

Reference Guide: Legal Financial Obligations (LFOs)

DISPOSITIONAL ORDERS

Most LFOs associated with juvenile offenses, including any LFOs, fees, fines, or costs imposed at the city, town or county level, have been abolished by the Youth Equality and Reintegration Act of 2015. Exceptions include the DNA Collection Fee, the Crime Victims Penalty Assessment, and Restitution. *Laws of 2015, ch. 265*. This Reference Guide gives information about imposing LFOs as well as collecting LFOs and granting relief from LFOs.

Ability to Pay Factors					
Employment	Monthly Income	Detention	Other Debts (including Restitution)	GR 34 Status	Government Assistance

What monetary sanctions are mandatory after the YEAR Act?

- ⇒ **DNA Collection Fee:** may only be imposed if the state has not previously collected DNA as a result of a prior offense. *RCW 43.43.7541*.
- ⇒ **Crime Victim’s Compensation Fee:** The court must order respondent to pay the crime victims penalty assessment when the offense committed by respondent is defined as a most serious offense (RCW 9.94A.030) or a sex offense (Chapter RCW 9A.44.128). The court must order up to seven hours of community restitution when any persons have suffered bodily injury or death as a result of the offense committed by respondent, unless community restitution would not be practicable for respondent. Community restitution is imposed consecutively to any other community restitution the court imposes for the offense. *RCW 7.68.020, RCW 7.68.035*.

In ordering restitution, what must the sentencing court consider?

- ⇒ In its dispositional order, the court must order respondent to make restitution to any persons who have suffered loss or damage as a result of the offense committed by the respondent. In so doing, the court must consider respondent’s ability to pay and is afforded the discretion to determine (1) the conditions of payment, (2) whether to impose joint and several liability, (3) the practicability of community restitution, and (4) whether to relieve respondent of the requirement to pay restitution to an insurance company. *RCW 13.40.190*.
- ⇒ **(1) Conditions of Payment:** The court must consider and set the appropriate payment amount, including establishing a payment schedule that may extend up to ten years. The court must consider respondent’s individualized financial circumstances and make an inquiry into ability to pay. *RCW 13.40.190, State v. Blazina, 182 Wn.2d 827 (2015)*.
- ⇒ **(2) Joint and Several Liability:** The court must consider and decide whether to impose joint and several liability for the payment of restitution or divide restitution equally among the respondents. The court must consider (a) interest and circumstances of victims, (b) circumstances of respondents, and (c) interest of justice. *RCW 13.40.190*.
- ⇒ **(3) Community Restitution:** The court must consider whether respondent is able to pay the restitution amount and, with input from the victim, may order performance of a number of hours of community restitution in lieu of monetary penalty, at the rate of the state minimum wage per hour. *RCW 13.40.190*.
- ⇒ **(4) Insurance Companies:** The court must consider respondent’s ability to pay and may relieve respondent of the requirement to pay, full or partial restitution to any insurance provider authorized under Title 48 RCW if the court is satisfied respondent cannot make full or partial payment to the insurance provider. *RCW 13.40.190*.

What must the court consider before punishing respondent for nonpayment of restitution?

- ⇒ The respondent is entitled to the same due process of law as an adult probationer. *RCW 13.40.200*. Before punishment, the court must inquire into ability to pay and find respondent “willfully violated” the terms of the order. *RCW 13.40.200*. The court may place the burden on respondent to prove inability to pay, but the court still has a duty to inquire into ability to pay. *Smith v. Whatcom Cnty. Dist. Ct., 147 Wn.2d 98(2002)*.
- ⇒ If the court finds youth cannot pay, the court may convert certain debts to community service. *RCW 13.40.200*.

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RELIEF AND COLLECTIONS

When may the sentencing court modify restitution orders?

- ⇒ **Insurance Companies:** The court may relieve respondent of the requirement to pay, full or partial restitution to any insurance provider authorized under Title 48 RCW. *RCW 13.40.190.*
- ⇒ **Others:** The court may modify the restitution order for good cause shown, including inability to pay. *RCW 13.40.190.*

When may the sentencing court relieve respondent from LFOs?

