estimating the revenue from youth fees and fines requires accounting for the costs associated with collections. Courts allocate portions of court staff, probation officers, and other employees toward attempting to collect youth fees and fines, but when youth and families cannot afford to pay, their efforts are largely futile. In an interview, one juvenile judge shared that most families who come through their court are indigent, and, for those families, there is no lesson learned by charging fees and fines. Amounts collected from fines and fees are offset by these costs, further lowering the net revenue.

Though accurately assessing this cost can be difficult, research in states across the country has shown that the **cost of collections can be higher than or a significant share of the amounts collected**.¹⁸ For instance, counties in Texas and New Mexico spend more than 40% (\$0.41) on collections and enforcement efforts for every dollar of revenue raised from fees and fines.¹⁹

Court staff (clerks, juvenile probation officers, etc.) in Arkansas spend anywhere between 4% to 25% of their time attempting to collect fees and fines from youth and families, amounting to an estimated \$4,000 to \$33,000 spent in a circuit on annual personnel costs alone.²⁰ In Arkansas's Seventh Circuit, a juvenile probation officer tasked with collections spends a quarter of their time on collections, meaning — at a minimum — nearly \$15,500 is spent each year on collections in that circuit. The high cost of collection further demonstrates that fees and fines are an inefficient source of government revenue.

Insufficient Revenue

Notably, net revenue from fees and fines may **not cover the cost of administrative functions or supportive programming** in Arkansas's juvenile courts. Only three counties provided the amount of youth fees and fines collected in response to county Freedom of Information Act (FOIA) requests, which ranged from less than \$5,000 to approximately \$57,000 in 2022.²¹ Without the amount spent on collections or programming, net revenue remains unknown.

According to data from a survey administered by the Bureau of Legislative Research (BLR), one juvenile judge reported spending as much as \$17,500 annually on a single program. This potential revenue gap highlights an important point: the system may not bring in enough revenue for programming and services to justify the high cost for families.

Lack of Consistent Court Data

The absence of consistent, comprehensive data on the imposition and collection of youth fees and fines by courts makes it difficult to evaluate the system's efficacy. In a legislative hearing last year, juvenile judges contended that the above estimates are understated but were unable to provide comprehensive data that demonstrates the true costs.²²

For five years, legislators and advocates have attempted to gather data, but judges and courts returned minimal and incomplete results — if at all — due, in part, to inconsistent data collection processes.²³ These attempts included FOIA requests to courts, requests to the AOC, a survey administered by the BLR upon a legislator's request, and stakeholder interviews with judges, court officers, and impacted youth, among others.²⁴ The following table shows the data request timeline and responses.

