



State Courts Reduce the Burden of Fines and Fees

Spring 2021 Update

Key Points

- State courts suspend and restructure late fees, collection referrals, and new garnishments.
- The Chief Justice, by order, strongly encourages state courts to waive or suspend fines, fees, and costs for persons with limited financial resources to the extent permitted by law.
- The Chief Justice does not have authority or oversight over municipal, county, and justice courts, which are outside of the state court system.

Oregon State Courts Ease the Burden of State Court Fines, Fees, and Collections During the COVID-19 Pandemic

Spring 2021 UPDATE

Oregon's state courts have reduced the burden of outstanding court fines and fees during the state of emergency by suspending and modifying collections fees and practices, issuing orders encouraging the waiver and suspension of fines, fees, and costs, and carefully considering the impact of fines and fees prior to imposition. Oregon law continues to authorize individual courts and judges to pursue collection actions on delinquent debt if a court determines such actions should take place.

Collections Actions Suspended and Restructured

March 2020 - Suspended imposition of late fees on unpaid judgments over 30 days

- February 2021 - Created new \$50 flat fee for payment plans that extend beyond one year with waiver or suspension of fee authorized based on ability to pay.

March 2020 – Suspended ordering driver license suspensions for failure to pay fine within 30 days

- August 2020 - HB 4065 repealed court's authority to suspend driver's license for failure to pay fine.

March 2020 – Suspended delinquency notices, collection fees, and collection referrals on unpaid judgments over 40 days

- March 2021 – Began sending reminder notices with relief and payment options at 30/90/300 days. Collection referral planned at one year if no payments made.

March 2020 – Suspended issuing new garnishments

- November 2020 – Resumed new garnishments in limited circumstances where ability to pay can be established.

Chief Justice Actions

The Chief Justice issued multiple orders governing state court operations during the state of emergency.

- Chief Justice Order (CJO) 20-010 allows state courts to suspend or waive late fees until 60 days after the end of the state of emergency.
- CJO 21-003 establishes new fee schedule for payment plans that extend beyond one year and replaces CJO 11-027 and temporary CJO 20-010.
- Amended CJO 20-009 strongly encourages state courts to waive or suspend fines, fees, and costs, as allowed by law, for persons with limited financial resources.

Questions about OJD's Actions on Fines and Fees?

For case-specific questions, please contact the applicable court. For general questions, please email cjofeedback@ojd.state.or.us.