



Supreme Court

STATE OF LOUISIANA
400 ROYAL STREET
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New Orleans
70130-8101

CHIEF JUSTICE

BERNETTE JOSHUA JOHNSON

JUDICIAL ADMINISTRATOR

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April 21, 2020

To Our Judges,

We truly appreciate your efforts to keep the justice system working while keeping the public and your own courts informed and safe during the Coronavirus pandemic. As you know, many people in Louisiana are facing serious financial difficulties due to the pandemic, difficulties which will last for some time after the emergency mitigation measures have been eased. Although our courts rely heavily on fines, costs, and fees to operate the court system, out of concern for the safety and welfare of Louisiana citizens I ask you to consider the following actions regarding those fines, fees, and costs. We believe these suggested actions will help to mitigate the financial burdens of many struggling citizens, improve access to the courts, and reduce the likelihood of detention for failure to pay.

- Inform defendants who lose their jobs or are otherwise financially impacted by the coronavirus emergency that they may request a hearing to re-evaluate their ability to pay, and provide instructions for the request. Consider waiving, suspending, assessing community service, or adjusting monthly payments in response to changes in a defendant's circumstances. Provide information regarding Covid-19-based assistance on signage, court websites, or bill payment sites, if possible;
- Consider suspending due dates for full or installment payment of criminal fines, costs, or fees until 180 days past the end of all pandemic emergency orders, whether or not a payor requests the suspension;
- Refrain from referring defendants to third party collectors and, if possible, refrain from assessing interest or late penalties or otherwise penalizing defendants for not making payments during this period. If it is within your ability to do so, suspend payment enforcement mechanisms such as tax refund off-sets, suspension of driver's licenses, and garnishment or capture of emergency funds. Provide any person who desires to pay with instructions for payment by mail or by online payment without a convenience fee, if possible;
- Consider releasing with a new court date anyone who is currently detained for non-payment or for failure to appear at a payment hearing and those arrested on new charges with outstanding court debt. Consider vacating warrants for failure to appear hearings due to unpaid fines, restitution, court-appointed counsel fees, or other failure to appear warrants;
- Suspend court-supervised probation fines and fees. Work with probation officers to avoid extending or revoking probation for unpaid fines and fees or other technical violations; and

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- Liberally construe the *in forma pauperis* statutes to allow filings by civil litigants who are not normally indigent but may be so in the short term. As you know, *in forma pauperis* designations may be reviewed and rescinded if the litigant's financial situation changes for the better.

Thank you for your serious consideration of these suggestions. If you have any questions or concerns, please reach out to Judicial Administrator Sandra Vujnovich at svujnovich@lasc.org. Thank you for your continued innovation, dedication, and hard work during this crisis and the recovery to come.

Yours very truly,



Chief Justice Bernette Joshua Johnson