



March 22, 2020

VIA E-MAIL

Gayle Laffety, Esq.
State Court Administrator
State of Delaware

The Honorable Collins J. Seitz, Jr.
Chief Justice
Supreme Court of the State of Delaware

Dear Ms. Lafferty and Chief Justice Seitz:

In the last week, life in Delaware has turned upside down and all of our institutions of civic life are struggling mightily to adjust. The state court system is no exception, and we appreciate that you have been working tirelessly to adapt court procedures to address public health concerns and continue essential functions. We write to draw your attention to an additional court function that should be adjusted in these exceptional times.

The Courts should suspend payments due for outstanding fines, fees, and restitution – and ensure that consequences for missed payments, such as late fees, issuance of capiases and suspension of drivers' licenses are suspended as well. This is a time when Delawareans are facing economic uncertainty, and the State and federal government are taking various measures to provide relief, such as prohibiting utility shutoffs, delaying evictions and foreclosures, and delaying or forgiving tax payments due. Likewise, as more Delawareans – especially those in lower-paying, non-salaried positions – are impacted by shutdowns and the slowing economy, their ability to meet payments due to the courts will be affected. Since missed payments can and do generate unique consequences such as the issuance of failure to pay capiases (and a fee for clearing it as well as potential for law enforcement interaction) and the suspension of a driver's license (which requires an additional payment for reinstatement) – the Courts should suspend these obligations through the current emergency.

While there have been announcements that various in-person options for payment will not be available, and directions to kiosks and online payment options, we have not seen any announcement relating to relief from payment obligations. We recognize that the Courts have been working hard under difficult circumstances, but we hope that you will consider and act on this matter soon.

We are at your disposal if we can do anything to assist.

Sincerely,

/s/ Karen Lantz
Karen Lantz

/s/ Margaret Hu
Margaret Hu



Legal & Policy Director

Campaign to End Debtor's Prisons

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