

# Broadening the Lens of Procedural Justice Beyond the Courtroom: A Case Study of Legal Financial Obligations in the Juvenile Court

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*Procedural justice research has shown how people's experiences with courtroom actors, such as judges, defense attorneys, and prosecutors, shape their views of the justice system and its legitimacy. However, less is known about how people's experiences outside the courtroom that relate to their cases shape their views of this system. Based on forty-one interviews with twenty-one youths and twenty parents in Dane County, Wisconsin about their legal financial obligations (also known as monetary sanctions), this study broadens the focus of procedural justice to include another key aspect to people's experiences with the law beyond the courtroom: their experiences navigating bureaucratic aspects to their youths' cases and their interactions with non-court staff (e.g., clerks, Human Services, and community agencies), otherwise known as "auxiliary personnel" (Feeley 1979) or "street-level bureaucrats" (Lipsky 2010/1980). We focus on legal financial obligations as a case study to show this multi-agency view of procedural justice as it reveals the families' often disjointed experiences with justice staff both inside and outside of the courtroom.*

## INTRODUCTION

Procedural justice scholarship reveals how people's views of the law are tied to their experience with the legal process (Tyler and Huo 2002; Tyler 2006; Meares 2014). That is, even if people are arrested or receive a punishment for their offense, they still may see the justice system as fair if they feel treated with respect in a transparent process. Conversely, if they feel that they are not being treated fairly during their interactions with legal officials, they are not as involved or invested in adhering to the institutional demands, which they now view as illegitimate (Tyler 2003; 2006). Some studies have shown how procedural justice can affect peoples' subsequent

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behaviors, such as increasing the amount and frequency of payments for their legal debts (Gladfelter, Lantz, and Ruback 2018).<sup>1</sup>

While many studies have focused on people's experiences with courtroom actors, such as judges, prosecutors, and defense attorneys (Burdziej, Guzik, and Pilitowski 2019; Pennington and Farrell 2019; Ansems, Van de Bos, and Mak 2020), and with the police (Bobo and Thompson 2006; Epp, Maynard-Moody, and Haider-Markel 2014; Ellem and Richards 2018), less is known about how people's additional experiences with multiple non-courtroom actors about their cases shape their views of the criminal and juvenile legal systems. These non-courtroom actors include clerks, detention and group home workers, and probation officers, who implement the court's decisions (e.g., short-term custody, probation supervision). This study focuses on how, in this fragmented system of justice agencies, both the transparency in the court process becomes blurred and peoples' voices can get lost. It uses forty-one interviews with twenty families (twenty-one youths and twenty parents) conducted in Dane County, Wisconsin about the youths' legal financial obligations (LFOs), or costs related to their youths' delinquency cases (e.g., supervision, restitution, evaluation/testing, and court fees), to show how families' perceptions of the justice system are shaped by their experiences of "law" that occur both inside and outside of the courtroom. This study looks specifically at the families' fragmented and disjointed experiences in navigating various agencies and interacting with both court and non-court staff about their youths' LFOs to argue that the administrative aspects of those LFOs are key to understanding families' overall views of procedural justice.

LFOs are a good case study to explore this broader system-wide perspective of procedural justice given both the criminal and juvenile legal systems' extensive use of them and the multiple agencies involved in that effort. LFOs have become a popular topic in recent public and political discourse, especially regarding their effect on poverty and racial inequality (US Department of Justice 2016; Laisne, Wool, and Henrichson 2017). Yet, the research to date has focused largely on adults with legal debt (Harris 2016; Colgan 2017; Friedman and Pattillo 2019; Shannon et al. 2020). Our article turns the spotlight instead on LFOs in the juvenile legal system, because it operates differently to its criminal counterpart with its *parens patriae* philosophy of rehabilitating the youth. We show families' experiences related to LFOs in the juvenile legal system led them to question its "therapeutic" efforts. That is, even if families reported experiencing feeling heard by the judge and lawyers in the courtroom (a key tenet of procedural justice) about how to help rehabilitate their youths, their often-frustrating experiences navigating the bureaucratic aspects of LFOs, which included interactions with the staff outside of the courtroom, negatively impacted their view of the court and their engagement with the court actors.

This study makes three primary contributions to existing scholarship. First, we expand the scope of procedural justice to consider how peoples' experiences with multiple actors and agencies both inside and outside the courtroom (e.g., judges, attorneys, clerks, social workers, police) shape their views of the juvenile legal system.

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1. While their focus was not explicitly on procedural justice, Bradshaw et al. (2006) found that parents who felt the court actors listened to and supported them, or what could be termed as "voice" in procedural justice terms, were more likely to increase their monitoring of youths to discourage future anti-social behaviors.

Second, we expand on existing literature that reveals the negative effects of LFOs by identifying yet another deleterious consequence of this financial burden: families' views of the juvenile legal system as not legitimate. Third, we emphasize the importance of studying the bureaucratic processes related to court cases, showing how the non-courtroom staff, referred to elsewhere as "auxiliary personnel" (Feeley 1979) and "street-level bureaucrats" (Lipsky 2010/1980), are not simply adjacent or supportive players to the courtroom actors in deciding the youths' cases; rather through their administration of LFOs, these staff can directly influence the youth's case outcomes.

## BACKGROUND ON LFOS

Legal financial obligations (LFOs), also known as monetary sanctions, have been a longstanding practice in the criminal and juvenile legal systems (Beckett and Harris 2011; Harris 2016; Colgan 2017). There are various types of legal financial obligations: fines, which serve as a financial form of punishment; fees, which the state purportedly charges in order to offset the administrative costs of the system; and restitution, which is sent to the victim to compensate for any financial loss they may have incurred due to the crime. LFOs are imposed increasingly not just on people for their felony convictions, but for arrests and other costs associated with their involvement in the justice system, as set by the states and local counties (Harris 2016; Kohler-Hausmann 2018); fines also are often used concurrently with incarceration.<sup>2</sup>

Specific to the juvenile legal system, over 720,000 youths in the United States have delinquency cases in juvenile court each year<sup>3</sup> and many of these youths face legal financial obligations, with variation across states in the specific charges (Feierman et al. 2016). LFOs expose the following conundrum unique to juvenile court: its "*parens patriae*" approach intended to help the "well-being" of the child (Mack 1909; Platt 1977; Rosenheim 2002) often is viewed by the youths and families as punishment. While many have discussed the racialized and discriminatory origins of this philosophy (Feld 1999; 2017; Ward 2012; Agyepong 2018), the juvenile court still uses that rehabilitative logic to justify its imposition of LFOs to youths and families. For example, restitution is designed to teach youth to take responsibility for their actions by having them pay for the damages to the victims. The court also applies this rationale to the other LFOs, such as having parents pay the court for care that the court deems appropriate, such as group homes.

Existing research has found that any intended administrative or therapeutic purpose of LFOs is far overshadowed by the actual negative effects on the people with those LFOs.<sup>4</sup> In their analysis of legislative statutes in Illinois pertaining to LFOs,

2. See Colgan (2017) for more about how day fines typically are used as an alternative to incarceration and based on a sliding scale of income.

3. The latest estimates were 722,625 in 2019 (Sickmund, Sladky, and Kang 2021) and 744,500 in 2018 (Hockenberry and Puzanchera 2020).

4. One study did find one positive association with restitution and case outcomes. Haynes, Cares, and Ruback (2014) found that youths who paid higher percentages of their restitution had lower rates of probation revocation. However, this positive relationship between payment of restitution and probation revocation could be confounded by the youths' socioeconomic status. In other words, youths' higher socioeconomic status may be a factor that leads both to increased probability of paying restitution as well as lower rates of probation revocation.

