



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

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

IN THE MATTER OF APPOINTING )  
LEGAL COUNSEL FOR DEFENDANTS ) Administrative Order No. 20-5  
WHO CLAIM INDIGENCY )

The Court being fully advised in the premises;

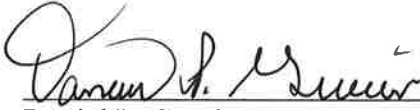
IT IS HEREBY ORDERED that the following guidelines be adopted for purposes of determining a defendant's eligibility for the appointment of legal counsel in criminal cases:

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.

IT IS FURTHER ORDERED that when a defendant discloses income, that figure should include total family income including that of family members 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. 19-20 is vacated.

ENTER:

  
\_\_\_\_\_  
Daniel P. Guerin  
Chief Judge

Dated: February 28, 2020  
Wheaton, Illinois

## *Addendum to Administrative Order 20-3*

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	\$307	\$1,329	\$15,950
2	414	1,796	21,550
3	522	2,263	27,150
4	630	2,729	32,750
5	738	3,196	38,350
6	845	3,663	43,950
7	953	4,129	49,550
8	1,061	4,596	55,150

(Additional person – add \$5,600/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	\$491	\$2,127	\$25,520
2	663	2,873	34,480
3	835	3,620	43,440
4	1008	4,367	52,400
5	1,180	5,113	61,360
6	1,352	5,860	70,320
7	1,525	6,607	79,280
8	1,697	7,353	88,240

(Additional person - \$8,960/year)

Figures from: <https://aspe.hhs.gov/poverty-guidelines>