Timeline of Requests for Data on Youth Fees and Fines

Year	Event	Description
2020	Informal request made to Commission	Request: Advocates and commission members first brought the issue to the Arkansas Commission on Children, Youth, and Families through an informal discussion. Result: The commission did not actively take this issue up.
Fall 2020	FOIA requests submitted to courts	Request: Disability Rights Arkansas submitted FOIA requests to all juvenile courts and juvenile detention facilities for information related to the assessment and collection of juvenile fines, fees, and costs. Result: Of the 28 judicial circuits, 13 local juvenile detention centers, and four state juvenile treatment centers (45 recipients total) to whom requests for records were sent, only five (11%) responded with data, and it was still limited. The recipients who provided limited information include Ashley County Circuit Court; Baxter County Sheriff; Carroll County Circuit Court; Fourteenth Judicial Circuit, Division 2; and Washington County Circuit Court.
2021 Legislative Session	Senator Alan Clark ran SB 455	Action: Senator Alan Clark introduced and ran SB 455, which proposed eliminating fees and fines charged to youth and their families in the criminal legal system. Result: The legislature tasked BLR with conducting an interim study that was never completed.
2021 and beyond	AOC data requests submitted	Request: Advocates have submitted multiple informal data requests throughout the years to Arkansas's AOC starting in early 2021. Comprehensive data was also requested in 2023 and 2024. Result: The AOC has been responsive to requests. However, though the AOC collects the only comprehensive data on youth fees and fines, there are significant gaps in the data submitted from courts to the AOC.
Fall 2022	Second FOIA requests submitted	Request: Disability Rights Arkansas submitted a second round of FOIA requests to juvenile circuit court judges, detention facilities, and treatment centers, among other entities. Result: Of the 28 judicial circuits, 13 local juvenile detention centers, and four state juvenile treatment centers (45 recipients total) to whom requests for records were sent, only five (11%) responded with data, and it was still limited. The recipients who provided limited information include Benton County Circuit Court; Garland County Sheriff's Office and Detention Center; Saline County Circuit Court; Fourteenth Judicial Circuit, Division 2; and the Fourth Judicial Circuit, Division 8.
Fall 2022 and beyond	Impacted community survey and interviews conducted	Request: In addition to engaging dozens of impacted individuals through interviews and community listening sessions in seven counties, advocates distributed a survey to impacted community members to share about their experiences being charged fees and fines. Result: 70 impacted youth and parents responded, sharing the emotional, financial, and logistical burden that fees and fines have had on their lives.
2022 and beyond	Stakeholder interviews and surveys conducted	Action: Starting in 2022, researchers interviewed multiple judges, district attorneys, and public defenders from courts across the state (including those who work in rural, urban, and mixed circuits). In 2022, advocates distributed a survey to public defenders. Result: Eleven public defenders responded with observations of court assessment and collection practices, as well as impact of fines and fees on youth and families.
2023 Legislative Session	Representative Grant Hodges ran HB 1754	Action: Representative Grant Hodges introduced and ran HB 1754, which again proposed eliminating fees and fines charged to youth and their families in the criminal legal system. Result: Once again, the legislature tasked BLR with conducting an interim study.
Summer 2024	BLR submitted surveys to juvenile courts	Request: The BLR submitted a survey to juvenile courts that requested information on the practice and cost of assessing and collecting fees and fines in juvenile delinquency cases. Result: 18 of the 28 circuits responded, though responses were limited and/or inconsistent.
2025 Legislative Session	Senator Alan Clark ran SB 340 and SB 341	Action: Senator Clark introduced and ran SB 340 and SB 341; the former sought to eliminate youth fees and fines and the latter established a funding mechanism to backfill the costs for courts. Result: Though SB 340 passed without opposition through the Senate Judiciary Committee and Senate, it died in the House. SB 341 failed to pass out of committee.
2025	Formal request to Commission submitted	Request: During the 2025 strategic planning session, advocates requested the Commission on Children, Youth, and Families consider the issue of fees and fines following significant discussion in the legislature. Result: The Commission's Strategic Plan released in fall 2025 includes a goal to "strive for sufficient funding, services, and support statewide to promote fair and consistent access and outcomes for court-involved children, youth, and families regardless of geographic location." There is no specific reference to fees and fines, but this may be a pathway for such a discussion.

Though advocates and researchers supplemented quantitative data with interviews with judges, stakeholders, and impacted youth and families, the limited fiscal data obscures the complete picture of how fees and fines function in Arkansas courts.²⁵ Given that low-income youth and families often shoulder these costs, courts must be able to demonstrate to their communities how each and every dollar is used, especially if the fines and fees are as vital as suggested.

Youth Fees and Fines Must Be Limited, But Are They?

Counties that assess fees and fines must do so in accordance with relevant state and federal law. In our research, we sought information on assessment practices related to delinquency fines and public defender fees, but the incomplete records make it very difficult to discern how fines and fees are assessed in individual cases.

The Arkansas statute authorizes “a fine of not more than” \$500 in juvenile delinquency cases.²⁶ And the law also authorizes a nonbinding fee schedule for public defender fees up to \$500.²⁷ The data received from AOC included total amounts assessed that combined multiple fees and fines in different cases with multiple defendants. Not only does this make it difficult to quantify the financial burdens on individual youth and families, but it also makes it difficult to confirm that all fee and fine amounts fall within the required limits.

This is another example of the inconsistent data collection processes in juvenile court cases. Of course, names and other identifiers should be redacted in such records. But the same data should be available from all courts in the same format. Without stricter requirements for courts to report this information to AOC and to the Legislature, it’s not possible for the legislature and members of the public to know how fees and fines are assessed and where the money goes.



Harm to Youth, Families, and Communities

Research shows that fees and fines can trap youth in the juvenile justice system and cause financial and emotional harm for youth and their families.²⁸ These long-lasting impacts on youth, families, and communities render the practice inconsistent with the intended purpose of Arkansas's juvenile system, which is focused on rehabilitation, not punishment and aims to "preserve and strengthen the juvenile's family ties."²⁹ The following section describes why youth and families are vulnerable to the harms of fees and fines and how they are adversely affected by the consequences of these practices based on findings from surveys, listening sessions, and interviews with impacted youth and families and relevant research on the topic.