Brittany Friedman and Mary Pattillo (2019) found that these laws reflect neoliberal logics of personal responsibility, do not offer much relief for people that struggle to pay, and impose severe penalties for those who fail to pay. Financial debt in the hands of the carceral state proves to be a powerful mechanism of control, given that the body that yields this debt has the power to deprive people of their freedom (Friedman and Pattillo 2019; Pattillo and Kirk 2021). The limited research on LFOs in the juvenile legal system has found that they create severe financial burdens on families (Feierman et al. 2016; Kaplan et al. 2016; Feierman et al. 2018) and can increase the likelihood of youth recidivism (Piquero and Jennings 2017). Though few jurisdictions collect information on the family income of youths involved in juvenile court, those that do have found that about 60 percent of families were receiving public assistance or made less than \$20,000 a year (Birckhead 2012). These LFOs, then, are primarily imposed on families that are already experiencing economic hardship. Case studies in Alameda County and Philadelphia reveal how administrative fees harm low-income families, undermine efforts to rehabilitate youths involved in the juvenile justice system, and impose a “double punishment” on parents who have their children taken away and then are told they have to pay for it (Bess 2014; Cowger, Stevenson, and Grimes 2016; Feierman et al. 2016; Kaplan et al. 2016). Youths can also accumulate fines for minor or status offenses (e.g., fare evasions, school infractions, and violation of curfew), which Kaitlyn Selman, Randy Myers, and Tim Goddard (2019) characterize as “shadow carceral innovations.” While some efforts for reform have succeeded in reducing or eliminating some of these charges,<sup>5</sup> fines and fees in the juvenile legal system remain widespread. In addition, research to date has not systematically asked youths and parents about their experiences with fines and fees and how those experiences impact their views of the court.

## PROCEDURAL JUSTICE AND LFOS

Procedural justice (Tyler 2003; 2006) provides a theoretical lens through which to understand the broader implications of youths and families’ experiences with LFOs for their views of court. Tom Tyler (2003, 300–01) provides a general definition of procedural justice: “that decision making is viewed as being neutral, consistent, rule-based, and without bias; that people are treated with dignity and respect and their rights are acknowledged; and that they have an opportunity to participate in the situation by explaining their perspective and indicating their views about how problems should be resolved.”<sup>6</sup> In regards to juvenile justice, Liana Pennington and Amy Farrell

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5. Since 2020, six states have passed laws to reduce or eliminate fees related to placement, counsel, and other court costs: Colorado (HB21-1315), Oregon (SB 817), Louisiana (HB 216; Act 213), New Mexico (HB 183), California (SB190), and New Jersey (S2511). Selected counties in California and the New Jersey Supreme Court also forgave outstanding debts. Dane County—the setting for this study—eliminated and forgave outstanding debts related to many of the fines and fees discussed in this article in December 2020; it still charges for foster care and group home costs related to the youth’s case. Financial restitution remains in place in these jurisdictions.

6. In later work, Tyler (2006) outlines some key characteristics of a legal procedure that is perceived as fair: (1) representation, or that people feel they can give their input regarding the process and outcome of the decision; (2) consistency in staff actions; (3) staff’s impartiality in terms of bias, honesty and efforts to be fair; (4) quality of decisions, as based on authorities making an effort to get information about the defendant’s issues and having the ability to solve those issues; (5) correctability, or the knowledge given to people

(2019) focus on the last part of Tyler's definition, framed as "voice," in their study of thirty families' experiences navigating their youths' cases in two juvenile courts. They find that for parents, voice entails having the opportunity to "bridge the cultural gap" between legal actors and the families, who may come from different communities, in which parents can give context for their youth's delinquent behavior and ensure the system does not mistreat them.<sup>7</sup> Specific to LFOs, Breanne Pleggenkuhle, Kimberly Kras, and Beth Huebner (2021) use a procedural justice framework to show how adults with criminal involvement view LFOs, distinguishing restitution from other monetary sanctions as being more legitimate; they also found that people with LFOs related to sex offenses found the system to be especially unfair to them as those LFOs were excessive and not eligible for waiver compared to other LFOs associated for other types of offenses. Elsewhere, Mary Pattillo and Gabriela Kirk (2020) study how adults perceive their LFOs compromising various forms of justice (e.g., constitutional, retributive, procedural, and distributive), due to the amounts which exceeded peoples' income, the process by which the LFOs were administered, and the ways they were added onto other punishments such as jail and prison stays. Andrew Gladfelter, Brendan Lantz, and Barry Ruback (2018) found that adult probationers' experiences of procedural justice, particularly related to how the court actors convey information about LFOs, impact the amounts and number of payments that they would pay, independent of the typically cited factors such as their ability to pay, intentions to pay, or emotions about the offense.

The implications of procedural justice extend beyond peoples' views of their cases to broader notions of legitimacy for the court (and by extension, the state). Tyler's original formulation, referred to as the process model of regulation, posits that peoples' experiences of procedural justice in the court shapes their ideas about its' legitimacy which in turn, inform their future compliance with the law. As others have explored in a variety of legal settings such as police encounters, prisons, and probation both in and outside of the United States (Tyler et al. 2007; Jackson et al. 2010; Bottoms and Tankebe 2012; Tankebe 2013; Johnson et. al 2014; Burdzij, Guzik, and Pilitowski 2019; Pleggenkuhle et al. 2021), legitimacy broadly refers to the extent to which people feel obligated to obey the law, have faith and trust in the law, and have cynicism about the law. By legitimacy, we rely on the definition by Tom Tyler and his co-authors (2007, 10) who write:

In the context of law and legal authorities, having legitimacy means that those in the community being regulated believe that their authorities "deserve" to rule and make decisions that influence the outcomes of members of the community. The belief that some decision made or rule created by these authorities is "valid" in the sense that it is "entitled to be obeyed" by virtue of who made the decision or how it was made is central to the idea of legitimacy.

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about where to complain about unfair treatment; and (6) ethicality, or the ways that the authority was polite or showed concern for a person's rights.

7. For a more critical view of voice as blinding people from seeing the structural injustices of law, see MacCoun (2005).

For youths specifically, the issue of legitimacy goes beyond one-time interactions between them and the justice system actors; some have argued those interactions could shape the youths' legal socialization (Fagan and Tyler 2005; Fagan and Piquero 2007; Granot and Tyler 2019). Kaiser and Reisig (2019, 136) found a positive relationship between youths' experiences of procedural justice and legitimacy (e.g., youths' views of legal authorities as credible) in their longitudinal study of youths charged with serious offenses; by the same token, they found a negative correlation between procedural justice and legal cynicism (e.g., youths' views of the application of laws as unfair).

While some procedural justice research does separate specific justice actors in their analyses (Jackson et al. 2012; Gladfelter, Lantz, and Ruback 2018; Kaiser and Reisig 2019; Pennington and Farrell 2019), they do not consider peoples' experiences navigating bureaucratic procedures and interacting with other key actors in the justice system outside the courtroom: staff who process the administrative aspects to the court cases and implement the judge's decisions.<sup>8</sup> While these staff are not concerned with the legal aspects of decision making, they do influence peoples' cases in terms of scheduling the docket, providing information to defendants, and potentially waiving certain fees for administrative aspects (e.g., photocopies).<sup>9</sup> For example, Alexes Harris's study (2016) shows how criminal court clerks in Washington state exercised enormous influence in implementing and monitoring the LFOs collection process, often in ways unbeknownst to the judges and attorneys. Other work documents how administrative aspects of LFOs can contribute to the confusion expressed by adults who have legal debt. Kimberly Spencer-Suarez and Karin Martin (2021) develop a "typology of debtor confusion" to better understand peoples' differing actions related to paying their LFOs; that typology involves "proximal and distal understanding," pertaining respectively to a person's specific case or system-wide issues related to LFOs. Michele Cadigan and Gabriela Kirk (2020) explore the implications of this confusion in navigating the bureaucracy related to LFOs, which they call a "procedural pressure point." That pressure then leads to a vicious cycle in which the person needs a job to pay off the LFOs but cannot get or maintain a job due to the stress and hassles in dealing with the court's focus on collecting those sanctions. Finally, Nathan Link et al.'s (2021) study highlights the importance of studying the administrative aspects of LFOs, showing how one specific collection unit's work practices lead to the unwitting merging of civil and criminal justice systems (e.g., unpaid criminal fines turning into civil warrants).<sup>10</sup>

This article adds to this burgeoning line of research on the administration of LFOs, focusing specifically on the distinct ways that it operates in the juvenile legal system.

