

1 AN ACT concerning public defenders.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Counties Code is amended by changing
5 Section 3-4007 as follows:

6 (55 ILCS 5/3-4007) (from Ch. 34, par. 3-4007)
7 Sec. 3-4007. Compensation.

8 (a) The public defender shall be paid out of the county
9 treasury, and the State treasury as provided in subsection
10 (b), as the sole compensation for his or her services a
11 salary in an such amount as shall--be fixed by the County
12 Board. ~~which--salary--in--counties--of--less--than--500,000~~
13 ~~population-but-in-excess-of-100,000-shall-not--be--less--than~~
14 ~~40%--nor--more--than--100%--of--the--compensation--of--the--State's~~
15 ~~Attorneys--of--such--counties--and--in--counties--of--100,000--or--less~~
16 ~~population--shall--not--be--less--than--25%--nor--more--than--100%--of~~
17 ~~the--compensation--of--the--State's--Attorneys--of--such--counties.~~
18 When a Public Defender in a county of 30,000 or more
19 population is receiving not less than 90% of the compensation
20 of the State's Attorney of such county, that Public Defender
21 shall not engage in the private practice of law.

22 (b) The State treasury must pay 66 2/3% of the public
23 defender's annual salary. If the public defender is employed
24 full-time in that capacity, his or her salary must be at
25 least 90% of that county's State's attorney's annual
26 compensation. These amounts furnished by the State shall be
27 payable monthly from the State treasury to the county in
28 which each Public Defender is employed.

29 (c) In cases where 2 or more adjoining counties have
30 joined to form a common office of Public Defender, the salary
31 of the Public Defender shall be set and paid as provided by a

1 joint resolution of the various county boards involved.

2 (Source: P.A. 86-962.)

3 Section 99. Effective date. This Act takes effect July
4 1, 2002.