- ⇒ **LFOs:** Except for the DNA Collection Fee and the Crime Victims Penalty Assessment, the court may relieve respondent of the requirement to pay LFOs for good cause shown, including inability to pay. *RCW 13.40.192.*
- ⇒ **DNA Collection Fee:** The court may relieve respondent of the requirement to pay the fee, provided respondent would not have been required to pay the fee under current law. *RCW 13.40.192, State v. Blazina, 182 Wn.2d 827 (2015), GR 34.*
- ⇒ **Crime Victims Penalty Assessment:** Assuming that no inquiry was made by the trial court at the time of disposition regarding the eligibility of the underlying offense or the practicability of community service, in keeping with *State v. Blazina, 182 Wn.2d 827 (2015)*, the court may relieve respondent of the requirement to pay, full or partial, the Crime Victims Penalty Assessment. *RCW 13.40.192, State v. Blazina, 182 Wn.2d 827 (2015), GR 34.*

What happens when juvenile LFOs are referred to the Superior Court Clerk?

- ⇒ Since the YEAR Act abolished most LFOs, the number of referrals should drop and the court may relieve youth from LFOs as described above. Clerks may not add a fee for collection efforts on juvenile LFOs. *Chapter 13.40 RCW.*

Most Serious Offenses (RCW 9.94A.030)

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| <ul style="list-style-type: none"> • Any class A felony or criminal solicitation of, or criminal conspiracy to commit a class A felony; • Assault in the second degree; • Assault of a child in the second degree; • Child molestation in the second degree; • Controlled substance homicide; • Extortion in the first degree; • Incest when committed against a child under age 14; • Indecent liberties; • Kidnapping in the second degree; • Leading organized crime; • Manslaughter in the first degree; • Promoting prostitution in the first degree; • Rape in the third degree; • Robbery in the second degree; • Sexual exploitation; • Vehicular assault, when caused by the operation or driving of a | <ul style="list-style-type: none"> vehicle by a person while under the influence of liquor or any drug or by the operation of a vehicle in a reckless manner; • Vehicular homicide, when proximately caused by the driving of a vehicle by a person while under the influence of liquor or any drug, or by operation of any vehicle in a reckless manner; • Any class B felony offense with a finding of sexual motivation; • Any other felony with a deadly weapon finding; • Any felony offense in effect before December 2, 1983, that is comparable to a most serious offense defined here or any federal or out-of-state conviction for an offense under the laws of this state would be a felony classified as a most serious offense here; certain prior convictions for Indecent Liberties; • Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence was 10 years or more. |
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Sex Offenses (Chapter 9A.44 RCW)

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| <ul style="list-style-type: none"> • Rape • Rape of a child • Child molestation • Sexual misconduct • Indecent liberties | <ul style="list-style-type: none"> • Sexually violating human remains • Voyeurism • Custodial sexual misconduct • Criminal trespass against children |
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*Provided by the
 Washington State Supreme Court
 Minority and Justice Commission
 September 2015*

2015 Update: Reference Guide on Legal Financial Obligations (LFOs) Courts of Limited Jurisdiction (CLJ) in Washington State

Imposing LFOs at Sentencing

What is an LFO?

LFOs include restitution, fees, fines, assessments, and costs imposed as part of a criminal judgment upon conviction. In some cases, costs may be imposed for pretrial supervision. There are both mandatory and discretionary LFOs authorized under state law, and each statute may differ in setting standards for imposition and waiver.

- Mandatory LFOs are those required to be imposed in every case or every conviction for a certain type of crime;
- Discretionary LFOs are allowed within the court's discretion. Some discretionary LFOs can be reduced or waived on a finding of indigence.

Mandatory LFOs in CLJ Courts

- **Criminal Conviction Fee:** \$43, imposed in every case. *RCW 3.62.085*(district court); *RCW 3.50.100*(municipal court)
- **DNA Collection Fee:** \$100, limited to specified crimes. *RCW 43.43.7541*.
- **Public Safety and Educational Assessments:** An amount equal to 105% of any fines, forfeitures, or penalties imposed. *RCW 3.62.090*.
- **Offense Specific Fines:** Some offenses carry additional mandatory penalties. *See, e.g., RCW 9A.88.120* (prostitution and indecent exposure), *9.68A.105* (commercial sex trafficking of minors).

Discretionary LFOs in CLJ Courts

- **Fines** are not generally mandatory. *See RCW 3.62.010, 35.20.255*. Courts have the discretion to waive or suspend some "offense-specific" fines, on a finding of indigence. *See, e.g. RCW 46.61.5054* (DUI BAC fee), *46.64.055* (motor vehicle penalty).
- **Restitution** is permitted but not mandatory. *See RCW 9.92.060, 9.95.210, 9A.20.030; Seattle v. Fuller*, 177 Wn.2d 263 (2013).

