



## HOW TO HANDLE A PAYMENT PLAN CONFERENCE About Criminal Fines and Costs *On Your Own*

*If you have ever been arrested or posted bail for someone, you may owe money to the court and not know it. 1 in 5 Philadelphians owe money to the court for criminal court costs and fines. You should find out if you owe money to the court right away – and if you do, **get into a payment plan you can afford.** To get a payment plan for less than \$35/mo, you may have to ask for a payment plan conference. These tips are about how to handle a payment plan conference on your own.*

### What Is a Payment Plan Conference For??

- To get a lower monthly payment amount that you can afford
- To challenge the total amount of fines and costs that they say you owe
- EVEN if you are *already in collections*, you can still request a payment plan conference to get into a payment plan you can afford!

### How do I get a Payment Plan Conference?

Call 215-683-1482 or go to the Payment Center (in the basement of the CJC) to ask for a conference.

### Do not agree to a monthly payment amount that you cannot realistically afford!

People are being asked to pay different monthly amounts. You may not be able to afford what you are being asked to pay. If this is the case, you can go to a Payment Plan Conference and explain to the Trial Commissioner *how much you **can** afford to pay.* They will probably ask for \$35/mo. If you cannot afford to pay \$35/mo, ask to pay \$5 or \$10 dollars per month. Whether they accept this will depend on your situation.

### What Should I Say at the Conference?

- If you are on **public benefits** – general assistance, TANF, SSI, SSDI, Food Stamps, Unemployment Compensation, or others.
- How much your **income** is, or tell them if you don't have any income.
- How long you have been working, or how long since you have been able to find work.
- Explain if your **criminal record, disability**, or other things have made it **hard for you to work or find a job.**
- What your **monthly expenses** are – including special expenses that are not the same every month, like medical bills.

### What Should I Bring to the Conference?

- A **first payment** (that you can afford)
- Proof of your **income**, if any (including public benefits).
- Proof of your **expenses**, such as rent, utilities, food, child support and other bills.
- **Give a copy of your proof or documents to the court, but be sure to keep your own copy!**

**IMPORTANT:** If the Trial Commissioner orders you to pay an amount that you cannot afford, **do not agree to it.** Ask for a hearing in front of a Judge, or ask if you can appeal this decision to a Judge. ***Do not agree to a monthly amount you cannot afford – even if you are pushed to do so.***

## What Should I Expect at the Payment Plan Conference?

The conference will be in **Room 1101** in the **Criminal Justice Center (CJC)** building at 1301 Filbert St., Philadelphia. Get there **well before 2:00pm** because you will have to go through security and the conferences will start on time. You will be asked to sign in and show **photo ID**.

It is an **informal conference**. You will be seated around a table with a **Trial Commissioner**, who is the person in charge, and other court personnel. It will be relatively private, because the questions asked are about your financial situation and ability to pay. You should request that they look at your **archived court files** and **probation files**. The Trial Commissioner will tell you how much the Probation Department thinks you owe to the Court in criminal costs, fines, restitution, and supervision fees. **You will have a chance to say how much you think you owe, if you disagree.**

If you have **proof of payments** you made toward your court debts, you should show that to the Trial Commissioner.

You can also ask that the Trial Commissioner print out the **probation payment record** for your case(s). This can be done in the courtroom and be compared to what they say you owe. *Sometimes payments you made are missed until the printout is examined at the conference.*

Arguing that you wouldn't have been taken off of probation unless you paid all of your fines and costs will not generally be successful. **BUT:** if you made payments to the probation officer, there should be a record of them in the archived probation file. This file should have the probation officer's "**discharge summary**," which *should* say if all fines, costs and fees have been paid. **Ask for a copy of this.**

**You may also be able to have your supervision fees reduced or waived if you meet certain categories.** See next page for more on this.

***REMEMBER: the main purpose of this conference is to set a payment amount that you can afford to pay each month.***

***DO NOT agree to an amount you can't afford!!***

***If you are unable to agree on an affordable payment amount, or you still don't agree with what they say you owe, say that you want to appeal your case to a judge.***

## What to do about SUPERVISION FEES?

Supervision fees are \$25.00 per month for each month that you were on probation – no matter how many cases you are on probation for at the same time. You may be able to get the amount down with the Trial Commissioner at a Payment Plan Conference.

**If You Believe the Judge Waived or Reduced Your Supervision Fees ... Try to Get Proof BEFORE the Date of the Payment Plan Conference (or ask for a postponement):**

Go to the 3<sup>rd</sup> floor of the Criminal Justice Center (CJC), located at 1301 Filbert Street, Philadelphia, where the court files are kept. Ask to see your case file to **make a copy**, which will cost you 25 cents per page. Bring quarters to do this. Make a copy of the sheet the Judge signed showing the supervision fees were waived or reduced. **Bring this to the Payment Plan Conference.**

**NOTE:** If your case is very old, it might take weeks for the court staff to get it from storage or archives. Request the files as early as you can, to make sure you can have the copy before your conference date. Do not wait until the day of your Payment Plan Conference!

**You Might Be Able to Get Your Supervision Fees “Remitted” or Waived!**

*If you fall into **one of these categories**, you should ask the Trial Commissioner to remove some of your supervision fees. Tell the court this is because of 37 Pa. Code § 68.21 (2005):*

- Are you 62 years old or older with no income?
- Are you on public assistance?
- Are you enrolled as a full time student for at least 12 semester credit hours in an approved educational organization (by the U.S. Department of Education)?
- Are you not employable due to a disability, as determined by an examination acceptable to or ordered by the court?
- Are you responsible for the support of dependents, so that the payment of supervision fees would cause undue hardship on you?
- Are you participating in an inpatient treatment program?
- **Explain if you have other extenuating circumstances!**

Bring proof of the above if you have it.

*\*Payment plan conferences are different from bail forfeiture hearings. These tips are about payment plan conferences.*