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**Media contact:**

* LSPC: Brittany Stonesifer, [brittany@prisonerswithchildren.org](mailto:brittany@prisonerswithchildren.org), 415- 625-7046
* EBCLC: Theresa Zhen, [tzhen@ebclc.org](mailto:tzhen@ebclc.org), 510-269-6635
* ACLU SoCal: Communications & Media Advocacy, [communications@aclusocal.org](mailto:communications@aclusocal.org), 213-977-5252

**October 18, 2017**

**New Toolkit Helps Advocates Protect Traffic Court Defendants Who Can’t Afford to Pay**

*San Francsco, California* - This week, the Back on the Road Coalition released [***Ability to Pay***](https://ebclc.org/backontheroad/get-involved/the-toolkit/)**, a toolkit** to help legal services providers, public defenders, and self-represented court users to advocate for full legal protection of individuals unable to afford California’s [exceptionally](https://www.lccr.com/wp-content/uploads/LCCR-Report-Paying-More-for-Being-Poor-May-2017.pdf) costly traffic tickets.

The toolkit comes on the heels of earlier successes by the Back on the Road Coalition this year, including a [legislative end](http://www.mercurynews.com/2017/09/10/opinion-legislation-can-fix-paying-more-for-being-poor-in-traffic-fines/) to the practice of using license suspension to force collection from people who miss a payment on their traffic ticket and the establishment of [statewide rules of court](https://newsroom.courts.ca.gov/news/council-approves-new-rules-to-better-inform-defendants-of-their-rights-in-infraction-cases) to protect low-income drivers.

The ***Ability to Pay* toolkit** includes:

* An issue primer on new traffic court rules and laws;
* Examples of motions and other model court filings;
* “Know Your Rights” materials; and
* Monitoring and advocacy resources.

“The aim of the toolkit is to empower local advocates across California to create change within their own communities,” said Brittany Stonesifer, a staff attorney with Legal Services for Prisoners with Children and a co-author of the toolkit. The group is also interested in tracking county compliance with the new regulations, which their research has suggested is still incomplete.

The Berkeley-based East Bay Community Law Center is maintaining [an online guide](https://ebclc.org/reentry-legal-services/) to all 58 California counties’ traffic court ability-to-pay resources and is asking that people who use the toolkit keep their group informed of happenings in their local courts by using [this form](https://docs.google.com/forms/d/e/1FAIpQLSd-P9jn14qf6uh0gg_dogOntDIuMkGFLJ9R_r6rPI9mLHw6Sg/viewform).

“New laws around the right to an ability-to-pay hearing are not self-enforcing,” said Theresa Zhen, a staff attorney at the East Bay Community Law Center. “Our new toolkit and 58-county guide strives to equip advocates with the materials to protect the rights of low-income litigants in traffic court.”

As past reports from the coalition [highlight](http://ebclc.org/wp-content/uploads/2015/10/Not-Just-a-Ferguson-Problem-How-Traffic-Courts-Drive-Inequality-in-California-4.20.15.pdf), unaffordable traffic tickets and overly-aggressive collections methods can force many families to choose between paying for rent or food and paying off court debt. Those harmed by this system are disproportionately people of color.

“A fines and fees system that does not consider ability to pay is inherently an unequal one,” said Devon Porter, Liman fellow at the ACLU of Southern California. “New statewide policies will help ensure that Californians will no longer be punished for being poor.”

The Back on the Road Coalition advocates for legal reforms to help low-income drivers and helps guide implementation of those rules. The coalition includes the ACLU of Northern California, ACLU of Southern California, Bay Area Legal Aid, Community Housing Partnership, East Bay Community Law Center, Lawyers’ Committee for Civil Rights of the San Francisco Bay Area, Legal Services for Prisoners with Children, Legal Services of Northern California, and the Western Center on Law and Poverty.

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