

## WAIVING ASSESSMENT FOR PUBLIC DEFENDER CLIENTS

(e) Cases involving representation by public defenders, criminal legal services providers, or attorneys in court-sponsored pro bono program. In any case where a defendant is represented by a public defender, criminal legal services provider, or an attorney in a court-sponsored pro bono program, the attorney representing that defendant shall file a certification with the court, and that defendant shall be entitled to a waiver of assessments as defined in **725 ILCS 5/124A-20(a)** without necessity of an Application under this rule. The certification shall be prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article IV Forms Appendix. “Criminal legal services provider” means a not-for-profit corporation that (i) employs one or more attorneys who are licensed to practice law in the State of Illinois and who directly provide free criminal legal services or (ii) is established for the purpose of providing free criminal legal services by an organized panel of pro bono attorneys. “Court-sponsored pro bono program” means a pro bono program established by or in partnership with a court in this State for the purpose of providing free criminal legal services by an organized panel of pro bono attorneys.

IL R S CT Rule 404

---

### **725 ILCS 5/124A-20(a)**

“Assessments” means any costs imposed on a criminal defendant under Article 15 of the Criminal and Traffic Assessment Act, but does not include violation of the Illinois Vehicle Code assessments except as provided in **subsection (a-5)**.

---

### **Subsection (a-5)**

(a-5) In a county having a population of more than 3,000,000, “assessments” means any costs imposed on a criminal defendant under Article 15 of the Criminal and Traffic Assessment Act, including violation of the Illinois Vehicle Code assessments. This subsection is inoperative on and after July 1, 2024.