Above: Lititia Rankin sharing her story (El Dorado Listening Session); Below: Listening Session in Central Arkansas



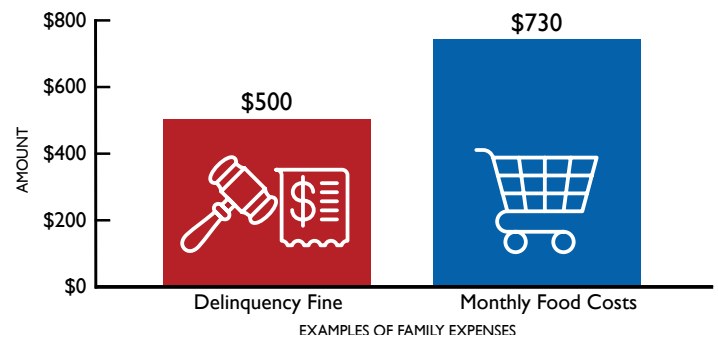
Punishing Those in Poverty

Even a \$10 fee for a family living in poverty can mean the difference between putting food on the table and paying the electric bill.

Families in Arkansas are struggling financially. One in five children in Arkansas lives in poverty, and one in four children has parents who lack secure employment.³⁰ Many others are living tightly; the median household income of \$56,000 lags behind the cost of living, which exceeds \$90,000 per year in some counties.³¹ One study found that, in 2023 in the United States, the majority of people who earned less than \$50,000 were living paycheck to paycheck.³²

The estimated monthly cost of food in Arkansas for a one-adult one-child household in 2023 was \$730.³³ A \$500 fine can be devastating for families, taking more than half of their monthly food budget. This aligns with national data; nearly four out of 10 people in the United States are unable to pay for a \$400 emergency.³⁴

Figure 6. Juvenile Fines Can Become a Significant Monthly Expense for Families



Source: Arkansas Administrative Office of the Courts; United for ALICE.

According to data from the AOC from seven counties, a third of cases filed between January 2017 and October 2024 had a juvenile delinquency fine assessed, and in more than half of those cases, the amount assessed was greater than \$250. Youth or their parents would have to work an additional 23 hours at the gross minimum wage compensation in Arkansas to cover that amount.³⁵

In addition to the constrained daily costs, lower-income families in Arkansas face higher court costs. Those who cannot afford a lawyer or who cannot pay the full amount of fees upfront may be punished with higher fees. Families can be assessed public defender fees up to \$500 for appointed

counsel if they do not hire their own lawyer.³⁶ Additionally, court records indicate that families can be assessed additional fees for setting up a payment plan.³⁷ This places an additional financial burden on families who cannot afford to pay the full amount upfront, while their wealthier peers may not experience the same ongoing contact or costs.

Youth Poverty Fees in Arkansas

Those who cannot pay the full amount of fees upfront or afford a lawyer may be subject to higher fees.

Payment plan fees. Arkansas statute authorizes a \$5/month “installment fee” to be assessed on people paying fines on an installment basis. Youth in Faulkner³⁸ and Pulaski counties were assessed a “Time Pay Installment Fee” totaling between \$5 to \$835 per case.³⁹ In some cases, the installment fee became larger than the total court costs, fees, and fines that youth were paying off initially, creating a harmful compounding effect of debt accumulation.

Public defender fees. Public defenders are appointed to indigent youth and families who cannot afford to hire an attorney, burdening families already struggling financially.⁴⁰ Youth in seven counties were assessed public defender fees ranging from \$2 to \$1,230 per case.⁴¹

There is at least \$59,900 in outstanding debt from payment plan and public defender fees in cases from six counties in Arkansas, 62% of which is from cases filed more than five years ago.

Fees and fines debt not only have an impact on individuals and families but may harm communities as a whole. Research has shown that fees and fines debt may increase within-neighborhood poverty and exacerbate poverty and existing racial disparities across neighborhoods.⁴² In addition, public safety efforts can be compromised by fees and fines. Police departments in cities that collect a greater share of their revenue from fees and fines solve violent and property crimes at significantly lower rates due to spending time on collection activities.⁴³

Creating Emotional and Familial Instability

Research shows that financial burdens from fees and fines impose long-lasting economic and emotional harm on youth and families, strain family dynamics, and limit families’ abilities to invest in opportunities for all their children.⁴⁴

Low-income and/or rural areas in Arkansas are already experiencing economic hardships, and court costs add **significant financial strain for both the youth and the family.** Impacted families and public defenders surveyed in

Arkansas reported that youth fees and fines cause significant financial burdens to families, including:

- foregoing spending on counseling and basic needs
- borrowing money from others, potentially causing strain across communities
- taking out loans, creating long-term debt and affecting credit scores
- diverting money meant for other family members, including elderly dependents and young children

Manuel’s Story

One of six children, Manuel’s family was in a difficult financial situation when he got involved in the juvenile delinquency system. As a high schooler, to pay off his fines and fees, he worked every day while also completing community service on the weekends. This reduced his focus on cross country. Manuel shared: “I feel like had I been able to focus more on the sport that I was thriving in at the time, I would’ve at least got a scholarship to go to college.”

