

Community Legal Aid

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio



www.communitylegalaid.org

I have court debt or other costs and fines

If you have court debt, costs, or fines, There are several things you need to know. The links below will help you get all the information you need about court debt and how to take care of it.

Step 2: Click on the section that is most important to you or read through all of the information below.

What is court debt, and how do I know if I have any?

What happens if I can't pay it?

How do I pay it?

What is court debt, and how do I know if I have any?

Court debt is when you owe money to a court because of some case you had in that court.

There are a few different types:

- You may owe the court costs. Costs are money the court charges you to pay for the cost of your case. Costs cover things like paying court personnel, paying utility bills for the court (like electricity), and other administrative costs associated with running the court.

- You also may owe the court fines. Fines are actually part of your punishment for committing the crime. Think of a speeding ticket. The money you are ordered to pay for your speeding ticket is a fine. It's meant to punish you so that you don't commit that crime again.

If you aren't sure if you owe anything, you can contact the court and ask if you have any outstanding court debt.

It can be confusing to figure out what you owe to the court, and whether it's fees, fines, or both. Sometimes, courts will just add everything together. You may need to ask the court to break out what you owe, so you can understand which part is fees and which are fines. You can ask them for an itemized list of what you owe.

If you have any questions about Court Costs and Fines, refer to the [Ohio Supreme Court's Fact Sheet](#).

What happens if I can't pay it?

Like any other type of debt, court debt can be hard to pay if you are a low-income worker or living paycheck-to-paycheck. But you do have options, and you have every right to ask for them.

First, it's important to understand that there are different things that can happen depending on the type of debt you have:

- Unpaid costs are treated like civil debt. If you don't pay your costs, the court can treat them like any other debt -- meaning they add late fees or get a debt collector involved, who can then charge interest. And this debt can show up on your credit report and affect your credit score, until you pay it off. But you cannot be arrested for not paying fees.
- Unpaid fines are treated like criminal debt, because they are attached to your criminal conviction as a punishment. Not paying fines can have more serious consequences, like having your driver's license suspended or even being arrested and sent to jail.

So, if you can't pay your debt, you should make sure that you understand what type of debt you have -- costs, fines, or a combination -- so that you make sure you avoid the more serious consequences that are attached to unpaid fines.

Second, if you can't afford to pay your debt to the court, you have a right to ask the court for a special hearing to figure out whether you are able to pay the amount you owe. This is called an

“Ability to Pay” hearing, and you can ask the court to appoint an attorney for you.

At this hearing, bring documents to prove your income (like paychecks or bank statements) and expenses (rent receipts or house payments, utility bills, other bills). This will help you make your case to the court that you don’t have enough money to pay your debt. The court will then decide what to do:

- They can waive your debt completely
- They can reduce what you owe
- They can set you up on a payment plan, so you can pay a little bit at a time
- They can agree to have you do community service work to “pay off” your debt
- They can keep your debt as-is

After this hearing, if you still aren’t able to pay your debt, you do still have some options:

- You can send in small payments every month to prove that you are trying to pay it off, and then later request the court to reconsider waiving your debt
- If the debt you owe is primarily fees for court-related costs, rather than fines related to your crime, then you may be able to eliminate that debt through a bankruptcy
- If you do end up serving time in jail for not paying your debt, the court should reduce your debt by \$50 for each day you serve

If you aren’t able to schedule an “Ability to Pay” hearing with the court, or if you don’t get credit for time served in jail, reach out to us or contact a private attorney to help assert your rights.

How do I pay it?

You can pay your debt directly to the court. Call your local clerk of courts to find out how and where to make payments.

If your debt has been sent to a collections agency, you still may be able to work out a payment system with the court. Call them and ask if they would be willing to work with you.

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