

Widespread but Often Overlooked, Municipal Courts Demand Our Attention

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Municipal courts too often create cycles of harm that can get people entangled in the justice system, but they also have the potential to deliver justice in ways that respond to communities' needs.

Each year, millions of people come into contact with the justice system for minor offenses like shoplifting, speeding, or trespassing. While these crimes rarely make the headlines, they account for roughly 80 percent of cases coming through our courts. How we respond to them can have serious consequences for those who have been arrested, their families, and our communities as a whole.

About a quarter of these cases are heard in local, low-level courts that don't follow typical rules: municipal courts. There are over 7,500 of them across the country, and

despite their massive reach, municipal courts aren't bound by many of the rules that apply to typical criminal courts. Judges in municipal courts, for example, don't always need to be licensed attorneys, as they do elsewhere. And these courts often receive little attention from scholars and reformers, even as they're the first places where millions of people encounter the justice system.

All together, municipal courts collect more than \$2 billion in fines and fees each year – overwhelmingly from people accused of minor crimes. Financial penalties for low-level crimes can trap people in debt and lead to a downward spiral. That risk is magnified for those who can't afford a defense attorney, yet people in municipal court who are facing fines as the only punishment for a crime aren't guaranteed legal representation.

Municipal courts are often the site of “revolving door justice” – people cycling in and out of the system with little meaningful change. Even a minor encounter with the justice system can threaten a person's job, housing, and immigration status, potentially exacerbating the issues that brought them into court in the first place. But municipal courts also have the flexibility to deliver justice in ways that respond to deep-seated needs of the community.

When it comes to “upstream” reforms – efforts that aim to prevent crime and justice involvement, instead of responding to them after the fact – municipal courts offer vital opportunities. Instead of fines and other punishments that often lead to cycles of hardship, these courts can connect people to community-based services, address the root causes that brought them in, and help prevent them from getting more seriously entangled in the justice system down the line.

That's the goal of our Newark Community Solutions program, the first of its kind in New Jersey. Based in Newark Municipal Court, the program responds to crime by linking people to services that help put them on a better path, instead of fines and jail time. After working with each person to assess their needs, our Newark team partners with community-based service providers to get people the resources they need to build a better future – from housing to mental health care to substance use treatment.

This hyperlocal approach – where courts partner with neighborhood agencies and service providers to offer care, instead of punishment – has driven our work since we launched our first program in Midtown Manhattan. For over three decades, the Midtown Community Justice Center has given people charged with low-level crimes a chance to resolve their case by completing community service or accessing resources addressed to their needs. Those who complete the program not only avoid traditional punishments, which often make it harder to get back on track, but also receive services they may have struggled to access – counseling, career support, GED programs, and more.

The Midtown Community Justice Center also offers a model for how municipal courts can harness their position in communities to promote civic engagement, bringing government and residents together to tackle local issues. One of the Justice Center's key innovations was its community panels, where those who live and work in the neighborhood could meet with court staff and leaders to explore solutions to quality-of-life issues in the area. Today, the Justice Center also helps operate the Community First program, which engages people living on the streets and in shelters to offer life-saving resources and connections to longer-term services.

We draw on our work in community courts and [community justice centers](#) across New York City to help nurture reforms across the country, including in municipal courts. In Toledo, Ohio, we helped launch a [diversion program](#) in municipal court that aims to break cycles of low-level offending by emphasizing fairness and behavioral change.

While the charges that bring people into municipal courts are considered minor, the impacts of these courts are anything but that. Millions of people have their first encounter with the justice system in municipal courts. When they prioritize support over punishment, these courts can help ensure those encounters will also be the last.

To learn more about municipal courts, join our [upcoming webinar on March 27](#) and [follow us on LinkedIn](#) to keep up with future webinars in our five-part series.

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