

4/21/25

As a managing attorney at the Community Law Department of the Metropolitan Public Defenders, Inc., I am submitting this testimony in support of HB 2491A. I oversee a dedicated team of attorneys and legal assistants who work with clients across the state to remove barriers to housing, employment, and meaningful participation in society.

Each year, our office represents over 1,000 individuals seeking to waive or reduce fines and fees in courts across Oregon. We advocate for these individuals because we understand how crippling it is to be burdened with debt that is simply unaffordable. Low-income communities and communities of color are disproportionately impacted by this kind of debt. Court debt touches nearly every part of a person's life—it can prevent someone from legally driving, bar them from expunging criminal convictions, and, when sent to collections, worsen the situation by damaging their credit and making it even harder to pay.

It's critical to note that our clients do not fail to pay their court debts out of choice. They simply do not have the money to pay. When the fines and fees were assessed, they were unable to afford them, and when we begin working with them, they still cannot afford to pay. Many rely on public benefits, and the little income they have goes toward meeting basic needs for themselves and their families.

In our work, we frequently see that courts across the state handle waiver requests differently, with varying processes and interpretations. This bill will address these inconsistencies, leading to a smoother, more streamlined process for petitioners and courts alike. By clarifying the court debt that is eligible for review and the factors that should be considered when assessing "manifest hardship," this bill ensures that petitioners—many of whom are unrepresented—will better understand the information they need to provide, resulting in more accurate assessments by the courts.

This bill will bring much-needed clarity and consistency to the process of waiving fines and fees, ultimately easing the burden on the most vulnerable members of our communities.

To represent our clients in advocating to waive and reduce fines and fees we get to know them. We learn about their struggles, their families, and their successes. We see firsthand the toll that debt takes on their mental health and their ability to provide for their families. And we also see the positive transformation that occurs when debt is waived—clients regain their driver's licenses, gain access to more job opportunities, and can finally move beyond their legal system involvement.

Consistency and clarity in the fines and fee waiver process are vital for the well-being of our communities and the people we serve. That's why Metropolitan Public Defenders, Inc. supports this bill.

Ariel Test
Chief Attorney, Community Law Department
Multnomah Public Defender, Inc.