

CIVIL ASSESSMENTS:



The Hidden Court Fee that Penalizes Poverty

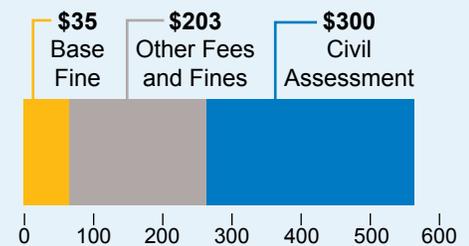
Civil Assessments Penalize Poverty

Civil assessments are a type of poverty penalty charged to people who miss a deadline to pay or appear in court.

The civil assessment is a \$300 fee charged mostly in infraction cases (traffic and non-traffic). This can exponentially increase the amount someone owes. For example, a \$35 fine for running a stop sign increases over **8.5 times** with the addition of a civil assessment. Court appearances are not required for most traffic tickets, so the fee simply charges people who can't afford to pay.

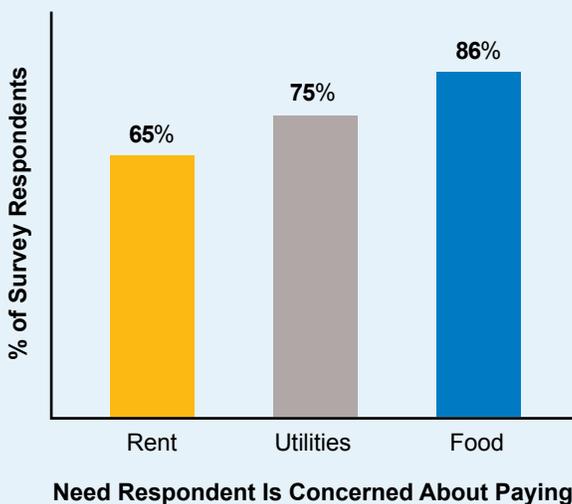
Every year, California courts process over 3.2 million infractions. One county court estimates that one in three of these cases involves the \$300 civil assessment.¹

Cost of Running a Stop Sign = \$538



“That’s almost 2-3 weeks worth of groceries, a huge burden for my family as rising costs are already making food harder to get.” – Survey Respondent

Civil Assessments Disrupt People’s Ability to Afford Basic Expenses



Most People Cannot Afford to Pay Civil Assessments

For the many who can’t afford to pay, civil assessments are a source of debt, instability, and anxiety. Households of color are twice as likely as white households to lack adequate income to meet their basic needs,² so traffic court debt is especially likely to undermine the financial stability of Black and Brown people.

A newly released survey of Californians with traffic infractions found that, for many Californians, paying off civil assessments comes at the expense of their everyday needs—for rent, food, and utilities.

When asked if civil assessments would interfere with their ability to pay for other expenses: **86%** were concerned about their ability to pay for food, **75%** utilities, and **65%** rent.

68% could not afford to pay a \$300 late fee

¹ Estimate is for the first three months of 2021, based on conversations with the San Francisco Superior Traffic Court.

² Board of the Governors of the Federal Reserve, Report on the Economic Well-Being of U.S. Households in 2020 (2021)

Black and Brown Californians Bear the Brunt of Civil Assessments

Because of targeted policing, Black and Brown Californians are more likely to be pulled over and more likely to be ticketed, which may prompt a civil assessment.

- Black people make up just 7% of California’s population but over 16% of all traffic stops.³
- Black Californians are 9.7 times more likely to receive a citation for an infraction than white Californians, whereas Latinx Californians are more than 5.8 times more likely.⁴
- License suspensions—another punishment resulting from failure to appear—are imposed at higher-rates in low-income communities and communities of color.⁵

Civil Assessments Simply Do Not Work

There is no evidence that charging \$300 induces people to appear or pay a ticket. Survey results show that people are mostly unaware of the civil assessment, suggesting it does not play an important role in ticket response rates.

Ability-to-pay programs don’t solve the problem. Because this is the only fee that courts may get to keep if they collect, they have a **conflict of interest**. Data from Solano County shows that even when people proved they qualified for ability-to-pay relief, the court dismissed other fees and **still charged the full \$300 in 97% of cases**.

44% of survey respondents said text reminders from the court would help them pay or appear on-time

Alternatives to the civil assessment are more effective at generating timely court appearances and payments.

Common sense, non-punitive practices like **text message reminders** can

be effective at reminding people to pay or appear. In New York City, researchers found that changes to the court summons reduced failures to appear by 13 percent, and that text message reminders reduced failures to appear by 26 percent.⁶ When San Francisco Superior Court stopped punitive driver’s license suspensions for failure to pay, **it actually saw an increase in delinquent debt per filing**.⁷

Courts already have tools to decide cases without appearances, like trials by written declaration in absentia. Courts also have numerous ways to collect overdue fines and fees, including referring debt to the Franchise Tax Board for bank levies, wage garnishment, and tax intercepts.



“This fee is outrageous. This would impact my ability to pay rent or maintain my car.” – Survey Respondent



“Show me the person who reads the fine print and understands they’ll be charged the \$300 civil assessment if they don’t pay or miss their court date. It’s archaic; no one knows about it.” – California Court Official

73% did not know they could receive a \$300 fee for missing a deadline to pay or appear in court

We must repeal civil assessments.

They are ineffective and further punish poor Black and Brown Californians. Rather than rely on extreme back-end penalties that do not work and drive people into debt, our system of justice should invest in proven front-end tools that make it easier for people to resolve tickets.

3 Public Policy Institute of California, “[African Americans Are Notably Overrepresented in Police Stops](#)” (2020).

4 Lawyers’ Committee for Civil Rights of the San Francisco Bay Area, [Cited for Being in Plain Sight](#) (2020).

5 Lawyers’ Committee for Civil Rights of the San Francisco Bay Area, [topped, Fined, Arrested](#) (2016).

6 University of Chicago Urban Labs Crime Lab and ideas42, [Using Behavioral Science to Improve Criminal Justice Outcomes](#) (2018)

7 San Francisco Financial Justice Project, [Driving Toward Justice](#) (2020).