

## Summary

The Criminal Justice Policy Program at Harvard Law School and the University of Cologne Institute for Criminology seek a research assistant to provide legal and policy analysis of laws, commentaries, regulations, and secondary sources about the German day fine system. The research assistant will also help with interviews about day fines of legal system stakeholders such as judges and prosecutors. Research assistants will draft, conduct, coordinate, and provide English summaries of interviews. Research will be done under the supervision of Mitali Nagrecha of Harvard Law School. Applicants should be current law students or hold a degree in law and be proficient in English. Compensation will be regular SHK payment (Studentische Hilfskraft) by the University of Cologne. The appointment will be for up to four months (with possibility of extension) and approximately 10 – 12 hours/week, though this number will vary based on project flow. Willingness to travel within Germany a plus though some work can be done from home. The person should be ready to begin the assignment by mid-July 2018. Please submit a CV, cover letter, and English-language writing sample to [mnagrecha@law.harvard.edu](mailto:mnagrecha@law.harvard.edu). The full job posting is available [here](#).

## Who We Are

The Criminal Justice Policy Program is a policy research and advocacy center at Harvard Law School that works to advance criminal justice reform in the United States. In addition to publishing reports and other materials, the program works in partnership with government agencies to pilot and implement policy changes. It also convenes diverse stakeholders to diagnose problems and chart concrete reforms. More information about CJPP is available at [cjpp.law.harvard.edu](http://cjpp.law.harvard.edu).

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## The Project

In recent years, litigators, researchers, and advocates across the United States have exposed the gross injustices resulting from ever-increasing legal financial obligations (or “LFOs”) such as fines, court costs, fees, surcharges, and restitution charged to individuals in the criminal justice system. Central to reform efforts is the notion that an individual’s ability to pay must be taken into account before legal financial obligations are imposed and before an individual is incarcerated or suffers other consequences for failure to pay.

The problem is that there are no successful alternatives in the United States for integrating ability to pay determinations into proceedings where LFOs are imposed. CJPP believes that **day fines**, the system of imposing financial penalties in criminal cases in Germany, are a model of transformative change that may be a useful model for the United States. Indeed, scholars and

advocates in the United States have argued that the day fines system is the most promising alternative model to our current system of imposing and collecting LFOs.<sup>1</sup>

Over the next year, CJPP will conduct a case study of the German day fine system. CJPP will do this research in partnership with the University of Cologne Institute for Criminology. The Germany case study will have two parts. First, we will conduct rigorous legal and policy research to answer the research questions discussed below. It will analyze state statutory frameworks, regulations, and other policy guidelines as well as secondary sources analyzing these laws. Second, we will conduct empirical research through court watching, observation, and interviews to understand how the day fines model is implemented and how the legal and policy frameworks operate in practice. The project will interview stakeholders such as judges, prosecutors, and impacted individuals. We will also interview social workers, academics, and other policymakers. This empirical information will be critical to persuading policymakers that actors in day fines jurisdictions find the system administrable, rational, fair, and responsive.

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## The Position

CJPP seeks a German-speaking research assistant to provide legal and policy research and analysis for this project. Applicants should be current law students or hold a degree in law and be proficient in English. An interest in criminal justice, civil rights, or human rights law is a plus. Willingness to travel around Germany for interviews also a plus though some work can be done remotely.

Compensation will be regular SHK payment (Studentische Hilfskraft) by the University of Cologne. The appointment will be for up to four months and approximately 10 – 12 hours/week, though this number will vary based on project flow. There may be weeks with no work. The person should be ready to begin the assignment by mid-July 2018.

Please submit a CV, cover letter, and English-language writing sample to [mnagrecha@law.harvard.edu](mailto:mnagrecha@law.harvard.edu).

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<sup>1</sup> See, e.g., Alexes Harris, *A Pound of Flesh: Monetary Sanctions as Punishment for the Poor* 87 (2016); Karin D. Martin et al., *Shackled to Debt: Criminal Justice Financial Obligations and the Barriers to Re-Entry They Create*, New Thinking on Community Corrections (January 2017), available at <https://www.ncjrs.gov/pdffiles1/nij/249976.pdf>; White House Council of Econ. Advisors, *Fines, Fees, and Bail: Payments in the Criminal Justice System that Disproportionately Impact The Poor*, (December 2015), available at [https://obamawhitehouse.archives.gov/sites/default/files/page/files/1215\\_cea\\_fine\\_fee\\_bail\\_issue\\_brief.pdf](https://obamawhitehouse.archives.gov/sites/default/files/page/files/1215_cea_fine_fee_bail_issue_brief.pdf).