



Legal Interventions for Transforming Dane County

April 2020

Due to the COVID-19 Crisis, More Support Is Needed in Our Communities

The COVID-19 pandemic has caused a reinterpretation of what poverty means as more and more Dane County residents lose their jobs. Many Dane County families cannot pay rent, buy food, or afford medical care. In response to this global pandemic, state and federal governments are taking unprecedented steps to save lives now, and to save the economy in the long term. Governor Evers banned evictions and foreclosures for 60 days. Federal emergency legislation now allows workers in the gig economy to file for and receive unemployment insurance benefits. Orders and legislation like these were once considered unthinkable. Now they just make sense for the economic health of our state. Our local and state leaders can be in the forefront by taking affirmative steps to make sure our economy is not dragged down by barriers to financial growth.

The recently enacted measures provide some economic security and stability. However, more financial support is needed to help our neighbors and workers because their vitality is key to our economic rebound. While the federal government will be sending a check to workers, state and local governments can do their part to stimulate the economy and get more money following, all without cutting checks on already-strained budgets. How? First, by waiving and eliminating old unpaid fines and fees that have been imposed on Dane County residents for minor traffic and municipal citations.

Not only are people losing their jobs, but most low-paying jobs cannot be done remotely. This means that people need their cars to access basic necessities while social distancing. But many hard-working people can't drive due to a suspended license resulting from a fine or forfeiture. In the midst of this crisis, paying fines and fees, or accumulating court debt should be the last thing that a family worries about. Both the state and the courts can temporarily stop driver's license suspensions for unpaid fines and fees or for not appearing in court, and reinstate driver's licenses suspended for non-safety reasons. Furthermore, the state could follow the example of municipal courts, and permanently waive driver's license suspensions for a demonstrated inability to pay. Simple court forms should and can be created that allow people to petition for reinstatement without having to hire a lawyer.

The amount of fines and fees imposed nationally for minor traffic and municipal code violations, misdemeanors and felonies has risen exponentially in the last few years and hits hardest the same people who are losing their ability to maintain employment, particularly in communities of color. Eliminating this financial burden will help bailout the thousands of workers who are the foundation of our local economy. This temporary measure can have a long-lasting impact on our citizens' ability to survive during this difficult time.

608-698-3733
www.LiftDane.org
P.O. Box 259463
Madison, WI 53725

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Courts also can suspend enforcement of wage garnishments for the duration of the pandemic and for three months afterward. This will allow people's savings and wages to be used to support fragile families, rather than simply be a harmful statistic in a collection agency's work.

Taking steps such as these will: (1) ensure that fines and fees are not a barrier to people's basic needs throughout this emergency, (2) provide an additional safety net for those who otherwise are not eligible for government programs, and (3) promote our community's resiliency.

The Dane County government is already taking action. It has ceased economic-based driver's license suspensions and all in-house collections during the stay at home order. It also is offering to suspend collection of any current payment plan, with no penalty, upon request. Our courts and district attorney's office can waive costs related to participation in deferred prosecution, electronic monitoring, etc., based on inability to pay due to unemployment or other economic reasons. These actions can help maintain our fragile economy in a time of crisis. Finally, and importantly, the Governor can appoint a task force of local and state leaders to address how these problems can and should be handled in the future to maintain our community's ability to move forward once the crisis abates. Let's be a leader in providing economic security for all.

Marsha M. Mansfield, J.D.

Director, LIFT Dane (Legal Interventions For Transforming Dane County)

Liftdane.org

mmansfield@liftdane.org

Ruben L. Anthony, Jr., Ph.D.

President & CEO

Urban League of Greater Madison

Carousel Bayrd

Partner, Herrick & Kasdorf

Dane County Board Supervisor

Dawn Berney

Executive Director

Jewish Social Services of Madison

Jeff Burkhart

Executive Director

Literacy Network of Dane County

608-698-3733

www.LiftDane.org

P.O. Box 259463

Madison, WI 53725





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Legal Interventions for Transforming Dane County

Sarah Davis, JD, MPA
Jill Jacklitz, MSSW
Co-Directors
Center for Patient Partnerships

Linda Ketcham
Executive Director
Madison-area Urban Ministry

Mitch
Director, Economic Justice Institute
University of Wisconsin Law School

Heidi Wegleitner
Dane County Supervisor
District 2

608-698-3733
www.LiftDane.org
P.O. Box 259463
Madison, WI 53725