We see this pattern in other states as well. A survey in Alabama found that the financial burdens of youth fees, costs, and taxes forced 83% of affected families to sacrifice food, medicine, and other necessities.⁴⁵ A study in Florida found that nearly a third of youth said their families would have to borrow money to pay off the court debt imposed.⁴⁶ National studies also show that financial hardship related to fees and fines debt can **cause emotional strain for the child, weaken family ties, and strain parent-child relationships.**⁴⁷

Many youth in Arkansas who were charged fees reported increased anxiety and depression. One youth shared: *“It literally... felt like a million dollars that I was having to pay... a huge weight on my back.”* Another youth struggled to *“see the light at the end of the tunnel”* when confronted with the burden of costs and debt, and that *“all they do is make it harder to get better in life to get back on track.”* In many cases, youth interviewed during focus groups reported missing classes and extracurriculars — or dropping out of school altogether — to help pay off fees and fines: *“I ended up dropping out of school and getting a job to help... pay for those fees and to help my mom, because it was just her and [me]... I don’t feel like I really got to be a kid.”*

Family members take on similar stress: *“My mother... had a day job, and she ended up having to work at night too... We were definitely late on bills quite a bit.”* These stressors can affect the overall family dynamics. Some youth reported worsened parental abuse on them or their siblings as a result of being assessed fees and fines.

Denise’s Story

When Denise’s granddaughter became court-involved, Denise was already struggling to make ends meet as the retired sole caretaker. The monthly fines and fees added financial stress, especially because her granddaughter was too young to pick up significant work to help pay for the costs.

Assessing costs that families simply cannot afford imposes long-lasting economic and emotional harm on youth and families, strains family dynamics, and limits families’ ability to invest in opportunities for their children. Researchers have found that, *“While families... recognize that one of the intended purposes of fees and fines is to teach youth responsibility, the actual impacts on family life are so detrimental that they hinder any intended positive effects and undermine any trust in the juvenile justice system.”*⁴⁸

Creating Unequal Outcomes

In addition to socioeconomic status, fees and fines result in unequal outcomes by race and geography. Fees and fines disproportionately harm Black and Latino youth and families, who are overrepresented in the Arkansas legal system.⁴⁹ According to the Arkansas Department of Human Services Division of Youth Services Juvenile Justice and Delinquency Prevention Unit, *“nearly half of all juvenile confinements were [B]lack boys, yet they make up only about 20 percent of the state’s total adolescent population.”*⁵⁰ Black youth in Arkansas are almost five times as likely to be incarcerated as White youth.⁵¹ Every stage of this process brings new fees and costs. The further a child falls into the system and the longer they stay there, the more fees they accrue. The burden of this debt is especially heavy when compounded by the systemic barriers that Black youth and their parents already face. Fee debt exacerbates existing inequalities in health care, education, housing, the legal system, and employment.

The lack of consistent practices across courts including in assessment and collection practices, waivers, ability-to-pay procedures, and more allows for a system of *“justice by geography,”* where youth and families experience vastly different treatment depending on where their cases are heard. For instance, Arkansas’s indigency assessment process varies court by court and does not guarantee that fees and fines will not be imposed on those unable to pay. Ability-to-pay mechanisms allow for increased bias due to increased discretion, which means that even if a uniform ability-to-pay process could be developed, fees and fines would still fall more heavily on rural, Black, Brown, and Indigenous Arkansans due to their overrepresentation in the legal system.⁵²

Undermining Rehabilitation

The purpose of the juvenile code in Arkansas is:

*To protect society more effectively by **substituting for retributive punishment, whenever possible, methods of offender rehabilitation** and rehabilitative restitution, recognizing that the application of sanctions that are consistent with the seriousness of the offense is appropriate in all cases.⁵³*

Fees and fines do not hold youth accountable. Studies show that fees and fines imposed on youth are correlated with a greater likelihood of recidivism across demographics.⁵⁴ Youth who cannot afford to pay fees and fines are more vulnerable to taking drastic measures to pay off their debts. Impacted youth surveyed and interviewed reported decreased school attendance, families paying bills late to pay court costs, and extreme stress.⁵⁵ Other youth shared that the added stress of fines and fees seemed insurmountable and, at times, led to a feeling of resignation and to further involvement in the system.⁵⁶

Youth described how fees and fines pushed them toward illegal activity and away from community connection. When asked about whether fines and fees incentivized their continued rule-breaking, one youth asked,

“How else are you gonna get anything else if you can’t afford it? You know, if you want anything, you start trying to find a way to get it. And a lot of the time that’s gonna be criminal activity, but there’s no other way to, especially if you’re limited, like being, uh, underage to begin with, you know?”

