

FFJC California Report Highlights

In 2021 California passed AB143 which required the implementation of an online ability-to-pay assessment for certain infractions. Prior to the passage of AB143 a pilot program was initiated to test the effectiveness of implementing an ability-to-pay assessment. A requirement of the legislation was to track and analyze outcomes from the implementation of the program, the culmination of which was the recent report to the California Legislature. Important findings of the report are included on this page and the complete report has been submitted as an exhibit.

Who utilizes ability-to-pay assessments?

- Between April 2019 and January 2023 over 45,000 individuals submitted ability-to-pay requests. Nearly 46% of those individuals received public assistance and just over 88% reported incomes below the poverty line.

What does the average person seeking an ability-to-pay reduction initially owe in fines and fees?

- The average court ordered fines and fees owed by each of the 45,000 individuals who sought relief from the ability-to-pay system was \$621.

What were the outcomes for individuals who participated in the ability-to-pay program and collection rates for courts?

- Cases granted a reduction after completing an ability-to-pay assessment were paid on time and in full at a rate of 61%.
- Cases denied a reduction after completing an ability-to-pay assessment were paid in full and on time only 29% percent of time.
- Individuals who received a reduction in fines and fees had a compliance rate twice as high as individuals who sought but did receive a reduction.

How does the amount of fines and fees ordered impact successful repayment?

- Reducing fines and fees to \$300 or less for low-income individuals resulted in a success rate of 65% or greater.
- As the amount of fines and fees ordered increased, success rates declined. Over 70% of individuals ordered to pay less than \$100 successfully completed their payments while less than 30% of individuals who were ordered to pay between \$400 and \$500 successfully complied with their court order.
- As the amount ordered consumes more of an individual's monthly income, success rates decline. Nearly 80% of individuals who's fines and fees accounted for less than 10% of their monthly income successfully paid their debt, while just over 40% of individuals whose debt was between 41%-50% of their monthly income successfully fulfilled their obligations.

Are payment plans an alternative to ability-to-pay reductions?

- The success rate for payment plans of \$25 monthly installments was 48.2% while the success rate for payment plans of \$50 monthly installments was just 27%. Success rates decreased with every \$25 added to the monthly installment total.
- While payment plans offer litigants short-term relief by easing the pressure that fine and fee obligations place on their monthly incomes, the total amount a litigant is ordered to pay is what is most strongly associated with successful case outcomes.