Caps for Certain Costs (RCW 10.01.160)

Costs are limited to "expenses specially incurred by the state in prosecuting the defendant" with the following statutory caps:

- Deferred prosecution costs: \$250
- Pretrial supervision (other than alcohol or drug): \$150
- Warrants for failure to appear: \$100
- Costs of incarceration: Actual costs, no more than \$100 per day

Imposing Discretionary Costs in CLJ Courts: Costs are permitted by 10.01.160, but the court "shall not order a defendant to pay costs unless the defendant is or will be able to pay them." *RCW 10.01.160(3)*

"The record must reflect that the trial court made an individualized inquiry into the defendant's current and future ability to pay". *State v. Blazina*, 182 Wn.2d 827, 838 (2015). The court may not rely on boilerplate language stating that it engaged in the required inquiry. *Id.*

DETERMINING ABILITY TO PAY

A court should "seriously question [a] person's ability to pay LFOs" if that person meets the GR 34 standard for indigence. *Blazina*, 182 Wn.2d at 839.

Under GR 34, a defendant is indigent if he or she:

- **Currently receives benefits from a needs-based, means-tested assistance program**, including, but not limited to TANF, GA-U or GA-X, SSI, federal poverty-related veteran's benefits, or food stamps;
- **Has income at or below 125% of the federal poverty level (FPL)**, which for 2015 is:
 - \$14,712 for individuals
 - \$19,912 for a family of 2
 - \$25,112 for a family of 3
 - \$30,312 for a family of 4
 - \$35,512 for a family of 5
 - \$40,712 for a family of 6;
- **Has income above the FPL, but basic living expenses render the defendant unable to pay.** As defined by *RCW 10.101.010(2)(d)*, basic living expenses include reasonable payments toward shelter, food, utilities, health care, transportation, clothing, loan payments, support payments, and court-imposed obligations;
- **Other compelling circumstances** demonstrate that the defendant lacks the ability to pay discretionary LFOs. These can include but are not limited to:
 - **Incarceration:** The term of incarceration and the likelihood that he or she will be able to meaningfully contribute towards discretionary LFOs during that time.
 - **Other LFOs:** The defendant's other debts, including restitution;
- **Representation by appointed counsel:** The GR 34 standard for indigence closely tracks the criteria for appointment of counsel under *RCW 10.101.010*. The court may presume indigence if a person has been screened and found eligible for court-appointed counsel.

Collection of LFOs

Can a defendant pay LFOs in installments? The court may grant permission for installment payments, and is generally required to do so for monetary obligations resulting from a traffic infraction *RCW 10.01.170, 46.63.110*. The monthly payment amount should be set according to the defendant's current ability to pay.

When may unpaid LFOs be referred to collection agencies? CLJ may use collections agencies to collect LFOs. *RCW 3.02.045(1)*. No debt may be assigned unless 30 days have passed since the debtor was notified that the debt may be assigned to a collections agency. *RCW 19.16.500(2)*. LFOs assigned to a collections agency and in collection status accrue 12% interest, plus costs of collection. *RCW 3.62.040, 3.62.020, 35.20.220*.

LFOs for defendants receiving public benefits. Needs-based government benefits are intended to help low-income persons meet basic living expenses. Thus, many benefits are not subject to attachment, garnishment, legal process, or execution. *See, e.g., 42 U.S.C. § 407; 38 U.S.C. § 5301; Bennet v. Arkansas, 485 U.S. 395 (1988); Higgins v. Beyer, 293 F.3d 683 (3d Cir. 2002)*. Courts should consider whether to include public assistance in the calculation of the monthly payment and whether to order defendants to pay LFOs from these benefits.

Sanctions for non-payment of LFOs

The defendant is **entitled to assistance of counsel** when facing sanctions, and counsel must be appointed if the defendant is indigent. *Smith v. Whatcom Cnty. Dist. Ct., 147 Wn.2d 98, 113 (2002)*.

Can a court issue a summons or warrant for non-payment? Willful non-payment of LFOs may be contempt of court. *RCW 10.01.180*. The court may issue a warrant after non-payment, *id.*, but the better practice may be to issue a summons for non-payment and a warrant upon any failure to appear.

