

STATE OF ILLINOIS)
) SS.
COUNTY OF DU PAGE)

IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

16 JUL 21 AM 9:59

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IN THE MATTER OF APPOINTING)
LEGAL COUNSEL FOR DEFENDANTS) Administrative Order No. 16-9
WHO CLAIM INDIGENCY)

The Court being fully advised in the premises;


IT IS HEREBY ORDERED that the following guidelines be adopted for purposes of determining a defendant's eligibility for the appointment of legal counsel in criminal cases:

1. A defendant failing to complete an Affidavit of Indigency shall be ineligible.
2. A defendant whose Affidavit of Indigency discloses that income on an annualized basis is above 125% of the official Poverty Income Guidelines shall be found not indigent and therefore ineligible (see Addendum attached).
3. A defendant charged with an offense, where the penalty is punishable by fine only, shall be ineligible though indigent.
4. A defendant charged with an offense punishable by imprisonment shall be deemed ineligible though indigent, if the judge has predetermined that he will not sentence the defendant to jail if convicted and will not later impose a jail sentence in the event of a revocation of supervision or probation, and the defendant does not indicate to the Court that he desires the appointment of a public defender.

IT IS FURTHER ORDERED that when a defendant discloses income, that figure should include total family income including that of spouses who work and share the burden of supporting the family. The value of assets should also be considered in addition to income when determining indigency.

This order shall take effect immediately and Administrative Order No. 15-10 is vacated.

ENTER:



Kathryn E. Creswell
Chief Judge

Dated: July 21, 2016
Wheaton, Illinois

Addendum to Administrative Order 16-9

Poverty: The state of one who lacks a usual or socially acceptable amount of money or material possessions.

Indigence: A level of poverty in which real hardship and deprivation are suffered and comforts of life are wholly lacking.

GUIDELINES FOR DETERMINING POVERTY

Maximum Income Schedules – 125%

<u>Family Size</u>	<u>Weekly</u>	<u>Monthly</u>	<u>Annually</u>
1	\$286	\$1,238	\$14,850
2	385	1,669	20,025
3	485	2,100	25,200
4	584	2,531	30,375
5	684	2,963	35,550
6	783	3,394	40,725
7	883	3,826	45,913
8	983	4,259	51,113

(Additional person – add \$5,200/year)

Special circumstances: If other eligibility criteria are met, indigency may be granted if the applicant's gross income does not exceed 200% of the national poverty level.

Maximum Income Schedules – 200%

<u>Family Size</u>	<u>Weekly</u>	<u>Monthly</u>	<u>Annually</u>
1	\$ 457	\$1,980	\$23,760
2	616	2,670	32,040
3	775	3,360	40,320
4	935	4,050	48,600
5	1,094	4,740	56,880
6	1,253	5,430	65,160
7	1,413	6,122	73,460
8	1,573	6,815	81,780

(Additional person - \$8,320/year)

PSLS ELIGIBILITY GUIDELINES (February 2016)

The Prairie State Board of Directors has established the Financial Eligibility Guidelines as set forth below. Only individuals and groups determined to be financially eligible under these guidelines and the Legal Services Corporation regulations may receive legal assistance with Legal Services Corporation funds. The Board of Directors has established annual income ceilings for all offices which may not exceed 125% of the Official Poverty Level.

<u>Family Size</u>	<u>Maximum Income Schedules - 125%</u>		
	<u>Weekly</u>	<u>Monthly</u>	<u>Annually</u>
1	286	1,238	14,850
2	385	1,669	20,025
3	485	2,100	25,200
4	584	2,531	30,375
5	684	2,963	35,550
6	783	3,394	40,725
7	883	3,826	45,913
8	983	4,259	51,113

(Additional person - add \$5,200/year)

If the eligibility criteria are met, Prairie State staff may provide services to applicants whose gross income exceeds 125% of the Official Poverty Level, but does not exceed 200% of the poverty level. Please consult Section II (3), below, for a complete explanation of situations in which these higher income figures may apply.

<u>Family Size</u>	<u>Maximum Income Schedules - 200%</u>		
	<u>Weekly</u>	<u>Monthly</u>	<u>Annually</u>
1	457	1,980	23,760
2	616	2,670	32,040
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(Additional person - add \$8,320/year)