

Court Initiated Relief For Driver's License Restoration: Implementation Guide

Some states suspend a person's driver's license for missing court. Without a license people may have trouble getting to work, fulfilling family obligations, and appearing in court. An alternative to a driver's license restoration clinic, court initiated relief addresses barriers to restoration without involving those receiving relief. Use this guide to implement relief efforts.

- 1 Establish a stakeholder team.** Identify and include all relevant stakeholders, such as judges, clerks of court, prosecutors, and defenders.
 - 2 Consult organizations in your state.** Groups like an access to justice commission or pro bono organization can be helpful project partners.
 - 3 Document process for relief.** Assess and document all necessary procedures to provide relief for license restoration. For example, outstanding court monetary obligations may need to be addressed, and procedures may be needed to recall outstanding arrest orders and notify the department of motor vehicles.
 - 4 Determine criteria.** Decide on the criteria for relief, as allowed by statute. Some factors to consider are the age of the case and the underlying offense.
 - 5 Develop a list of eligible cases.** Use your criteria in step 4 to develop a list of cases eligible for relief. Your court administrative office may be able to provide this information.
- NOTE!** If your list of eligible cases includes unresolved cases, consider creating procedures for review by the prosecutor.
- 6 Develop a schedule.** You may wish to process all cases at once or over a period of time to ease administrative burden. The team's capacity and the volume of the cases should guide this process.
 - 7 Implement.** Using your schedule and list of eligible cases, implement your process for relief. This may include presenting motions to a judge to waive monetary obligations, recall outstanding arrest orders, and/or dismiss cases reviewed by the prosecutor.
 - 8 Notify those affected.** Because court initiated relief does not require involvement of the individual charged, inform them of the relief that was granted following implementation, such as through written notice or a [website](#).

Want to Learn More?

This process is based on one developed by the [North Carolina Task Force for Racial Equity in Criminal Justice](#). It has been generalized for use in other jurisdictions.