What factors must a court consider before incarcerating a defendant for non-payment of LFOs?

A defendant may not be jailed for nonpayment of a fine when the failure to pay is solely because of indigence. *Smith., 147 Wn.2d at 112*. The court must inquire into a defendant's ability to pay, including income, assets, expenses, employment history, and efforts to acquire resources. *State v. Bower, 64 Wn. App. 227, 233 (1992)*.

Court Must Find Defendant Willfully Refused to Pay Prior to Sanction:

Before issuing sanctions, the court must find that a defendant "willfully refused to pay" LFOs. *Bearden v. Georgia, 461 U.S. 660, 682, 772 (1983)*. The defendant may bear the burden of proving inability to pay, but the court still has a duty to inquire. *Smith, 147 Wn.2d at 112*.

Sample Questions: Determining Willful Nonpayment

- **Income:** What is your monthly income? Do you receive any government benefits (SSI, disability benefits, TANF, food stamps, or veteran's benefits)?
- **Employment History:** Are you working? When did you last work? What have you done to find work? Do you have any medical or other conditions that limit your ability to work?
- **Monthly Expenses:** How much does your household spend on basic living costs, including housing and utilities, food, health care or medical costs, transportation, clothing, payment of LFOs/fines to other courts, child support, and other necessities?
- **Assets and Other Financial Resources:** Do you own assets that you could use to pay LFOs? Do you have any credit or ability to borrow funds?

Is the court required to consider alternatives to incarceration for non-payment of LFOs? The court should use its contempt power to incarcerate for non-payment only where "no reasonable or effective alternatives are available." *Smith, 147 Wn.2d at 113. See also Bearden, 461 U.S. at 672*. As an alternative to incarceration, the court can reduce the amount of LFOs, modify its previous orders regarding payment of LFOs, or convert LFOs to community restitution. *RCW 10.01.180(4); Bearden, 461 U.S. at 672*.

Post-Sentencing LFO Relief

When may the court waive or reduce interest? On motion of an offender after release from total confinement, courts shall waive all non-restitution interest accrued during the term of total confinement for the offense, if interest creates hardship. Other non-restitution interest can be waived if the offender has made a good faith effort to pay as defined by statute. Restitution interest may be reduced only if the principal is fully paid. *RCW 10.82.090(2)(a)-(c)*.

When may the court waive, convert, or reduce other LFOs?

The defendant may petition the court to waive all or part of the amount due in costs (including appellate costs) or modify the method of payment, if the defendant is not in willful default and proves that payment of costs will impose a manifest hardship. *RCW 10.01.160(4), 10.73.160(4)*. If the court finds at enforcement that failure to pay is not willful, it may consider waiver, reduction, or conversion to community restitution as alternatives to incarceration, described above.



Provided by the
Washington State Supreme Court
Minority and Justice Commission
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2015 UPDATE: Reference Guide on Superior Court-Ordered Legal Financial Obligations

**Disclaimer: Check statutory and caselaw cites to confirm law is current*

Imposing LFOs at Sentencing

What are Legal Financial Obligations (LFOs)?

Money ordered by a superior court, which may include victim restitution, crime victims' compensation fees, court costs, county or interlocal drug funds, costs of defense, other fees, and fines. *RCW 9.94A.030*. There are different standards for imposition of LFOs:

- **Mandatory LFOs** that must be imposed in every case, or every conviction for a certain type of offense regardless of ability to pay (some mandatory LFOs can be partially waived);
- **Discretionary LFOs** that 1) can be imposed only upon a finding of ability to pay; or 2) may be imposed solely at the court's option; or 3) can be waived on finding of indigence.

What LFOs are mandatory?

- **Victim Penalty Assessment (VPA):** \$500 for each case that includes one or more felony or gross misdemeanor convictions; \$250 for each case that includes misdemeanor convictions. *RCW 7.68.035*.
- **DNA Collection Fee:** Every sentence imposed for a crime specified in *RCW 43.43.754* must include a fee of \$100. *RCW 43.43.7541*; *but see RCW 9.94A.777* (not mandatory for defendants with "mental health conditions").
- **Restitution:** Shall be ordered whenever a felony offense results in injury to any person or damage to or loss of property, unless extraordinary circumstances make restitution inappropriate. *RCW 9.94A.753(5)*; *but see RCW 9.92.060(2)(b)* (restitution discretionary for misdemeanors).
- **Crime Specific LFOs:** Some LFOs are mandatory based on the type of offense. *See e.g., RCW 9.68A.105* (requiring court to impose fee assessments for convictions commercial sex abuse of a child related-offenses, *although* 2/3 of assessment may be waived if court finds on the record that defendant lacks the ability to pay); *RCW 43.43.690* (\$100 crime lab analysis fee shall be imposed where lab analysis was performed by state crime laboratory; however, court may suspend payment of all or part of fee if it finds person does not have the ability to pay).