When families cannot afford to pay fees and fines, some reported being subjected to aggressive collection methods, increased costs, and prolonged involvement in the system. Additionally, state law allows for harsh consequences for nonpayment, including extended probation, contempt of court charges, and additional fees and fines. Pulaski County assessed a \$200 and \$500 contempt fine in youth cases filed in 2018 and 2020, respectively. In interviews, youth and families in Arkansas reported experiencing the following consequences for nonpayment: unpaid fees and fines converted into a property lien or civil judgment; contempt of court ruling; additional fees or fines; not allowed to seal/expunge record; tax refund withheld; wages garnished; driver’s license suspended; and sent to or kept longer in placement.⁵⁷

Furthermore, youth fines and fees can erode community trust in the courts.⁵⁸ Rather than feeling like the courts are interested in rehabilitation, many impacted youth reported seeing fees as punitive rather than helpful. Impacted families

reported believing that courts “don’t care about anything but money,” indicating a common view of fees and fines as revenue-building instruments rather than accountability tools.⁵⁹

Community-based programming and services are critical alternatives that are more likely to hold youth and families accountable and support their rehabilitation.

When asked if any alternative services would be helpful to someone in their position, a youth spoke positively about their community service experience saying, *“It kind of got me out there, you know, helping the community and stuff like that too. So just stuff like that, you know, like community events or something... that the kids could be a part of that’s positive. ... if you’re doing good on probation and you can’t pay that fine and fee, you still gonna get in trouble.”*

Lititia’s Story

Lititia was charged a \$500 fine and given 250 hours of community service as well as community service supervised by an officer familiar with her family situation. While the fine resulted in increased friction in her family, community service felt comforting: “[Community service makes you] feel needed or wanted or like what you’re doing matters... that’s more successful for children who feel like they don’t belong anywhere.” Now, as an adult, Lititia uses her lived experience to provide programming for at-risk youth.

Rather than supporting rehabilitation, imposing fees and fines on youth fuels a cycle of system involvement for youth and families, which has grave consequences for families and the state. According to the Arkansas Department of Human Services Division of Youth Services Juvenile Justice and Delinquency Prevention Unit, the costs to lock up youth are high, approximately \$350 per day and \$127,750 per youth annually.⁶⁰ When youth feel that the burden of debt from fines and fees is already insurmountable, adding to that cost and keeping them in contact with the juvenile system for longer will not create the desired change.

Arkansans Want to See Change

Ending youth fees and fines is a common-sense policy. Since 2021, Arkansas lawmakers have continually attempted to pass the following legislation to eliminate youth fees and fines:

- Judiciary Chair Senator Alan Clark's SB 455 (2021)
- Representative Grant Hodges's HB 1754 (2023)
- Senator Clark's SB 340/341 (2025), co-sponsored with House Aging, Children and Youth Committee Vice-Chair Representative Mary Bentley

Groups like the American Legislative Exchange Council have also backed efforts in Arkansas.⁶¹ The introduction of numerous bills over the past five years demonstrates significant momentum to eliminate monetary sanctions, with strong support voiced by legislators on both sides of the aisle, impacted community members, and stakeholders.

In addition, there is widespread bipartisan support on the national scale to end youth fees and fines.⁶² Twenty-four states have already acted; Louisiana and Texas passed statewide legislation to eliminate juvenile fees.⁶³ Davidson County, Tennessee, and Chatham County, Georgia, eliminated discretionary juvenile fees and fines. A broad range of bipartisan national stakeholders — including law enforcement leaders, district attorneys, youth correctional officers, probation officials, and judges — have called for the reduction or elimination of fees and fines for youth.⁶⁴ The following may serve as first steps toward full elimination and harm reduction for families in Arkansas:

- **Legislative Changes:** Full fees and fines elimination is the only way to ensure relief is equally available to every child. Pursuing piecemeal reforms carries risks. National research shows that ability-to-pay measures are administratively burdensome, highly discretionary, inconsistent, and often fail to generate significant revenue. In many cases, they can even increase bias based on race, geography, and class.⁶⁵ Partial elimination efforts may also delay full reform while offering little to no tangible relief from the financial burdens currently imposed.
- **Transparency Around Court Practices:** Although legislators, researchers, and advocates have made considerable efforts, comprehensive data on how juvenile courts assess and collect fees and fines remains limited. The Arkansas Legislature should consider requiring courts to collect and report this data as a condition of receiving state funding. Transparency efforts to date have yielded minimal results and delayed meaningful policy change. Advocates should be cautious not to focus solely on transparency at the expense of pursuing tangible policy solutions,

especially when national research provides a clear mandate for full elimination.