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8. Pennington (2015, 912) does mention non-court actors but does not focus her analysis on them.

9. See Yngvesson (1988) and Merry's (1990) research, which shows that clerks in civil court can be both peacemakers and law enforcers. So, while clerks are "not really legal" actors (McBarnet 1981), they still play a key role in deciding how certain problems proceed and turn into cases. Elsewhere, Purdum (1985) characterizes clerks' actions as an "informal exercise of power over litigants and attorneys" (1985, 357).

10. For related research on administrative issues in the justice system, see Kohler Hausmann's discussion (2018) of the "administrative hassles" embedded into the case processing of misdemeanor cases as a form of punishment for low-level poor defendants. For a general discussion of administrative issues in government institutions, see Herd and Moynihan (2018) who use the concept of "administrative burdens," which encompasses both official rules and peoples' experiences in navigating those rules to show how the agencies' processes can be overly complicated and burdensome in ways that often serve to exacerbate the social inequalities and problems that the institutions are designed to redress or ameliorate.

Unlike in the criminal legal system, the LFOs in the juvenile legal system are distributed among the youths and their legal guardians/parents. Our article addresses how that distribution of LFOs among the youths and parents adds another layer of potential complications and confusion among the families, as parents are often the ones interacting with justice actors about payment, while the youths' actions are leading to the imposition of those LFOs. Yet, they both face legal consequences if they do not pay, making the LFO process in juvenile court different from criminal court where adults may rely on their family members to help them pay. By focusing on how multiple family members describe their experiences in the juvenile court, this article emphasizes the importance of including non-court actors and agencies as part of studying LFOs and procedural justice in the juvenile legal system.

We rely on both Malcolm Feeley's term of "auxiliary personnel" (1979) and Michael Lipsky's (2010/1980) "street level bureaucrats" to analyze this administrative work of LFOs, which could range from determining families' ability to pay based on their income to providing ongoing notifications to families about the LFO amounts and payment options. Feeley and Lipsky's terms convey different aspects of these actors' influence on the families' ideas of the court's fairness and legitimacy. Feeley (1979, 94) writes about the ways that these staff can "administer small doses of justice in their own right," controlling the flow of information to the courtroom-based staff (e.g., maintaining and sharing court files) and sharing their own assessments of the defendants with the court-based staff via informal conversations.<sup>11</sup> Lipsky (2010/1980, 9) highlights the importance of "street level bureaucrats," in shaping the clients' views of those institutions:

It is one thing to be treated neglectfully and routinely by the telephone company, the motor vehicle bureau, or other government agencies whose agents know nothing of the personal circumstances surrounding a claim or request. It is quite another thing to be shuffled, categorized, and treated "bureaucratically," (in the pejorative sense), by someone to whom one is directly talking and from whom one expects at least an open and sympathetic hearing. In short, the reality of the work of the street-level bureaucrats could hardly be farther from the bureaucratic ideal of impersonal detachment in decision making. On the contrary, in street-level bureaucracies the objects of critical decisions—*people*—actually change as a result of the decisions.

Lipsky's characterization of this work encapsulates the importance of families' experiences with the LFOs that stem from often fragmented and confusing messaging by an array of front-line workers in agencies (e.g., Department of Human Services, public defender, DA victim/witness office, court clerks) both inside and outside of the

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11. Feeley writes in more detail about the importance of auxiliary personnel (1979, 115): "There are a number of people who provide a host of support services for the court, people who occupy minor but necessary roles in the courthouse . . . . They transmit important information to the accused, their friends, and family members. They reflect and represent the interests of the larger environment, providing a police presence in the courtroom and expressing the indignation and sympathy of the community at large as they come into contact with individual defendants. They are part and parcel of the patronage system, binding each other and other members of the court system to a common organization."

courtroom. That is, the families' interactions with street level bureaucrats affect not just these families' already tenuous economic situations; being "treated 'bureaucratically'" affects how they feel heard and respected by the court.

After a brief overview of the scope of LFOs in Dane County and the study's methods and setting, we turn to our analysis of the families' experiences. We focus on two procedural justice factors, quality of decision making and representation, as they address most directly the ways that families experience procedural justice across *all* aspects of the juvenile justice system (e.g., court, probation, clerks, community agencies).<sup>12</sup> By quality of decision making, we mean the *transparency* in the decision-making process related to the information used by court and non-court actors regarding the youths' cases and their LFOs. By representation, we use the idea of *voice* as defined in Pennington and Farrell, who look at "why voice is important, how voice is expressed or denied, and how having or not having voice imparts legitimacy" (2019, 347). While they focus on courtroom actors, we focus instead on how one's voice can get lost in a fragmented system of agencies across the justice system. We argue that the feeling of not being heard is not only dependent on public defenders' failure to communicate the parents' desires to the judge, as Pennington and Ferrell find, but rather, it is also related to one's voice not seemingly being communicated from one part of the system to another. That is, a parent can talk with the clerks, who do not transmit that information to lawyers or judges or vice versa. The disconnect between what happens outside and inside the courtroom could contribute to that parent's feelings of frustration or sense of unfairness.<sup>13</sup> Conversely, even if one feels "heard" in the courtroom, but not by the non-court actors, that disconnect further lessens the impact of the former on the families' overall experience with the court and views of its legitimacy. By legitimacy, we refer to the peoples' trust in the court as a fair and credible institution. In analyzing these facets in more detail, we argue that peoples' sense of procedural justice and the court's legitimacy can only be fully understood by looking at the web of relations between these individuals and the various staff and agencies that make up the juvenile legal system with whom they interact.<sup>14</sup>

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12. In choosing these two aspects, we do not mean to suggest the other four mentioned by Tyler (2006)—consistency, correctability, impartiality, and ethicality—are irrelevant. Rather we posit that the two used in our analysis are best able to highlight the ways that peoples' feelings of procedural justice stem from their often-differing experiences across various actors and agencies in the justice system.

13. Before turning to the analysis, we should note two caveats. We do not assume that families' frustration or distrust preexist their experience in the court process. Also, we recognize that people can be distrustful in general about the system at the same time they are willing to engage in this specific case with their youths.

14. While we focus on procedural justice, we also recognize the importance in considering distributive justice for understanding legitimacy. Distributive justice focuses on the outcomes people receive (Tankebe 2013, 111), whether it is in terms of the distribution of outcomes or resources across various subgroups. Regarding our article, distributive justice could be used to analyze the families' views of the outcomes, or the amounts of LFOs and decisions related to paying those LFOs. However, our argument is that peoples' views about those outcomes stem from their views of the processes across several agencies by which those outcomes were determined. In addition, the outcomes here are not necessarily the result of one discrete decision by a legal actor (e.g., police arrest, court sentencing) but rather dispersed and open-ended across various agencies. As such, this article focuses more on procedural justice as its main argument pertains more to the peoples' experiences with the process in which the LFOs are assessed across multiple agencies over time, a process which they find to not be transparent or open to their voices. For more on distributive justice, see Barragan (2021), Tankebe (2013), and McLean (2020).