What are Costs? Expenses specially incurred by the state in prosecuting the defendant or in administering the deferred prosecution program...or pretrial supervision *RCW 10.01.160*. These include, but are not limited to costs of defense, jury fees, and warrant costs.

Caps for Certain Costs (*RCW 10.01.160*): Deferred prosecution costs (\$250); pretrial supervision (other than alcohol or drug monitoring) (\$150); warrants for failure to appear (\$100); costs of incarceration (actual cost of incarceration - no more than \$100 per day).

When may a court impose costs? The court "shall not order a defendant to pay costs unless the defendant is or will be able to pay them." *RCW 10.01.160(3)*. The record must reflect that the sentencing judge made an individualized inquiry into the defendant's current and future ability to pay before imposing costs. *State v. Blazina*, 182 Wn.2d 827 (2015). The court may not rely on boilerplate language stating that it engaged in the required inquiry of ability to pay discretionary court costs. *Id.* at 838.

DETERMINING ABILITY TO PAY

"Courts should also look...to the comment in...GR 34 for guidance" to determine a defendant's ability to pay costs. *Blazina*, 182 Wn.2d at 838. A court should "seriously question a person's ability to pay LFOs" if that person meets the GR 34 standard for indigence. *Id.* at 839.

Under GR 34 a defendant is indigent if he or she:

- **Currently receives benefits from a needs-based, means-tested public assistance program**, including, but not limited to TANF, GAU or GAX, SSI, federal poverty related veterans' benefits, or food stamps.
- **Has income at or below 125% of the federal poverty level (FPL)** or income above 125% of FPL and recurring basic living expenses (*RCW 10.101.010(4)(d)*) that render the defendant without the ability to pay. For 2015, 125% of FPL is:
 - \$14,712 for individuals
 - \$19,912 for a family of 2
 - \$25,112 for a family of 3
 - \$30,312 for a family of 4
 - \$35,512 for a family of 5
 - \$40,712 for a family of 6
- **Other compelling circumstances** demonstrate the inability to pay.
- **Representation by Appointed Counsel:** The GR 34 standard closely tracks the criteria for appointment of counsel under *RCW 10.101.010*. The court may presume indigence if an individual was screened and found eligible for public defense services.

In addition to GR 34, "the court must also consider important factors...such as incarceration and a defendant's other debts, including restitution." *Blazina 182 Wn.2d at 838*.

When may costs of incarceration be imposed?

Felonies: Sentencing court must find that defendant has the current ability to pay. *RCW 9.94A.760(2)*, (maximum of \$100 per day).

Misdemeanors: Sentencing court must find that defendant has the current or future ability to pay. *RCW 10.01.160(3)*.

Imposing LFOs on Defendants with Mental Health Conditions: Before imposing any LFOs other than restitution or the VPA, the court must find that a defendant with a "mental health condition" has the means to pay such additional sums. *RCW 9.94A.777*.

When may a court impose fines? Fines are generally discretionary. Some fines are mandatory but can be waived in full or in part on a finding of indigence. *See, e.g., RCW 69.50.430(1)* (\$1,000 fine for first VUCSA mandatory unless court finds indigency); *RCW 69.50.430(2)* (\$2,000 mandatory for subsequent VUCSA unless court finds indigency); *RCW 69.50.401(b)* (court may impose fines for convictions for manufacture, possession, or delivery of amphetamines, \$3000 of which may not be suspended).

See also e.g., RCW 9.68A.105: Requires the court to impose a \$5000 fee for convictions/deferred prosecutions/diversion agreements for commercial sexual abuse of a minor-related offenses. Court may reduce the maximum fee by up to 2/3 if it finds, on the record, that the defendant lacks the ability to pay.