- **Administrative Levers:** Other governmental entities have a role to play in addressing this issue. During a recent legislative hearing on this issue, Judge Troy Braswell suggested that the Arkansas Commission on Children, Youth, and Families, on which he serves, may be a suitable body to take up this matter. This issue has been informally raised with the Commission in the past and was recently raised as a formal recommendation for the Commission to study in the future.
- **Judicial Education:** Court-level training to raise awareness about the emotional and financial harm of fees and fines and their connection to increased recidivism should be required for judges and court staff. The AOC may be well-positioned to distribute this information across the judiciary.
- **Funding for Juvenile Courts:** Many stakeholders have identified limited court resources as a key barrier to eliminating fees and fines in Arkansas juvenile delinquency courts. Additional funding should be directly tied to fees and fines elimination, along with robust data collection requirements, to ensure transparency and responsible stewardship of taxpayer dollars.
- **Community Engagement and Public Awareness:** For years, organizers and community members have brought attention to the human impact of fees and fines on Arkansas families and youth. Storytelling and public education have played a role in elevating this issue for lawmakers and should continue to be supported and invested in.

Appendix

Fines and Fees Authorized in Arkansas Related to Juvenile Delinquency Matters

The following is a list of fees and fines that Arkansas statute authorizes judges to assess to youth and their families related to juvenile delinquency cases. Youth and their families may be assessed fees and fines in the juvenile delinquency, adult, or district court system; however, this list primarily highlights fees in juvenile delinquency courts. The statutes below, in addition to the data in this report, do not include fees or fines associated with restitution, Family in Need of Services or traffic cases, or youth transferred to criminal court.

Arkansas Statute	Description
16-87-218	Authorizes courts to charge public defender fees , including a \$65 early disposition fee, a \$125 fee for negotiated pleas or dispositions before trial, and a \$500 fee for trials or an extended matter.
6-18-222(a)(5)	Authorizes courts to assess a fine of up to \$500, court costs , and fees related to truancy . <i>Note: This is distinct from a civil penalty.</i>
9-35-410(b)	Authorizes courts to assess a fee for court-appointed counsel.
9-35-417(i); 9-35-438	Authorizes courts to charge a monthly diversion fee not to exceed \$20 .
9-35-423; 9-35-438	Authorizes court fees and fines, including the cost of commitment, detention , or electronic monitoring , a probation fee up to \$20 monthly, court costs up to \$35, a general delinquency fine of up to \$500, and a parental responsibility training fee.
9-35-435(a)-(b)	Requires the court to charge a \$250 fine for DNA samples for youth adjudicated delinquent for specific crimes, unless the court determines the fine would cause undue hardship.
5-27-222	Authorizes courts to fine parents when a child's delinquency is a result of neglect up to \$250 (criminal fine).
9-27-602(d)	Authorizes courts to make a determination of the ability of a parent, guardian, or custodian of a young person to pay for mental health services ordered by the court .