## LFOS IN DANE COUNTY

In Dane County, Wisconsin, families can be assessed LFOs in the following ways:

As [Table 1](#) shows, there are four distinct agencies that handle seven types of legal financial obligations. It is not necessarily clear how that division of labor was established, in which Human Services oversees the court-ordered placement and delinquency supervision fees while the clerks of court administer the guardian ad litem fee. In addition, the process can get complicated when one considers the possible variations in how families are assessed and in what amounts. For example, some LFOs can be waived but by different entities (e.g., judge, public defender's office, Human Services) and under different conditions (e.g., the family is a victim, family income or eligibility for other government programs). Moreover, the amounts of two types of LFOs, competency evaluation and court ordered placement, could be adjusted based on different criteria from two different agencies (the clerks of court and Human Services).

Regarding restitution, youths can be assessed up to \$1,000 maximum, even if the damages are greater. They can start to work off these bills by doing community service at local organizations that then send the payments to the victims. Through this community service, they get \$7.25/hour minus Social Security tax (approximately \$6.70/hour). So, if a youth had the maximum amount of restitution at \$1,000, she would need to perform just over 149 hours of community service at \$6.70/hour to complete the payment. However, the agencies do not have enough funding to support the entirety of the youths' restitution. They simply get youths started on making payments in hopes that they and their parents will continue to do so on their own.<sup>15</sup>

If families are unable to pay these LFOs, they face a variety of financial and/or non-financial consequences as a result. Parents and youth mentioned the following examples in their interviews: threats of imprisonment directed at parents, forced payment through a parent's state tax returns, delaying issuance of driver's license for youths, and extended court supervision.

## METHODS AND SETTING

We conducted forty-one semi-structured interviews with youths and parents in twenty families, whose youths had LFOs as a result of their involvement in the juvenile legal system in Dane County, Wisconsin<sup>16</sup> during July–September 2018; all but one

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15. The minimum working age in Dane County is fourteen years old; for the four youths in our sample under fourteen, none of them reported having restitution as part of their court case so it is unclear if they would have been allowed this option of doing community service as a form of paying off that restitution amount.

16. One family had two youths in the system, which is why we interviewed twenty-one youths and twenty parents. We conducted this research in Dane County as part of a larger project that the first author was working on with Juvenile Law Center, a national juvenile justice legal organization, to inform their policy reform efforts regarding legal financial obligations in the juvenile justice system. As Juvenile Law Center was already involved in doing advocacy around juvenile confinement in Wisconsin, the first author decided to conduct this research in Dane County specifically about LFOs as part of that broader advocacy work. As part of that project, we also conducted interviews with ten victims of juvenile crime, recruiting them through a local nonprofit agency that supervised community service alternatives for youths in lieu of restitution which sent a letter on our behalf to victims of crimes committed by the youths in its program. The victims then contacted us directly if they wanted to participate in the study. For more on the victims' experiences, see Paik and Packard (2019) and Paik (2020).

**TABLE 1.**  
**Legal Financial Obligations for Families in Dane County Juvenile Court in 2018**

Type	Amount	Responsible Party	Billing Entity	Fee Scale	Fee Waivable	Criteria for Waiving Fee
Victim/Witness Office	\$20/case	Child	Clerk of Courts	No	No	
State Public Defender (SPD)	\$240 misdemeanor/ \$480 felony	Parent	State Public Defender (SPD)	No	Yes	If family is victim or parents eligible for SPD
Court ordered NGI*/ Competency evaluation	\$400	Parent	Clerk of Courts	Yes	Yes	
Restitution	Varies, up to \$1,000	Child	Courts-Restitution Program	No	No	
Delinquency supervision fee	\$25/month	Parent	Human Services (DHS)	No	Yes	If family is victim or parents eligible for SSI, SSDI, Veterans Benefits, W-2, below poverty level DHS Uniform Fee Monthly payment schedule
Court ordered placement	Child support standard	Parent	Human Services/ Juvenile Court Program	Yes	Yes	
GAL/PRP**	\$300 per parent (if not in same household)/ \$600 intact	Parent	Clerk of Courts	No	Yes	

\*NGI stands for Not Guilty by Reason of Insanity.  
 \*\*GAL/PRP refers to Guardian Ad Litem/Parent Representative.

**TABLE 2.**  
**Demographics of Interview Participants**

Race/Ethnicity	Parents (n = 20)	Youths (n = 21)	All youths in Dane County juvenile court (n = 585)**
African American	70%	71%	62%
Latinx	10%	10%	5%
Caucasian	20%	10%	26%
Other	0%	10%	7%
<b>Age*</b>	Range: 32–53 Mean: 39	Range: 12–16 Mean: 15	Range: 10–17 Mean: 15
<b>Gender (% Male)</b>	5%	67%	66%

\*Two parents did not disclose their ages.

\*\*These numbers are taken from the 2018 Dane County juvenile court annual report.

youth's case was still open at the time of the interview. We recruited families through the juvenile court administrator's office and several community agencies working with youths involved in the system. They informed families of our study on our behalf; if the families were interested, they contacted us directly. Since all the youths were under eighteen years old at the time of the interview, we obtained parental permission and youth assent before conducting their interviews. As these participants do not consist of a random sample of families involved in the juvenile justice system in Dane County, we cannot generalize their experiences to all families in this setting. Despite this limitation, we posit that the experiences of families in our sample can provide a window into the process through which LFOs are assessed, reveal the web of relations involved in this process, and provide a basis for developing theoretical propositions on the relationship between these experiences and families' views of the court system.

The interviews focused on the people's understandings of and experiences with the juvenile legal system, particularly regarding fines, fees, and restitution (LFOs). The questions centered around families' views of youth and parental responsibility for the youth's LFOs and court case, their understanding of LFOs, the amount of LFOs and how much the families paid, and their views of specific court actors and the court decisions. The interviews were conducted in English<sup>17</sup> and took place in the respondents' homes, local cafes, or libraries based on wherever the respondent felt most comfortable. They lasted between twenty-five minutes to two hours. We paid the youths twenty dollars and parents forty dollars for their participation in the study.

Table 2 provides the demographics of the interview participants. Our sample has higher rates of African American and Latino youths, with lower rates of Caucasian youths as compared to the demographics of the general juvenile court population in Dane County as outlined in its 2018 annual report with the same mean age and similar age ranges and percent male.

17. We were not able to conduct interviews with Spanish-speaking-only families, given the authors' lack of fluency in Spanish.

**TABLE 3.**  
**Alleged Violations**

Category (specific violations in our sample listed in parentheses)	Our Study (n = 27)*	Dane County (n = 374)**
Crimes against person (battery, intimidation of witness)	26% (7)	23% (85)
Crimes against property (operating motor vehicle without owner consent - driving/passenger, criminal damage to property, theft, trespassing)	44% (12)	36% (136)
Crimes involving weapons (possession)	11% (3)	2% (9)
Crimes against health/public safety (disorderly conduct, resisting officer)	19% (5)	39% (144)

\*In our sample three youths mentioned probation violations and one youth mentioned public urination. Those categories are not listed in the 2018 Dane County Juvenile Court annual report; as such they are excluded here. However, three of those four youths have other violations listed in this table.

\*\*These numbers are compiled from the same violations listed in the 2018 Dane County juvenile court annual report.

Fourteen of the parents were working at the time of the interview (ten full-time, three part-time and one unclear whether part-time or full-time). Four were working in professional capacities (e.g., nurse, human resources) while the other ten were in customer service jobs (e.g., housecleaning, retail). Of the six who were not currently working, one was a student. The families had an average of four children, with a range of one to nine. Fourteen of the parents were single parents; the others were married or living with their partners.

