# Idaho Supreme Court Unanimously Rules that Arrest for Failure To Pay Fines Without Conducting Ability-to-Pay Hearing Violates U.S. Constitution

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Yesterday, the Idaho Supreme Court, in a unanimous opinion, granted a request for a writ of prohibition against the Elmore County Magistrate Court. The Petitioner, Roxana Beck, filed the requested writ after spending seven days in jail on a warrant issued owing to her failure to pay court debt. The Idaho Supreme Court agreed with Ms. Beck that the Magistrate Court's issuing arrest warrants for failure to pay court debt—without first conducting an ability-to-pay hearing— violates the Fourteenth Amendment of the U.S. Constitution pursuant to the United States Supreme Court's ruling in Bearden v. Georgia, 461 U.S. 660 (1983), as well as the Idaho Constitution.

The practical effect of the decision is that lower courts in Idaho are now prevented from jailing indigent defendants for failure to pay court debt, without first conducting an ability-to-pay hearing. Ms. Beck was represented by Pete Wood, an Elmore County Public Defender in Mountain Home, Idaho.

"The Idaho Supreme Court confirmed what we all want to believe: that the Constitution is there to protect us, most especially the most vulnerable among us," said Mr. Wood. "This is a significant victory for indigent Idahoans like Ms. Beck who have been jailed solely for their inability to pay court debt. We are thrilled with the Court's decision, and thankful to the incredibly talented organizations who stepped forward to support this effort."

The case attracted national attention, with an amicus brief in support of Ms. Beck being filed by Cravath, Swaine & Moore LLP on behalf of the Fines and Fees Justice Center; Institute for Justice; University of California, Berkeley Law Policy Advocacy Clinic; ACLU of Idaho; American Civil Liberties Union; Cato Institute; and the Arthur Liman Center for Public Interest Law at Yale Law School's Judith Resnik, Anna VanCleave and Brian Highsmith.