Endnotes

- 1 For the purposes of this report, “fees” (“youth fees,” “juvenile fees,” “administrative fees,” or “juvenile administrative fees”) are defined as charges imposed to recover costs associated with operating the juvenile system and “fines” are defined as charges imposed with a punitive and/or deterrent intent. Charges that are defined as “fines” by state law but have the intended purpose to recover costs are considered “fees” for this report. “System” (“juvenile system” or “juvenile legal system”) is defined as consisting of the juvenile court, juvenile detention facilities, and any third party associated with a delinquency case. “System actors” include, but are not limited to, court personnel, counsel (public defenders, district attorneys, and private counsel), judges, detention facility personnel, collections staff, and probation personnel. This report does not include information on victim restitution or fees charged to Family in Need of Services cases.
- 2 Data shared by the Arkansas Administrative Office of the Courts (on file with authors).
- 3 *Id.*
- 4 Ark. Code Ann. §9-35-412.
- 5 House Aging Children and Youth Committee Hearing, Apr. 2, 2024, at 10:00 AM, available at [Arkansas Senate Archived Meetings](#) (video at 11:50 AM).
- 6 State of Arkansas, *Recovery Plan Performance Report: State and Local Fiscal Recovery Funds, 2024 Fiscal Year 16* (2024), available at <https://www.dfa.arkansas.gov/wp-content/uploads/SLFRF-Recovery-Plan-Performance-Report-2024.pdf> (“A conservative estimate across the State of Arkansas is that 80-85% of all defendants charged with a criminal offense for which legal counsel is needed are determined to be indigent, thereby receiving court-appointed counsel.”).
- 7 Dick M. Carpenter II, Chelsea Lawson & Courtney Deuser, What the Great Recession Revealed About Taxation by Citation and What Can Be Done About It, 54 U. MICH. J. L. REFORM 893 (2021). Available at: <https://repository.law.umich.edu/mjlr/vol54/iss4/6>; Fiscal Pressures, the Great Recession, and Monetary Sanctions in Washington Courts of Limited Jurisdiction, 4 UCLA CRIM. JUST. L. REV. 157 (2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8121266/> (finding that courts issued more debt during and after the recession).
- 8 AOC provided information on the assessment of youth fees and fines from 2017 through 2024 for a limited number of counties. The amounts were current as of 2024. To estimate the amount assessed annually statewide, researchers used amounts assessed in the 10 counties that provided data for post-COVID years (2021-2024) to calculate a weighted average amount assessed per county per year and multiplied that amount by 75. Using data provided by AOC, researchers inferred that (amount assessed provided by AOC) - (outstanding balance amount provided by AOC) = (amount collected or waived over time). The portion waived and the portion collected could not be differentiated. To estimate the amount collected or waived statewide, researchers used amounts assessed and outstanding in the 10 counties that provided data for post-COVID years (2021-2024) to calculate a weighted average amount collected or waived per county per year and multiplied that amount by 75. Note: During public hearings, juvenile courts have presented alternative cost assessments and collections totals for some courts, but have not provided data across all courts.
- 9 AOC did not provide data on the annual amount of youth fees and fines collected; however, they did provide data on the amount assessed and the amount outstanding by case filing year for some counties. It was not possible to identify a credible estimate of the annual revenue from youth fees and fines statewide, by court, or by county due to incomplete data provided by the courts.
- 10 Data received from Faulkner, Garland, Jefferson, Lincoln, Monroe, Pulaski, Searcy, Van Buren, and Washington counties. Some counties reported \$0 assessments in a year (on file with authors).
- 11 In a survey administered by the Bureau of Legislative Research (BLR) to judges, some responding courts reported waiving 100% of youth fees and fines in a year, while others waived them in only 5% of cases.
- 12 Data provided by the Arkansas Administrative Office of the Courts (on file with authors). Balances from cases filed between 1970 to 2016 are from unspecified counties. Balances from 2017 to 2024 are from Faulkner, Garland, Izard, Jefferson, Lincoln, Monroe, Pulaski, Searcy, Van Buren, and Washington counties. The amounts were current as of 2023.
- 13 Data for Faulkner, Garland, Izard, Jefferson, Lincoln, Monroe, Pulaski, Searcy, Van Buren, and Washington counties shared by the Arkansas Administrative Office of the Courts (on file with authors).
- 14 Data shared by the Arkansas Administrative Office of the Courts (on file with authors).
- 15 Matthew Menendez, Michael F. Crowley, Lauren-Brooke Eisen & Noah Atchison, *The Steep Costs of Criminal Justice Fees and Fines: A Fiscal Analysis of Three States and Ten Counties* (Nov. 21, 2019), produced with research assistance from the Texas Public Policy Foundation and Right on Crime, <https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines>.
- 16 Florida Clerks of Court Operations Corporation, *Performance Measures Reports and Standards* (2021), <https://ficcoc.org/wp-content/uploads/2022/09/2023-CCOC-Performance-Measures-and-Standards.pdf>

