

NOTICE TO THE BAR

VACATING OF CERTAIN UNPAID PROBATION SUPERVISION FEES – REMOVING BARRIERS TO REHABILITATION IN ORDER TO SUPPORT REINTEGRATION INTO SOCIETY

The Supreme Court in the attached April 20, 2023 Order has vacated unpaid probation supervision fees totaling more than \$7 million.

The Court's action concludes nonproductive involvement with the criminal justice system for more than 31,000 adults no longer subject to probation supervision, thus supporting reintegration into and contribution to society for adults throughout New Jersey. The Court's April 20, 2023 Order does not affect requirements to pay restitution or mandatory penalties.

Adults of color are more likely to be sentenced to probation supervision and subject to court-related fines and fees, including presumptive supervision fees that can be waived by the court. Continued efforts to collect such waivable fees perpetuates a non-rehabilitative burden on people who have concluded any term of probation supervision. The Court's action eliminates that barrier in furtherance of ongoing efforts to improve outcomes for court-involved members of our communities.

Questions on the Court's Order should be directed to Director of Probation Services Brenda Beacham at Brenda.Beacham@njcourts.gov.



Glenn A. Grant
Administrative Director of the Courts

Dated: April 26, 2023

SUPREME COURT OF NEW JERSEY

The New Jersey Supreme Court continues to take steps to eliminate barriers that prevent people with prior court involvement from completely reintegrating in and contributing to society.

As of today, more than 31,000 adults no longer subject to probation supervision remain involved with the courts for collection of outstanding probation supervision fees totaling more than \$7 million. Ongoing involvement with the justice system no longer advances rehabilitative purposes for these people. The adults who owe these presumptive but waivable fees overwhelmingly lack the capacity to make necessary payments, and the unpaid financial assessments serve only to prolong involvement with the criminal justice system. As in other areas, these uncollected supervision fees disproportionately affect people of color.

Accordingly, in furtherance of our ongoing efforts to reduce barriers to rehabilitation, to enhance equity, and to improve outcomes for people with prior court involvement, it is ORDERED that:

1. Effective immediately, all unpaid supervision fees owed by adults no longer subject to probation supervision are vacated. Vicinage Assignment Judges or their designees shall take appropriate steps to implement and memorialize the provisions of this Order.

2. When a client of probation concludes a term of supervision and has paid all other fines and fees, the case will be reviewed for potential vacating of the waivable supervision fee. Vicinage Assignment Judges or their designees shall take appropriate steps to vacate unpaid supervision fees when appropriate.

For the Court,

A handwritten signature in blue ink, appearing to read "John R. ...", is written over a horizontal line.

Chief Justice

Dated: April 20, 2023