Collection of LFOs

Who sets the monthly payment schedule? The court can set the offender's monthly payment schedule at sentencing or delegate the responsibility to either DOC (if the offender is on supervision following release) or the clerk's office. *RCW 9.94A.760(1), 10.01.170.* If restitution is ordered, the sentencing court shall set the minimum monthly payment towards the restitution. *RCW 9.94A.753(1).* The monthly payment schedule should reflect the defendant's present ability to pay. For restitution the court should also consider the defendant's past and future ability to pay, the total amount of restitution owed, and any assets the defendant may have. *Id.* The payment schedule for all LFOs may be modified to reflect a change in financial circumstances. *RCW 9.94A.760(5),(7).*

Collecting LFOs from defendants whose sole source of income is public benefits: Needs-based government benefits, including Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), veterans' disability benefits, and TANF are not subject to attachment, garnishment, execution, levy, or other legal process. *See, e.g., 42 U.S.C. § 407; 38 U.S.C. § 5301; RCW 74.08.210; RCW 74.04.280; Bennet v. Arkansas, 485 U.S. 395 (1998); Higgins v. Beyer, 293 F.3d 683 (3d Cir. 2002).* Courts should consider whether it is appropriate to include public benefits in the calculation of the monthly payment or whether to order payment of LFOs from these benefits.

Sanctions for non-payment of LFOs

Can a court issue a summons or warrant for non-payment? Payment of a monthly sum towards LFOs is a condition of sentence for felony convictions. *RCW 9.94A.760(10).* The court may issue a summons or a warrant to guarantee the appearance of a defendant who has failed to pay. *9.94A.6333, 9.94B.040(3)(b), 10.01.180.* Most courts issue a summons for non-payment and a warrant upon any failure to appear.

Is a defendant entitled to the assistance of counsel when facing sanctions for non-payment of LFOs? Whenever a modification of sentence may result in jail, an indigent defendant has a right to appointed counsel. *State v. Stone, 165 Wn. App. 796, 814-15 (2012).*

What factors must a court consider before incarcerating a defendant for non-payment of LFOs?

A defendant may not be jailed for nonpayment of LFOs unless the failure pay is willful. *Bearden v. Georgia, 461 U.S. 660, 672-73 (1983).* This applies to all LFO debt, whether mandatory, e.g., the VPA and restitution, or discretionary, e.g., costs. The defendant bears the burden to show that his nonpayment is not willful, but due process still requires the court to inquire into the defendant's ability to pay and find willfulness before ordering incarceration. *State v. Nason, 168 Wn.2d 936, 945 (2010).* The court must consider the defendant's employment history, income and assets, reasonable expenses, and efforts to acquire additional resources. *State v. Bower, 64 Wn. App. 227, 233 (1992).*

Can the court consider alternatives to incarceration for non-payment of LFOs? If a defendant's failure to pay is not willful, the court must consider alternatives to jail, including modification of its previous orders regarding payment of LFOs or conversion of LFOs (except felony restitution and the VPA) to community restitution. *RCW 9.94B.040(3), 9.94A.6333(2), 10.01.180, 10.73.160; Bearden, 461 U.S. at 672.* If willful, the court may order incarceration. Persons incarcerated for willful nonpayment of non-felony LFOs are in contempt of court and receive credit towards the LFOs for each day served at the rate specified by the court in the commitment order. *RCW 10.01.180(3).* Persons incarcerated for willful non-payment of felony LFOs have violated a condition of sentence and do not receive credit. *Nason, 168 Wn.2d at 946-47.*

Post-Sentencing LFO Relief

When may the court waive or reduce interest? LFOs shall accrue interest from the date of judgment (at 12% per annum). *RCW 10.82.090.* Upon motion by defendant after release from total confinement, courts shall waive all non-restitution interest accrued during the term of total confinement for the offense if interest creates hardship. Other non-restitution interest may be waived if the offender has made a good faith effort to pay, as defined by statute. Restitution interest may be reduced only if principal is fully paid. *RCW 10.82.90(2)(a)-(c).*

When may the court waive, convert, or reduce other LFOs? The court may waive all or part of the amount due in costs if payment will impose a manifest hardship. *RCW 10.01.160(4), 10.73.160(4).* The court may modify its previous order, including conversion of LFOs to community restitution hours, if the defendant's failure to pay was not willful. *9.94A.6333(c)(iii),(d), 9.94B.040.*

