

*Is Your Past
Holding You Back?*

Erasing Court Debt



Provided by:

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Bar Association



Pro Bono Partnerships

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This pamphlet is provided by the Wayne County Bar Association as a general resource guide for the public.

The information in this pamphlet does not take the place of legal advice from an experienced attorney.

Any time your legal rights are at issue, you should consult with an attorney. There are many experienced attorneys in Wayne County who can help you. You can find them at <https://waynecountypalawyers.com/members/>

If you cannot afford an attorney, you may qualify for free assistance. Learn more at <https://waynecountypalawyers.com/pro-bono-program/>

What is “court debt”?

If you have been convicted of a crime in Pennsylvania, you were automatically assessed “fees and costs” – sometimes \$1,000 or more. You may also have been fined for your misconduct. And, if there was a victim involved, you may have been ordered to pay “restitution,” which is money to reimburse the victim for the loss you caused them. These are all types of “court debt.”

What problems can be caused by court debt?

Unpaid court debt will hurt your credit rating, you might not be able to get your driver’s license reinstated, and collection companies can bother you. You could even be arrested and jailed. Unpaid court debt will also complicate (or eliminate) any chance you have for getting a pardon or clearing up your criminal record.

How can I find out if I have unpaid court debt?

You can go to the Clerk of Court’s office and they can tell you how much you owe. You can also find it on the last page of the docket of your criminal case, which can be found online by entering your name and birthdate here:

<https://ujportal.pacourts.us/CaseSearch>

How can I get rid of unpaid court debt?

You can go to the courthouse and pay your debt off at any time. If you cannot pay it off all at once, you can arrange a repayment plan. As long as you keep to the schedule you agree to, you won't be arrested or jailed for non-payment. Otherwise, you can file a petition with the court asking for the amounts to be reduced or even waived (erased) entirely.

How can I get my fines, fees, and/or costs waived?

The law says that judges can waive fines, fees, and costs if you can prove you are "without the financial means to pay the [debt] immediately or in a single remittance." The judge can also reduce it or put you on a payment plan, which you will have to follow.

A judge is not, however, allowed to waive any restitution you owe to a victim or any costs owed under the Crime Victims Act.

How long does it take to get a waiver?

Most motions for a waiver will require a hearing in front of a judge, at which you will testify and answer questions from the District Attorney (DA). There is no fixed schedule, but you can expect it to take about six months to get a decision.

Steps for Reducing and Eliminating Court Debt in Pennsylvania

Step 1: Consult with an attorney. An attorney can help you get through the process and make sure you do your best. Resources for finding an attorney can be found on the inner cover of this pamphlet.

Step 2: Confirm how much you owe, since when, and to whom. It is best to get this information from the Clerk of Court so it is official, but you can also go online and print out the page(s) from your docket(s).

Step 3: Arrange a payment plan and stick to it. The Clerk's Office will tell you where in the courthouse to go. Make sure you only agree to an amount you are sure you will be able to pay. Pay on time and keep the receipts they give you. Check the docket(s) from time to time to make sure they show your payments.

Step 4: Complete an affidavit to show you cannot pay the debt. If you really cannot pay off the debt, you will need to provide detailed personal and financial info explaining why: income, expenses, assets (cash, bank accounts, etc.), debts (mortgage, loans, alimony, child support, etc.), and information

about the people you support financially (spouse, children, parents, etc.). You will also have to attach papers (evidence) to prove what you are saying, such as pay stubs, bank statements, benefit award letters (Social Security, food stamps, etc.), and rent receipts. Start here: <https://pardonmepa.org/wp-content/uploads/2025/12/PPP-Court-Cost-Waiver-Data-Form.docx>

Step 5: Go to the court(s) where you were convicted and get the form for waiver of court debt due to indigency. You will need to file a petition for every case in which you were convicted. The Clerk's Office might allow you to use one form for all cases. Attach to each petition the affidavit and evidence you put together in Step 4. Make at least three copies of each completed packet.

Step 6: File the petition(s). There is a fee for filing petitions and it could be expensive. Ask the Clerk if they will waive the filing fee because you cannot afford it. Once they accept the petition(s), ask them to date-stamp all copies as proof it was filed.

Step 7: Deliver one stamped copy of each petition to the DA's Office, then wait. The DA can oppose your petition, or not, and will send you a copy of their answer. The judge will then either grant your

petition on the filed papers or order a hearing at a specific date, time and, place. If a hearing is scheduled, you must attend it.

Step 8: Participate in the hearing. Bring to court a copy of your petition and the evidence you have collected. Other people can come with you if they can provide additional evidence of your financial situation. Remember: you have the burden of proof.

Step 9: Await the judge's decision. The judge could rule at the hearing or take time to think about it. You will be mailed a written copy of the judge's decision.

Step 10(a): If the judge grants your petition, it will order the Clerk to erase the debts. Keep checking the docket in your case(s) so you know when it happens. You should also send a copy of that order to any credit agency you use, and email it to the Board of Pardons if you are seeking a pardon: bopclemency@bop.gov.

Step 10(b): If the judge denies your petition, the written opinion will give the reason(s). If you think the judge made a mistake, you might be able to ask for reconsideration (submitting more information to show how it was wrong) or file an appeal. You should consult with an attorney before doing either.



The Wayne County Bar Association serves as a one-stop-shop for individuals seeking professional legal counsel.

waynecountypalawyers.com



Pro Bono Partnerships

Pro Bono Partnerships, Inc. is the non-profit legal aid subsidiary of The Wayne County Bar Association.

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