

ELIMINATE MUNICIPAL PUBLIC DEFENDER APPLICATION FEES

WHY NEW JERSEY MUST PASS A766/S1670

Access to counsel should not be hidden behind a paywall. One of our foundational constitutional rights is that a person facing charges that could result in jail time or other harsh consequences has a right to an attorney, even if they cannot afford one.

But that promise of a right to counsel isn't always kept in New Jersey's municipal courts. New Jersey currently allows municipalities to charge community members up to \$200 to apply for a public defender. A \$200 fee can be an extreme burden and can present a choice between food, housing, or legal defense.

WHAT A766/S1670 DOES

A766/S1670 will eliminate municipal public defender application fees in New Jersey by revoking municipalities' ability to charge them. The bill will help create reforms to the criminal legal system that will ensure public defense is accessible and equitable, as the Sixth Amendment promises. A766/S1670 will also work to lessen the financial and emotional strain put on community members who suffer from these kinds of fees.

WHY A766/S1670 IS IMPORTANT

Research indicates that A766/S1670 will not take away a meaningful source of income from municipalities. For example, in Ridgewood in 2024, only \$1,874 was collected in fees, as compared to Ridgewood's total general appropriations of \$61,473,847.66. The harms of these fees far outweigh the small amount of money they generate for municipalities. Eliminating them means helping to secure equal access to justice for all New Jerseyans, no matter their socio-economic situation.

Affordability should not hinder someone's access to legal representation. Municipal public defender application fees restrict access to counsel while criminalizing poverty and targeting low-income communities and communities of color. New Jersey must pass A766/S1670 to ensure the right to counsel is accessible to all.

THE CONSTITUTIONAL RIGHT TO COUNSEL MUST BE ACCESSIBLE TO ALL WHO NEED IT. IT'S TIME TO PASS A766/S1670.

FIND OUT MORE AT [ACLU-NJ.ORG](https://aclu-nj.org).



ACLU
NJ