- 17 Oregon Judicial Department, *Court Ordered Financial Obligations: Imposition, Collection, and Distribution* 12 (2018), <https://berkeley.box.com/s/b5f21m57yr12gqbl9nxynfehdb4iegm4> (stating with regard to analogous fee debt that “[a]fter year 5, collection drops to less than 10%” and “debt...older than 5 years [is] virtually uncollectable”); Fines and Fees Justice Center, *Imposing Instability, How Court Fines and Fees Destabilize Government Budgets and Criminalize Those Who Cannot Pay* (2025), https://finesandfeesjusticecenter.org/wp-content/uploads/2025/07/Imposing-Instability_FinalPDF.pdf
- 18 *Id.*
- 19 Matthew Menendez, Michael F. Crowley, Lauren-Brooke Eisen & Noah Atchison, *The Steep Costs of Criminal Justice Fees and Fines: A Fiscal Analysis of Three States and Ten Counties* (Nov. 21, 2019), produced with research assistance from the Texas Public Policy Foundation and Right on Crime, <https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines>; Stephanie Compos-Bui *et al.*, *Making Families Pay: The Harmful, Unlawful, and Costly Practice of Charging Juvenile Administrative Fees in California* (Mar. 20, 2017), UC Berkeley Public Law Research Paper, available at <https://ssrn.com/abstract=2937534> or <https://dx.doi.org/10.2139/ssrn.2937534>.
- 20 Responses to survey administered by Bureau of Legislative Research (on file with authors).
- 21 Data for Baxter, Garland, and Saline counties shared by the Arkansas Administrative Office of the Courts (on file with authors).
- 22 House Aging Children and Youth Committee Hearing, Apr. 2, 2024, at 10:00 AM, available at [Arkansas Senate Archived Meetings](#) (video starting at 11:50 AM).
- 23 Because no data source provided complete information, all data is extrapolated and does not account for the varied population of counties.
- 24 Thank you to the juvenile court judges who submitted responses to this survey: Judge Tjuana Byrd Manning, Judge Shanice Johnson, Judge Thomas Smith, Judge Tonya Alexander, Judge Kimberly Bibb, Judge Mary Broadaway, Judge Charles Mooney, Jr., Judge Leigh Zuerker, Judge Ken Coker, Judge Lee Harrod, Judge Deanna Layton, Judge Cecilia Dyer, Judge Ashley Parker, Judge Craig Hannah, Judge Mark Pate, Judge Earnest Brown, Jr., Judge Adam Weeks, Judge Carlton Jones, Judge Brent Haltom, Judge Wren Autrey, Judge Stephen Shirron, Judge Scott Jackson, Judge Blake Batson, and Judge Donna Galloway.
- 25 The scope of data requested from AOC and the BLR survey included: 1) amount of fees and fines assessed to youth and families, 2) amount of fees and fines collected from youth and families, 3) outstanding balances for youth fees and fines, 4) waiver rates, 5) cost of collecting youth fees and fines, and 6) cost of programming.
- 26 Ark. Code Ann. §§ 9-35-423(a)(8), 9-35-438(a)(4).
- 27 Ark. Code Ann. §16-87-218(c)(6)(A)-(C).
- 28 Jessica Feierman *et al.*, *Debtors’ Prison for Kids? The High Cost of Fines and Fees in the Juvenile Justice System* (2016), <https://debtorsprison.jlc.org/documents/jlc-debtors-prison.pdf>
- 29 Ark. Code Ann. §9-35-301(2)(A).
- 30 Annie E. Casey Foundation, *2025 KIDS COUNT Data Book: Arkansas Profile* (2025), <https://assets.aecf.org/m/databook/2025-KCDB-profile-AR.pdf>
- 31 Economic Policy Institute, *Family Budget Calculator* (Jan. 2025), <https://www.epi.org/resources/budget/>
- 32 PYMNTS & Lending Club, *New Reality Check: The Paycheck-to-Paycheck Report – The Household Finances Deep Dive Edition* (July 2023), https://assets.ctfassets.net/orqped9h4wgz/7myjP4tYzo9YAJLDXRQuHa/510e41ba633a87ec802ecc6df0928c4e/24th_paycheck_to_paycheck_report.pdf
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- 37 Data shared by the Arkansas Administrative Office of the Courts (on file with authors).
- 38 Ark. Code Ann. §16-13-704.
- 39 In some cases, based on the date the case was opened, the total amount assessed for “Time Pay Installment Fee” added up to more than \$5/month.

- 40 Ark. Code Ann. §9–35–410.
- 41 Data for Faulkner, Garland, Jefferson, Lincoln, Monroe, Pulaski, and Washington counties shared by the Arkansas Administrative Office of the Courts (on file with authors).
- 42 O’Neill, K. K., Kennedy, I., & Harris, A. (2022). Debtors’ Blocks: How Monetary Sanctions Make Between-neighborhood Racial and Economic Inequalities Worse. *Sociology of race and ethnicity* (Thousand Oaks, Calif.), 8(1), 43–61. <https://doi.org/10.1177/23326492211057817>
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- 45 Alabama Appleseed, *Under Pressure: How Fines and Fees Hurt People, Undermine Public Safety, and Drive Alabama’s Racial Wealth Divide* (Oct. 2018), <https://www.alabamaappleseed.org/underpressure/>
- 46 Alex R. Piquero *et al.*, *A Statewide Analysis of the Impact of Restitution and Fees on Juvenile Recidivism in Florida Across Race & Ethnicity* (Feb. 9, 2023), https://jlc.org/sites/default/files/attachments/2023-02/Piquero_et_al_AV_Fees_%26_Restitution_Report_wTables_011723.pdf
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- 57 *Id.*
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