The offenses ranged from car theft to assault; some youths reported more than one offense for the case discussed in the interview. Eighteen of the twenty-one youths had previous cases in juvenile court. As Table 3 shows below, our sample has a higher proportion of crimes against property and involving weapons compared to the general juvenile court population.

The average amount that families reported being billed for LFOs (including four families reporting some restitution amount) was \$1,796. The range was \$180–\$4,500.<sup>18</sup> Twelve families reported not paying, but of those, three were either currently waiting to hear back about a fee reduction or seeking reductions via restorative justice alternatives. Of the remaining eight families who did pay, two paid the full amount, three were on a

18. As we are not claiming our sample is representative of the Dane County juvenile justice population, we cannot state that this amount is typical for any youth involved in juvenile court in the county. Since our sample that has a higher proportion of crimes against property compared to the general court population, we suspect this amount is higher than for youths with a disorderly conduct violation. By way of comparison, two other studies that did sample entire juvenile court populations found lower averages with large standard deviations and ranges. Piquero and Jennings (2017) found in their sample of all youth in one county, the average cost imposed at disposition was \$429, with a standard deviation of \$1160 and range of \$0–\$15,704. Haynes, Cares, and Ruback's (2014) study of court-involved youth in five counties in PA found that the average of economic sanctions was \$539 with a standard deviation of \$3,096.35 and range of \$1.50–\$73,486.97. Another study in Alameda County, CA (Kaplan et al. 2016) estimated costs per family of \$2861 based on the averages of youths' time spent on supervision and Juvenile Hall, not including court-related fees (e.g., cost of counsel).

monthly payment plan and two paid partial amounts. Two of those families paid involuntarily through their tax refunds, which were automatically deducted by the state.

For the analysis, we first transcribed the interviews and uploaded them into Dedoose for coding. We used grounded theory (Glaser and Strauss 1967; Charmaz 2006) to identify themes that appeared across the interviews. We then developed a set of codes based on these themes and coded the interviews. To ensure inter-rater reliability, both co-authors initially coded the same interview and reviewed each other's codes; as part of that process, we discussed how we used the codes and refined our parameters accordingly to maintain consistency between our coding practices.

One main theme that emerged was the generic use of "they" in the youth and parents' discussions of the court case and the LFOs. Sometimes this use of "they" was due to the wording of the question being asked, but mainly participants did not differentiate between the various agencies involved in assessing and collecting the LFOs. We then would ask them to specify which agency or actor they meant; at times, the youth or parent would clarify but often were not able to do so. Some families did make clear distinctions without our prompts between the judges and attorneys on one hand, and the clerks, social workers, and Department of Human Services on the other. To further parse out these differences, we created focused codes for family interactions with the court and non-court actors specific to LFOs, ideas of voice, transparency, and fairness about their LFOs and general court decisions, and their overall views of their experience in court.

## DATA ANALYSIS

This section explores the families' experiences with the administrative process of LFOs, including their interactions with the auxiliary personnel and agencies related to LFOs, to illustrate how the more mundane aspects of case processing are consequential for families' overall views of the court. To ground this analysis, we first present the families' general views of LFOs and the extent of the responsibility that youths and parents each have to pay them. We then turn to the ways that families feel the court has not been transparent with them about LFOs and how their voices go unheard in their interactions with the court and non-court personnel pertaining to the administrative aspects about those LFOs.<sup>19</sup> Finally, we consider how those experiences with both non-court and court actors around LFOs shape families' view of the quality of the court's decision making about the youth's case and the legitimacy of the overall court intervention.

### Youth and Parents' General Views about LFOs

Despite common perceptions of families being resistant to the court process, most parents and youths accept in principle that the youths should be held responsible for their offense and, to some extent, for the LFOs that result from those actions. Melissa,<sup>20</sup> a thirty-eight-year-old white parent, shares her views on paying restitution to victims:

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19. We use court/non-court and courtroom/non-courtroom interchangeably in the article for readability.

20. We have changed all names for confidentiality reasons. The pseudonyms are what the parents and youths wanted to be called.

She [her daughter] do have to pay though for compensation of . . . the crime she's committed . . . . I mean, yeah, you do gotta pay for stuff like that. Because you did damage to someone else's property and you don't know their financial stability . . . if you wouldn't have took their car, they would have a car . . . you affected their family or their household or whatever they got going on over there. And so of course you should have to compensate, because you committed a crime that affected them.

In addition to seeing the legitimacy of LFOs for youths' actions, five parents acknowledged that they did have some responsibility for paying those LFOs, even if they did not commit the offense, because of their general obligation to their youths who are still minors. Karen, a forty-two-year-old African American mother, says, "I'm willing to do whatever . . . that is my child and he's messing up, he is my responsibility." At the same time, some parents qualified the extent of that responsibility, citing their youths' need to bear the consequences of their own poor decision making. Sheila, a fifty-two-year-old African American, explains, "As a mother, I do feel that I should have to pay a certain percent. Um, but at the same time, you know, I raised my son, and he knows better. He knows better. He . . . I don't know why he chose to do the things that he did." Isaatou, a thirty-six-year-old African American mother, raises a potential negative effect on the youth's "rehabilitation" if parents bear the financial burden:

You're doing the best with your kid and your kid goes out and do something, and they [the court] bring the consequences on you, which the kid doesn't get any consequence . . . . And they say, "Oh you have to pay this. This is on your mom to do." So, what did they learn from what they did?

Beyond noting the irony that the parents pay for the youths' actions, Issatou equates the financial obligations with a kind of punishment for the youths. That leads her to question the fairness of parents paying the fines. The youths also recognized this irony. Silas, Sheila's sixteen-year-old son, thought it was "bogus" to have his mom pay for his fines. He notes, "My mum didn't even do anything. She was at home working, while I was doing something."

These views underscore the theoretical relevance to study procedural justice in relation to LFOs. That is, families, even those with limited financial means, believe in the idea that youths should take responsibility for their actions and by extension, the LFOs that result. Given that, the following sections outline how the youth and parents' experiences with court and non-court agencies about LFOs inform their experiences of procedural justice in the court intervention and their views of the legitimacy of the court overall.

### **Families' Experiences of the Multi-actor and Multi-agency Juvenile Legal System**

This section explores how parents and youths' experiences with agencies outside of the courtroom about the LFOs shape their sense of the court. They do not necessarily see

non-courtroom and courtroom-based actors as separate entities but rather, a cumulative experience of the juvenile legal system. This section addresses two aspects of this multi-agency and multi-actor experience as it relates to procedural justice: transparency and voice.

### *Lack of Transparency Related to Notification of LFOs*

Parents and youths share how the court staff do not inform them about the LFO costs in a timely manner, which makes them feel disenchanting with the court. For most families, the first notification of LFOs comes via mail. They expressed both surprise and shock at the notification and the amounts. None of the families said they were informed as to how much the system would cost before the charges were incurred. Candy, a thirty-eight-year-old African American mother, whose thirteen-year-old son, Happy, was arrested for being in a stolen car, says, “No, they never said none of that . . . during the court system. If you know you’re gonna be getting bills rapidly in the mail, like . . . give me a heads up . . . . No one said anything.”

