

SB 422 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

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Meeting Dates: 2/2

WHAT THE MEASURE DOES:

Eliminates fees and court costs associated with juvenile delinquency matters. Prohibits related fees and costs from being assessed against the youth or against the youth's parent or guardian, so long as the youth was under the age of 18 at the time of the act and was not waived to circuit court for prosecution as an adult. Mandates that a youth offender, or the parent or guardian of the youth, is entitled to court-appointed counsel at no charge to the youth or the youth's parent or guardian. Requires the Public Defense Services Commission to adopt policies regarding the appointment of counsel at state expense regardless of financial eligibility, for juvenile delinquency matters. Allows for the youth offender to be required to pay, at some future date, fines and restitution the court is required to consider imposing. Allows the court, on its own motion or the motion of any party, to vacate an order or judgment directing a youth, or the parent or guardian of a youth, to pay fees or costs inconsistent with SB 422.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Currently, Oregon law allows for youth offenders and their families to be assessed for costs throughout the juvenile court system process. Some examples of what youth offenders and their families may be charged for include: administrative costs of determining eligibility for legal and other services related to the provision of appointed counsel, a blood or buccal sample, mental health assessment or screenings, medical care, education services, supervision, and child support. Although not applied uniformly throughout the state, a youth offender and their family may be sanctioned for failing to pay court-related costs. Those sanctions may include extended supervision, late fees, collections, and tax liens.

SB 422 would eliminate fees and court costs associated with juvenile delinquency matters and provide for court-appointed counsel at state expense for all juvenile delinquency matters.