

## ALTERNATIVE SANCTIONS A BENCH CARD FOR JUDGES

**37.65(c) Defendant Has No Ability to Pay.** If the judge finds the defendant does not have the ability to pay the amount when assessed or due and is unable to acquire the resources to pay, the judge shall, after consideration of the violation, the defendant's financial circumstances, disabilities, driving restrictions, transportation limitations, and caregiving and employment responsibilities, impose alternative sanctions that may include, but are not limited to:

- **Waiver or suspension of imposition of any fine, fee, or cost or the amount previously assessed and due;**
- **Imposition of a lower amount of any fine, fee, or cost or of the amount previously assessed and due;**
- **Community Service in lieu of any fine fee, or cost:** The Court may order community service, so long as no fee is charged for the performance of the community service. The Court should assign a monetary equivalent value to each hour of community service performed that should be no less than Missouri's minimum wage at the time the community service is imposed. The monetary equivalent value of the total community service imposed should not exceed the monetary value of the fine, fee, or cost previously assessed; **or**
- **Court-approved programs or sanctions such as:**
  - o **Driver improvement courses;**
  - o **Education programs;**
  - o **Job skills training;**
  - o **Life skills courses;**
  - o **Animal care classes;**
  - o **Mental health evaluation and/or treatment;**
  - o **Substance abuse/alcohol evaluation and/or treatment;**
  - o **Underage tobacco prevention courses;**
  - o **Victim impact classes;**
  - o **Domestic violence intervention programs;**
  - o **Anger control education;**
  - o **Parenting classes;**
  - o **Larceny prevention programs;**
  - o **Budgeting and money management courses;**
  - o **Mediation; or**
  - o **Essay/Letter of apology.**

Any alternative sanction imposed due to a defendant's inability to pay should be, whenever possible, free of charge. At no point should an alternative sanction imposed in lieu of fines, fees, or court costs result in a greater monetary cost to the defendant than the original fines, fees, or court costs imposed.