Some parents’ frustration at not having been informed beforehand about the LFOs stems from the fact that they thought they were actively participating in their youth’s case. Karen, a forty-two-year-old African American mother, talks about keeping up with the legal aspects of the case for her sixteen-year-old son, Kobe, who was in the court for several charges (e.g., disorderly conduct, passenger in stolen car). In the following interview excerpt, she highlights this glaring gap as she discusses keeping the communication channels open with the court staff, only to keep getting form letters from the Department of Human Services, an agency in charge of collecting the LFOs, telling her why she needs to pay:

I’ve been going to court, I’ve been keeping in touch with everyone, and they been keeping in touch with me. I was never informed, “Now, while your son is staying, he’s coming in here, and he’s got these court cases and he’s getting locked up in jail, I see, you are getting fined for it.” I didn’t get it until his third time in there [detention], and I got it with a letter . . . . And the letter just said, “We believe that the parent is supporting their children even though, while they are in our custody.” . . . They believe that both parents, the mother and father, helping out, taking care of their child. I’m like, wow.

One could view Karen’s surprised reaction of “wow” in two aspects. One, she is taken aback by the delayed timing of the LFO notification after her son’s third time in detention, given that she had been “keeping in touch” with the court actors and vice versa. Two, the fact that she felt she was working with the court staff only makes the letter’s statement about the LFO’s premise as the parents “supporting their children” appear even more difficult to accept. On a related note, Veronica, a thirty-four-year-old African American mother, explains how the lack of transparency about LFOs makes her reconsider her interactions with the court actors about her son’s case such as sending him to a group home. When asked if anyone in the court told her about how much that decision would cost, Veronica says, “No, and had you, had I known that, I wouldn’t

have agreed. I probably would've asked, 'What are different options?' . . . You know, cause now I'm drowning in debt." Veronica discusses an important point that many parents mentioned: her level of support for a court decision was affected by the cost. But not being informed about those costs while discussing the options with the court staff leads her to question the court's approach to her son's case.

Youths also express their confusion about LFOs as stemming from a different type of interaction. Many first learn about LFOs informally from non-court actors working in home supervision, detention, or group homes. Pookie, a sixteen-year-old African American female who was arrested for driving a stolen car, says the court staff did not mention any fees associated with her going to detention; she says, "The detention staff had told me like, 'Yeah, your mom um gotta pay for this fee every time you come in here for like feeding you and stuff.' And I'm like, I ain't never know that. They ain't tell me nothing about that." G Money, a sixteen-year-old African American male who was arrested for stealing a backpack and assault, also describes how the detention staff told him about fees. He says, "They were talking about yeah, 'You gotta pay for the light bills and stuff up in your room' and I'm like 'What?' 'You gotta pay every time you flushed the toilet.' . . . I think he [the staff] was just playing with me." G Money finds the staff's words incredulous to the point of thinking he is joking; if he thinks the staff jokes about that, the question becomes what else about the court intervention that he might not take seriously.

### *Lack of Voice in Dealing with the Multiple Agencies*

The initial shock of learning about the LFOs gives way to increasing feelings of frustration as the parents and youths begin to perceive their voices are not being heard in their interactions with the auxiliary staff dealing with the administrative aspects to the LFOs. This experience is akin to Lipsky's description of street-level bureaucrats' work, which the staff perform as a matter of processing paperwork while the object of that paperwork (e.g., the families) feel it most profoundly. Shante, a thirty-two-year-old African American mother of sixteen-year-old LeBron who is in the court for being in a stolen car, reports having a negative experience interacting with non-court actors about the LFO process.

Leslie: Have they asked if you've been able . . . to pay the bill?

Shante: No . . . they just do the income review at the time. When they read that I was homeless . . . that's why I said they don't be considerate of what's going on in my life . . . . And what I'm going through as a single parent . . . .

Leslie: They did the income review, and they still gave you this bill? . . . Did they reduce the amount, or?

Shante: Um, I think they ended up breaking it in half because he had end up writing an apology letter to the victim. . . . It's still like, come on . . . . Give me a break.



Shante says “they” called her to fill out the income verification form while she was living in a homeless shelter. They did not reduce the bill even after hearing about her living situation and that she was not working; rather, Shante believes they reduced it only after her son completed an alternative to LFOs (e.g., letter of apology). This interaction led her to feel like they are not being “considerate” about her situation as a single unemployed parent who was homeless at the start of her son’s case.

Parents’ frustration sometimes arose from repeated interactions with non-court staff about the LFOs, which they viewed as one-sided. Olga, a thirty-eight-year-old Mexican American mother, reports having several conversations with staff at the Department of Human Services (DHS), which oversees the LFOs related to group homes and residential programs where the court has sent her fourteen-year-old daughter, Beautiful, related to her cases for battery, property damage, and disorderly conduct. While they did reduce the LFOs from \$5,800 to under \$2,000 after doing an income review, Olga still wants to know more information about two issues. One, she asks why DHS is not charging her ex, Beautiful’s father, for part of these fees. She explains what happened:

Apparently, he [Beautiful’s father] has to pay ... but they wouldn’t tell me how much. And I’m like, so, I said, “He’s married and they [he and his wife] both work two full-time jobs and they probably split the bills. I’m a single parent. I can’t have a personal life. I cannot split the bills with anybody ... and I’m like, I just don’t understand their formula.” I’m like, “What you’re charging me, it cost ... you’re charging me more a day, than what I get a week in child support.” Like it doesn’t make sense, like if you can’t have her father pay me that much a day in child support, how are you going to charge me more than that? ... To me it doesn’t make sense.

Here, Olga expresses her confusion and exasperation with the apparent lack of transparency in the LFO process, as she tries to understand how much her daughter’s father is being asked to pay. She also expresses dismay at the “formula” by which the same court [and by extension, DHS which collects those fees] is charging her more for the group homes than the child support it ordered the father to pay her. Secondly, Olga is confused why DHS cannot reduce the detention fee if the judge waived the fees related to her daughter’s mental health evaluations for competency. Her confusion is understandable, given that fact that the LFOs are handled by multiple agencies which families must learn to navigate, often with little or incorrect guidance from the court and non-court staff. Here is how she describes her conversation with the DHS person about this issue:

Olga: I called the people who sent me the bill for her JRC [detention] stays and I said, “Isn’t there any way, like the judge can reduce this?” I’m like, “This is a lot of money,” and she said, “No.” I said, “The judge waived the competencies cuz she knows, like, you know, I am a single parent, I’m paying all the bills for myself” and she was like, “No. We’ve reduced it. This is what it’s gonna be. What we can do is set up payment arrangements with you.” ...

Leslie: Who did you have to call for that? . . .

Olga: It's um . . . Dane County Human Services.

While it is unclear if DHS explained to Olga why it cannot reduce that detention fee, what is clear is Olga's frustration and stress in the matter:

I had a long conversation, and you know, they weren't very understanding. They were like, "This is the way it is," and I'm like, "Well, that's unfortunate" and I was like, "And what happens if it doesn't get paid?" And she was like, "Well, you'll be sent to the collections." And I'm like, "You know that's just adding more and more stress to my stressful situation already," and I was just like, whatever.

Olga describes the street-level bureaucrat's perfunctory response to her question that she'll "be sent to collection" as "adding more and more stress." As Lipsky notes in his own work (2010/1980, 9), this kind of interaction is not just about processing paperwork for a specific service such as a utility bill. Rather, it highlights potential negative ramifications of non-payment (e.g., "collections") and leads Olga to feel unheard and resigned ("whatever") to dealing with a bureaucracy that is not "very understanding" about her circumstances.

Even parents who have an intimate familiarity with the court system do not necessarily know how to handle the LFOs across the various agencies within and outside the courthouse. Marie, a thirty-three-year-old white single woman, is dealing with the LFOs related to the juvenile court case of her older child, sixteen-year-old Derrick, who was arrested for breaking into the school with his cousin. Marie works as a counselor for court-involved youth, supervising their community service orders; however, she did not know the details about the LFO process until her son's court case resulted in \$800 in LFOs for different types of fees (e.g., shelter, detention, supervision, lawyer) sent to two households within the family (hers and her son's father). She describes the experience as follows:

I just think having multiple fees is confusing too . . . we weren't sure which one it was for . . . And I even have a hard time, like I said I was clawing around trying to figure it out, and I work in this system. So, I can't imagine parents who don't know anything about court stuff trying to navigate that.

