



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

January 16, 2020

**HB 36
Juvenile Proceedings - Fines, Fees, and Costs**

House Judiciary Committee

Position: Support

The Maryland Catholic Conference offers this testimony in SUPPORT of House Bill 36. The Catholic Conference represents the public-policy interests of the three (arch)dioceses serving Maryland, including the Archdioceses of Baltimore and Washington and the Diocese of Wilmington, which together encompass over one million Marylanders.

House Bill 36 bans a court from the imposition of fines, fees and costs on children associated with juvenile court proceedings. The bill also prevents a court from imposing or passing off fines, fees, or costs on a child's parent, guardian or custodian.

In the pastoral statement *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice* (2000), the United States Conference of Catholic Bishops (USCCB) reaffirmed that systems of justice should be rehabilitative in nature. Imposition of fines, fees, or costs on system-involved youth serves no rehabilitative purpose. Moreover, where fines, fees or costs, such as attorney fee assessments, are passed off onto parents or guardians who do not have the ability to pay, such practices may bring further detriment upon a family, particularly when parents are subject to collections for their inability to pay. Negative financial impact on a family could amount to a net negative on the rehabilitation of system-involved youth.

In the aforementioned pastoral statement, the USCCB further stated that “society must never respond to children who have committed crimes as though they are somehow equal to adults - fully formed in conscience and fully aware of their actions.” Imposition of fines, fees and costs is one way in which Maryland’s criminal justice system takes a parallel approach to its youth and adult criminal justice systems. However, children are by nature indigent. Fines, fees and costs are an adult justice remedy, wherein adults are held responsible for costs incurred by the system due to their actions on the presumption that they, unlike children, should have the ability to provide for themselves through gainful employment. Lastly, it is important to consider the reality that parents facing court fees and costs may place pressure on their children to accept unwarranted plea bargains in order to mitigate their expenses.

It is for these reasons that we urge a favorable report on House Bill 36, as fines, fees and costs serve no rehabilitative purpose when imposed on system-involved youth and can often have a hugely negative impact on parents and guardians who may be unable to cover those costs.