Regardless of how sophisticated her knowledge might be about the legal process related to her son's court case, Marie is perplexed and expends a lot of time and energy to understand the LFOs. In the following excerpt, she explains in more detail what led to her confusion:

I went down there [to the courts] trying to pay it cause they said they were going to send collections or suspend my license . . . or even send me to jail even. They sent me some threatening letter, I can't remember what it was exactly, so I went down there trying to pay it and everyone's like, no one could tell me where I was supposed to pay it. Like, everyone's like, "I don't

know what you're talking about." I went to three different spots in the county courthouse and finally figured out that it was the clerk of courts that had it. And so, I went down there, physically paid it in person, then got a call from his dad later saying that he had received a letter too . . . I thought me coming down there . . . paying it . . . was enough.

She is unclear about where to pay and must go to three offices within the courthouse as "no one could tell me where I was supposed to pay." Her work experience in knowing the steps of the court process does not prepare her for the administrative tasks associated with LFOs, which still are not resolved as the father, who lives in a separate household, gets charged an additional fee.

Mothers also reported not having a voice in appealing the agencies' decisions related to the LFOs. Like Shante and Olga, these mothers filled out the income verification form which is used to determine the families' ability to pay LFOs; however, they then found out that they did not have any way to question the system's decision. Veronica from the previous section explains how one agency, Dane County Human Services, did not seem sympathetic or willing to accommodate her financial situation, processing her case as they deemed fit. She received bills that totaled \$3,155 for her sixteen-year-old son, James, related to his restitution and multiple stays in group homes; he initially was arrested for weapons possession. While she just started a new clerical job at a hospital, she says the court determination of what she could pay was too high. In addition, she says her tax refund was taken to pay down the costs and that she has paid \$500 so far toward these bills. She describes what happened when she called to complain about these bills: "I called the number that was on the paper . . . that I received. Which was Dane County Human Services (DHS) . . . They offered the payment plan that I wasn't able to make . . . I said I didn't agree to it and basically that was the end of the call . . . I still get it in the mail that they want \$115 from me." She anticipates that her tax return will be taken again and mentions other possible consequences such as a suspension of her drivers' license, extended probation supervision for her son, or additional fines and fees. Veronica describes how she communicates her needs and challenges in this interaction with the DHS staff, but these street-level bureaucrats do not seem to listen as she keeps getting the bill for an amount she cannot pay.

All four mothers' experiences illustrate the importance of considering how parents experience interactions with staff outside the courtroom to fully understand families' sense of having a voice in the overall court process. The perceived bureaucratic tone to these interactions, from the person reviewing Shante's income eligibility while she was in the homeless shelter to Human Services not working with Veronica on a mutually acceptable payment plan, further underscores the sense to families that the system does not really want to work with them.

### Legitimacy of Court

The lack of transparency and voice related to LFOs shapes the youths and families' view the court as legitimate. That is, their experiences relating to the LFOs lead them to

question the court's credibility. Maria, a sixteen-year-old biracial teen, expresses conflicted views of the court process. Maria was arrested for stealing her mom's car, kicking a police officer, and violating probation. Maria says she has a lot of tickets from the past but is unsure about the exact amount. At one point in the interview, she mentions getting a bill in the mail for a \$75 ticket and another envelope in court to pay \$20 but does not know what they were for and did not pay either of them. Here is how Maria explains her thinking about LFOs and the juvenile court in general, after having received these bills:

I'd just be wondering why they try to make you pay, who do you be paying to? ... like when you're out at night and you're not supposed to be, I feel like, and they give you a ticket. Why do you have to pay? Like there's, where's the money, who should you, why would you be giving people money 'cause you was outside and you wasn't supposed to be? ... It should just turn into community service ... okay if you steal somebody's car and then you wreck their car and like you do all that, then you should pay because you done damaged somebody else's property and they have to pay out they own pocket, so I feel you should have to pay. But if you doing something that has not broken anything, like none of that, then I feel like it should turn into you doing community service or something that's not like you have to pay for it ...

Maria is not opposed to taking responsibility for her actions; she mentions at another point in the interview that she did community service at a non-profit to help pay her restitution. What is important to note here is that Maria begins to question the overall point of the court ("they") assessing these LFOs after not getting clear answers about the tickets.

Even if families do accept the court decisions about their youths' case, the court's lack of attention to how LFOs affect the families shapes their views of the court. Olga's daughter, Beautiful, is currently in detention because the court claims that she needs a secure placement until a spot opens in an out-of-state treatment center. At this point, Olga has been working with the court for several years to address Beautiful's underlying psychological problems and learning disorders that have led to aggressive behavior. The court is now considering out-of-state programs as none of the in-state programs can meet her daughter's specific needs. While Olga understands why Beautiful needs to be in a secure facility as she is prone to run away and most recently drove Olga's car without permission, she also bemoans the fact that the court did not anticipate how the wait for placement financially affects families:

Beautiful's behavioral issues didn't happen just overnight, so it's like, put this kid on a watch list, like she's at risk of being placed in treatment, let's get her on a waiting list now, so we can immediately place her ... um ... if the time comes instead of having to put the parents in debt because we have to put their kid in detention, when they're not getting treatment, they're just being held there. You know? To me ... the system is broken.

When asked how long she has been in detention and on the waiting list for the out-of-state program, Olga says that it has been at least two months, and the timeframe keeps getting extended due to unforeseen reasons. Olga's dissatisfaction is not in the court decisions to send her daughter to a residential treatment program and to place her in detention until a treatment spot opens. It is the growing LFO bill (\$7,800 for the two months in detention and counting) that she believes could have been averted if the court had considered the financial implications of its decisions that "put the parents in debt." This experience with LFOs leads Olga to go further than Maria who questioned the system: she sees it as "broken."

The lack of transparency and voice across different agencies can lead the families to do more than question the purpose of the court; it can shape their subsequent actions related to the youths' cases. Veronica's son, James, who is in the court for possession of a firearm, mentions that he has done community service at least "fifty times," working on weekdays, weekends, and over the holidays. While he sees the positive aspects to doing the community service as "a good opportunity to be out there [where] you don't have to come up with a lot of cash," he experiences it differently, mainly due to the multiple agencies dealing with different aspects of his case. James documents three different institutions involved in his community service: the court (e.g., the judge) that determined the amount; the social worker through whom he pays the restitution and a non-profit agency where he is working off the community service. He says, "I really don't know who it [restitution] goes to . . . I just had to contact my social worker . . . that's the only person that I know to contact." He further raises the point that not one of these agencies updates him about his progress:

After all my hours of service . . . I never seen no papers saying like, "okay, this how much he paid, this how much he got left . . ." I've seen the papers, like when they [the court] first give it to me saying the amounts of them. How much I have to pay. But once I start working on them, I've never seen them sending back like, "Okay, take a hundred . . . you did a hundred dollars' worth of work and now you only have four hundred dollars." I've never seen no papers like that. . . . I don't know how much it's subtracting . . . If they're subtracting . . .

James also mentions he believes his dad paid \$250 toward his restitution but the record does not reflect that amount. This confusion and seeming lack of transparency by the court leads James to distrust the non-profit because he feels that the hours he is putting in there are not being counted toward the total amount owed. He continues, "I was like skip it, I don't care no more . . . I was doing all that stuff . . . I don't understand how it's still not paid off . . . I stopped going to that [community service] . . . I didn't feel like it was working . . . how do I still got this much? So, I just stopped going. Like whatever." James explains that his experience with the process of restitution payment is what made him stop going to community service, not the fact that he suddenly changed his mind about taking responsibility for his actions. His sense that the court did not recognize his efforts toward paying off his restitution made him less motivated to do it anymore. Yet it is not clear whether the staff would be aware of his perspective, instead perhaps assuming he just stopped being compliant, for which a negative

sanction could be issued. James notes the link between his restitution and continued supervision when he says, "As long as I get restitution, I'm gonna be on probation . . . basically [that's] what they was doing." James's experience illustrates the vicious cycle that could result from this lack of transparency. It makes the youth and parents bitter about the court process which affects their compliance, only adding more time to the youth's supervision which only adds to the LFOs.

Finally, youths and parents could begin to openly express resistance in the court, after experiencing frustration with the non-court agencies related to LFOs. Consider how Julio, a forty-year-old Latino father raising five children, who works part-time in a restaurant kitchen and does occasional landscaping, explains his interactions with the judge pertaining to the cases of his two daughters, fifteen-year-old Ariana and sixteen-year-old Julia, who were charged with fighting. Julia says she has a LFO for a three-week stay in detention (\$1,000) and Ariana has a similar one for her stay in a group home and restitution (amount unstated). Julio objects to the fees associated with those group home stays mainly because he "didn't ask for my kids to be placed." While one could say this is simply parental resistance to giving up authority to the court, Julio discusses his frustration in trying to communicate with the judge about these bills in two ways, which could be seen as either creating or exacerbating that resistance. First, he recalls the judge telling him, "You don't have a choice, you got to pay." He then explains another exchange with the judge about his refusal to pay the bill:

Julio: I told the judge, "I'm not sa- I'm not paying for anything, where you want to send them, I'm not paying it." . . . I even told him, "If I get a bill, for this . . . I'm going to bring this bill and I'm going to throw it in your face. Because I have told you I'm not paying . . . . And I don't care if I get- I get in trouble for this.

Chiara: Mm-hmm (affirmative). Yeah. What was uh, their reaction?

Julio: They're like, "Well, you shouldn't be getting a bill, sir because . . . I'm taking care of it." Yeah, that's what you said last time, and I got bills . . .

Chiara: Yeah, yeah. And um, when you say that, when you say you can't pay, what do they say? . . .

Julio: They don't, they just look at me ugly.

His recollection of this conversation shows how his resistance to paying the LFO is not simply because he cannot afford it or that he does not want to feel controlled by the judge; it also stems from his frustration in the judge not "taking care of it" before. The judge could very well have thought that he took care of the situation, waiving the fees that he could, and that the auxiliary personnel were only charging Julio based on his income (it is not clear if he filled out the form or they processed it). Based on Julio's comments, it appears that it did not happen, given he keeps getting a bill from either Human Services or the court clerks that he insists now that he will not pay, no matter the consequences. Julio groups the courtroom and non-courtroom-based actors/agencies as one entity, with his resistance to the judge being

related to these bills and the sense that “they just look at me ugly.” Julio’s experience shows how the court actors’ responses do more than just frustrate the parents. While the court staff, particularly the judge, might just see the LFOs as a purely administrative matter and expect that the auxiliary personnel will take of the details to waive or reduce costs as necessary, the families see those bureaucratic aspects of LFOs as a key part of their experience in the court that in turn, shapes how they view the court decisions ultimately as fair and legitimate.

## CONCLUSION

If procedural justice is central to improving peoples’ compliance with court conditions and fortifying their ideas of legitimacy of the courts more broadly, we need to have a fuller picture of what informs peoples’ experiences of procedural justice. This article uses legal financial obligations as a case study to illustrate how people’s experiences of procedural justice take place in and outside of the courtroom. The disembodied form of communication (e.g., letters) by the non-court agencies about the LFOs and subsequent interactions between the non-court personnel and parents led families to believe the court was not being transparent with them. Parents also describe their interactions with those non-court workers about LFOs as being often in contrast to what they believed the judge said about the process, further adding to their frustration and feeling not heard by the court. In short, LFOs not only lead to financial strain, but also affect how families see the court’s decisions.

While this article showed the youth and parents’ experiences with the court intervention, it did have some limitations. Given the research design of one-time interviews, we cannot clearly establish a causal link of the families’ diminished views of the court’s legitimacy on the youth’s case outcomes. The article also did not explore how parents and youths’ views might be different from one another and at what points in the youth’s case. While some have conceptualized this variation as “personal” and “vicarious” procedural justice (Kaiser and Reisig 2019), it is not necessarily within the same family unit or for the same court case. It is feasible that parents might feel heard by some legal actors (e.g., the judge) while the youths express the opposite account and vice versa (e.g., the youth feeling heard by their lawyers versus the parents who insist the lawyer needs to advocate for their opinion too). Those aspects need to be parsed out in future research on procedural justice that can help identify more meaningful forms of justice for youths involved in the juvenile legal system and their families.

On a theoretical note, our findings did reveal the importance of including auxiliary personnel in studying peoples’ overall perceptions of the juvenile legal system, in addition to what occurs inside the courtroom. While it has long been understood that the juvenile legal system is not one unified group of institutions, but rather a loose coupling of actors across many institutions each with their own unique work culture and pressures, previous research has tended to study individual agencies dealing with the legal aspects of person’s case (e.g., police, probation, defense/prosecutors, judges). There are two interrelated implications here. First, our findings reveal that measuring procedural justice requires paying attention to transparency and voice, both within and outside of the courtroom. Our families reported generally feeling heard by the courtroom actors; it was more their interactions with the non-court actors that they saw as “unhelpful” with a lack of

communication and empathy that affected families' view of the court. So, the bureaucratic nature of interactions related to LFOs runs counter to the court-based actors' "hearing" the families (or exacerbates the feeling that the system is not set up to help).

Secondly, our study speaks to the need to expand our conceptualization of street level bureaucrats to a more system-wide perspective. While this line of work has previously been conceived as manifesting within individual institutions, our case study provides a window into the impact of these front-line workers' actions across multiple agencies. The bureaucratic processes related to LFOs across agencies in the juvenile legal system generated tension between the families and court actors which could prolong the youth's case and by extension, increase the amount of the families' LFOs. Moreover, the bureaucratic processes affected not only the youth involved in the court but also their family members who were legally liable for some of the youth's LFOs. Parents could find themselves at risk of becoming justice-involved if their portion of the LFO is not paid or falling deeper into poverty due to loss income stemming from wage/tax refund garnishment, suspension of driver's licenses affecting their ability to get to/from their jobs, or additional fines/interest that accumulates from nonpayment. We need to consider these kinds of implications of one street level bureaucrat's actions on another agency's actions. Only then will we be able to fully capture how their actions affect the youth's case outcomes and families in a more comprehensive manner.

The relevance of these findings goes beyond court related LFOs to any court or social control institution which has similar types of tasks spread out across agencies (e.g., drug courts or child welfare agencies outsourcing treatment and monitoring to third parties). In some ways, one could view the families' experiences with the court and non-court actors as concurrent processes, similar to how one might engage with medical professionals and insurance staff dealing with the claims related to that health care. The families' negative experience with the non-court staff affects how they interact with the court staff now and in the future, much like situations in which a family's negative experience with insurance staff about the claims might lead them to delay or not seek out additional medical care, no matter how satisfied they were with the medical staff. Focusing on administrative aspects across agencies then provides us with another analytical lens to see how racial and economic inequalities are perpetuated (Ray, Herd, and Moynihan 2022), such as by the LFOs extending the youth and families' involvement in the juvenile and potentially criminal legal systems.

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